

Minutes of the Village Board Meeting held at Town Hall on March 14, 2013 at 7PM

Present: Michael Queenan, Mayor
Neil Crouse, Timothy Egan and David Sutz, Trustees
Absent: Thomas Flood, Trustee
Also Present: Robert Weyant, Highway Superintendent; Maria Hunter, Planning Board; Carol Herb, Tax Collector

I. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Trustee Sutz, seconded by Trustee Egan, to accept the minutes of the regular meeting held February 28, 2013.

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

b. Approval of Abstract:

Motion was offered by Trustee Crouse, seconded by Trustee Egan, to approve Abstract 18 containing Vouchers 121159 – 121226 and totaling \$353,897.57.

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

c. Budget Modification:

Motion was offered by Trustee Egan, seconded by Trustee Crouse, to approve a modification to the budget of the Consolidated Water Fund by increasing FC5031 (Interfund Transfer) by \$68,820, FC2680 (Insurance Recoveries) by \$15,000, FC4960 (FEMA Assistance) by \$41,506 and increasing FC8310.406 (Building Maintenance/Supply) by \$68,820, FC8310.200 (Equipment) by \$56,506.

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

d. Advertise for Various Board Positions:

Motion was offered by Trustee Sutz, seconded by Trustee Egan, to authorize the Village Clerk to advertise for upcoming expiring seats on the Planning Board and Zoning Board of Appeals. Letters are to be received by 4PM on Friday, April 12, 2013.

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

e. Fire Department Membership Application:

Motion was offered by Trustee Egan, seconded by Trustee Crouse, to accept the application for membership to the Highland Mills Fire Company received from Nicholas Dohman as a junior member.

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

f. Fire Department Equipment Requisitions:

Motion was offered by Trustee Egan, seconded by Trustee Sutz, to approve Fire Department Requisition 2013-08 totaling approximately \$8374.50, 2013-09 totaling approximately \$503.50 and 2013-10 totaling approximately \$1418.

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

II. Old Business:

a. Resolution – Home Rule for Consolidation of Governments:

Motion was offered by Trustee Egan, seconded by Trustee Sutz, to adopt the following resolution:

RESOLUTION REQUESTING THE ENACTMENT OF NEW YORK STATE ASSEMBLY BILL A5040 AND NEW YORK STATE SENATE BILL S3747 FOR THE 2013 LEGISLATIVE SESSION WHICH WILL ALLOW THE VILLAGE OF WOODBURY AND THE TOWN OF WOODBURY TO FORM A CONSOLIDATED GOVERNMENT ENTITY BY A JOINT CONSOLIDATION AGREEMENT, EXCEPT THAT THE NEW GOVERNMENTAL ENTITY TO SURVIVE SHALL BE THE TOWN OF WOODBURY (including the existing incorporated village of Harriman) AND SUCH TOWN SHALL HAVE ALL THE POWERS, DUTIES AND OBLIGATIONS OF A GOVERNMENT UNDER TOWN LAW, HOWEVER NO ADDITIONAL VILLAGES MAY BE FORMED WITHIN THE TOWN LIMITS.

WHEREAS, the Village of Woodbury, Orange County, New York, has made a request for the enactment of certain "Home Rule" Legislation by the New York State Legislature authorizing the consolidation of the Town and Village of Woodbury to create the Town of Woodbury, leaving the incorporated Village of Harriman intact but prohibiting any new villages from being formed within the town limits; and

WHEREAS, pursuant to that "Home Rule" request, there has been introduced in the New York Assembly Bill A5040 and New York Senate Bill S3747; and

WHEREAS, the Village Board of the Village of Woodbury wishes to express its support for the passage of Assembly Bill A5040 and New York Senate Bill S3747 and to authorize the transmittal of such support to both houses of the New York State Legislature.

NOW, THEREFORE, IT IS

RESOLVED, that the Village Board of the Village of Woodbury requests the enactment of New York State Assembly Bill A5040 and New York Senate Bill S3747 authorizing the consolidation of the Town and Village of Woodbury to create the Town of Woodbury, leaving the incorporated Village of Harriman intact but prohibiting any new villages from being formed within the town limits; and be it

FURTHER RESOLVED, that the Village Board authorizes the Town Clerk to transmit this resolution together with any other necessary documentation to both houses of the New York State Legislature forthwith.

ADOPTED BY ROLL CALL AS FOLLOWS:

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

Trustee Egan stated he met with Supervisor Burke recently to discuss the consolidation efforts and he stated it would be brought before the Town Board possibly next week.

b. Discussion – Clothing Bin Draft Local Law:

Mayor Queenan stated the only issue outstanding at this time for this law to be completed is deciding which entity should be required to have the 501-3(c) nonprofit status, the bin owner or the bin sponsor. He feels that if the bin owner is required to have this status, then it could financially impact the organizations that sponsor the bins (PBA, Fire Department, various charities). He feels the intent of the proposed law was to control the amount of collections bins in the community, not to regulate the industry. He feels that the sponsor should be required to have the status, not necessarily the owner. Trustee Sutz suggested that the bins only be permitted on properties owned by the sponsor. Mayor

Queenan stated that would not be possible as most sponsors (like the PBA, Fire Department and various charities) do not own property in Town. Trustee Sutz stated he feels the more difficult it is to have a bin the better it would be so it would reduce the possibility of them “popping up” all over. He feels they are an eyesore and not ascetically pleasing. Mayor Queenan stated there are other restrictions in the draft law that would stop that from happening. Trustee Egan suggested putting exemptions in the law for emergency service organizations. Mayor Queenan stated the intent of the law is to control the growth of the bins and regulate the ascetics. He does not believe there are many organizations that own the bins but that they are privately owned. The owner gives a percentage of the proceeds from the sale of the donations to the sponsor of the bin. He believes that whatever items that are determined to be in good condition are sold at thrift shops and anything not good is sold for rags. Trustee Crouse stated he would like to see the sponsor be the exempt organization and that they provide a letter with a copy of their certificate to the Building Department with the bin owners application for a permit. A letter should also be submitted that states whether they actually receive the goods or a financial contribution. Trustee Sutz added that he feels three months is a sufficient amount of time for the existing bins to become in compliance with the law. It was also decided that no more than twenty bins will be permitted in the Village. Trustee Crouse will conduct an inventory of the bins that will include their current location, owner’s name and sponsor’s name.

c. MS4 Draft Annual Report on Website:

Mayor Queenan stated the State Pollutant Discharge Elimination System (SPDES) permit procedures require the Village, as an operator of a regulated Municipal Separate Storm Sewer System (MS4), file an Annual Report to continue to maintain permit coverage. A draft of the Annual Report for the period ending March 9, 2013 has been posted to the Village’s website for inspection and comment. The report complies with the DEC mandatory format. The final report will be filed with the State prior to the deadline of June 1, 2013.

III. New Business:

a. Appoint Site Inspector – Woodbury Common Renovations:

Motion was offered by Trustee Crouse, seconded by Trustee Sutz, to appoint Stephen Deutsch as site inspector for the renovation project by Woodbury Common.

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

b. Schedule Public Hearing – FY2013/2014 Budget:

Motion was offered by Trustee Egan, seconded by Trustee Crouse, to schedule a public hearing to be held on April 11, 2013 at 7PM at the Woodbury Town Hall to entertain comments on the adopt of the FY2013/2014 preliminary budget.

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

c. Proclamation – Woodbury Community Ambulance:

Motion was offered by Trustee Egan, seconded by Trustee Crouse, to adopt the following proclamation recognizing the Woodbury Community Ambulance for their 60 years as members of our community:

WHEREAS, the Woodbury Community Ambulance (WCA) was established 60 years ago to provide basic life support to the ill or injured in Woodbury; and

WHEREAS, WCA is staffed entirely by volunteers that serve as Emergency Medical Technicians (EMTs), First Responders and drivers; and

WHEREAS, WCA is an asset to our Community that enhances each residents quality of life.

NOW, THEREFORE, BE IT

RESOLVED that Village of Woodbury Board of Trustees, at their March 14, 2013 meeting, recognizes the outstanding accomplishment of the Woodbury Community Ambulance's 60 years of dedicated service to our community.

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

Trustee Sutz added that WCA was nominated and won agency of the year for County and Hudson Valley. They are currently waiting to hear if they won agency for the year for New York State. The Board members congratulated WCA on their success. Trustee Egan noted that WCA is 100% volunteer which is not common in this area, noting that other Ambulance organizations have paid EMT's on staff.

EXTRA ITEM – Schedule Public Hearing – Tax Cap Override Local Law:

Motion was offered by Trustee Crouse, seconded by Trustee Sutz, to schedule a public hearing to be held at 7PM on March 28, 2013 to entertain public comments on the adoption of a local law permit the Village Board to override the tax cap limit as defined in General Municipal Law Section 3-c. Mayor Queenan noted that, although the taxes for FY2013/14 are proposed to be decreased, the addition of the Brigadoon Sewer Improvement Area will cause the total tax levy to increase over the tax limit.

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

IV. Department/Board Member Comments:

The Board wished all a Happy Saint Patrick's Day and Easter.

Trustee Crouse stated he had opportunity to attend many of the Planning Board meetings recently and he acknowledged the efforts of the Board and Chairwoman Maria Hunter on the time that was dedicated to the Woodbury Common application. The Board members concurred with these comments.

V. Public Comment: There were no public comments received.

VI. Adjournment:

With no further business to discuss or comments received, a motion was offered by Trustee Egan, seconded by Trustee Sutz, to adjourn the meeting at 7:35PM.

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

Desiree Potvin, Village Clerk