

Minutes of the Village Board Meeting held at Town Hall on March 28, 2013 at 7PM

Present: Michael Queenan, Mayor
Neil Crouse, Thomas Flood and David Sutz, Trustees
Absent: Timothy Egan, Trustee
Also Present: Maria Hunter, Planning Board

I. Public Hearings:

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

A public hearing was continued from the February 28 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 easements remain an issue to be resolved. Due to this, a motion was offered by Trustee Sutz, seconded by Trustee Crouse, to continue the public hearing to May 9, 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

b. Property Tax Cap Override:

A public hearing was held on the adoption of a local law entitled “Tax Cap Override” to authorize the Village Board of Trustees to override the property tax cap, as defined in Section 3-c of General Municipal Law, for the 2013/2014 fiscal year. The public notice was printed in the Times Herald Record on March 20, 2013 and the following comments were received:

Mayor Queenan noted that due to the addition of the Brigadoon Sewer Improvement Area to the budget, the proposed FY2013/2014 budget will have an increase of 12.89% over last year. He stressed that only the properties that are in the Brigadoon Sewer area will pay for the cost of it. Without the Brigadoon Sewer area, taxes only increased 1.65%. Therefore, the tax cap law would not be needed if the Brigadoon Sewer area had not been acquired.

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

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

Motion was then offered by Trustee Crouse, seconded by Trustee Flood, to adopt Local Law 1 of 2013 as follows:

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Woodbury to adopt a budget for the fiscal year commencing June 1, 2013 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Board of Trustees of the Village of Woodbury, County of Orange, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2013 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

ADOPTED BY ROLL CALL AS FOLLOWS:

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

II. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Trustee Sutz, seconded by Trustee Crouse, to accept the minutes of the regular meeting held March 14, 2013.

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

b. Approval of Abstract:

Motion was offered by Trustee Flood, seconded by Trustee Crouse, to approve Abstract 19 containing Vouchers 121227 – 121270 and totaling \$86,246.52.

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

c. Budget Modification:

Motion was offered by Trustee Sutz, seconded by Trustee Flood, to approve a modification to the budget of the General Fund by increasing A1010.411 (VB – Office Supplies) by \$45, A1410.401 (FOIL Copies) by \$5, A1440.401 (Engineer – Contract) by \$10,000, A1910.400 (Unallocated Insurance) by \$2743, A1920.400 (Municipal Association Dues) by \$83, A1930.400 (Judgments/Claims) by \$1519, A3020.400 (Emergency Notification) by \$147, A3410.208 (FD – Radio Equipment) by \$10,000, A3410.462 (FD – Hose Testing) by \$1, A3410.472 (FD – Air Compressor) by \$155, A3620.417 (BD – Cellular Phone) by \$500, A8020.400 (Escrow Payments) by \$40,000, A2116 (Escrow Deposits) by \$40,000, A2555 (Building Permits) by \$18,000, A2705 (Gifts/Donations) by \$10,000 and decreasing A1010.444 (VB – Schools/Dues) by \$45, A1410.463 (VC – Computer Maintenance) by \$5, A3410.471 (FD – Extinguisher Maintenance) by \$148, A3620.453 (BD – Vehicle Repairs) by \$500, A9025.800 (Service Awards) by \$15,000, A9050.800 (Unemployment) by \$1000, and A9040.800 (Workers Compensation) by \$30,000.

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

d. Use of Building Request:

Motion was offered by Trustee Crouse, seconded by Trustee Flood, to approve the request to use the meeting room on April 23, 2013 from 7:30AM – 10AM received from the Woodbury Chamber of Commerce.

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

e. Receipt of FY2013/2014 Preliminary Budget:

It was noted that the Board received the FY2013-2014 Preliminary Budget. Mayor Queenan noted that at the last meeting the public hearing for the budget was scheduled and will be held on April 11, 2013 at 7PM.

III. Old Business:

a. Schedule Public Hearing – Donation Bin Local Law:

Motion was offered by Trustee Sutz, seconded by Trustee Crouse, to schedule a public hearing to be held on April 25, 2013 at 7PM to entertain public comments on the adoption of a local law creating Chapter 111 of the Village Code entitled “Donation Bins”.

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

Trustee Crouse stated he conducted the inventory of the existing bins and distributed it to each Board member.

IV. New Business:

a. Schedule Public Hearing – Amendment to Water Local Law:

Motion was offered by Trustee Sutz, seconded by Trustee Crouse, to schedule a public hearing to be held on April 25, 2013 at 7PM to entertain public comments on the adoption of a local law amending Chapter 298 of the Village Code entitled “Water”.

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

b. Advertise for Bids – FEMA Projects:

Motion was offered by Trustee Flood, seconded by Trustee Sutz, to authorize the Village Engineer to advertise for bids for two FEMA projects: 1) Roselawn Road Sewer Stabilization and 2) Water Department Flood Barriers (aka Doordams).

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

V. Board Members/Department Comments:

The Board collectively wished all a Happy Easter and Passover. They also urged motorists to drive carefully and yield to pedestrians in the crosswalks.

Trustee Crouse noted the Chamber of Commerce will be holding a Tri-Chamber Expo featuring local businesses on April 7 at one of the schools. He encouraged all to shop locally.

VI. Public Comment:

John Smith asked that the budget modification be described and it was. He then asked for an explanation of the donation bin inventory that Trustee Crouse conducted (sixteen bins and most were in good condition). Mr. Smith then noted the agenda for the meetings have not been posted in the libraries and Mayor Queenan stated they are being sent but he would check to see why they have not

been posted. Mr. Smith then asked the Board to justify their reasons for requesting the State Legislature to adopt legislation that would consolidate the Town and Village into a new form of government. The Board and Mr. Smith had a lengthy discussion regarding this issue. Mr. Smith stated some reasons why he feels the Village is an “insurance policy” to protect the character of Woodbury. Mayor Queenan stated he ran on a platform that would consolidate the two governments into a new Town, but one that a Village would not be permitted to exist within. He feels that this will save taxpayers money. Mr. Smith stated he feels the amount that is paid solely for the Village is minimal as most of the taxes were previously paid to the Town (noting water/sewer). After the discussion was held, Mr. Smith was thanked for his comments and each side agreed to disagree on the issue.

Maria Hunter stated she wholeheartedly supports the efforts to consolidate the Town and Village into a new Town as proposed by the Village Board at their last meeting. She suggested the resolution be printed in its entirety in the Woodbury Gazette to avoid confusion about what is trying to be accomplished.

Robert Hunter stated he believes that the Woodbury Creek should be dredged to reduce the back-up of water in the Village when there is inclement weather. Mayor Queenan stated there is interest to do this work but the cost is a real issue. It has been discussed at the Moodna Council meetings, which the DEC participates at, as it is a regional issue. Grants are being looked for and the plan is to be proactive with snatch and grabs (logs, boulder and other obstructions). He added that prior to Hurricane Sandy hitting our area last year precautions were taken to lower Earl’s Reservoir and other bodies of water in Town. Mr. Hunter stated he believes that was a good idea but the drain valve at the Reservoir needs to be looked at, which Mayor Queenan stated he agreed it should be repaired.

VII. Adjournment:

With no further business to discuss or comments received, a motion was offered by Trustee Sutz, seconded by Trustee Crouse, to adjourn the meeting at 7:55PM.

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

Desiree Potvin, Village Clerk