

Minutes of the Village Board Meeting held at Town Hall on May 14, 2015 at 7PM

Present: Michael Queenan, Mayor  
Neil Crouse, Timothy Egan and David Sutz, Trustees  
Absent: Thomas Flood, Trustee  
Also Present: Jessica McClennan, Deputy Village Clerk/Treasurer

**I. Administrative Business:**

a. Acceptance of Minutes:

Motion was offered by Trustee Crouse, seconded by Trustee Sutz, to accept the minutes of the April 23, 2015 meeting.

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

Clerk Potvin stated it was suggested that she clarify a comment made during the public portion of the April 23 meeting about the litigation regarding the Village's Zoning Code and Comprehensive Plan. The court decision invalidated four out of five discrete local laws that were passed at the same time as the Comprehensive Plans adoption. Only those four laws were declared invalid with the remainder of the Zoning Code remaining intact. An accurate copy of the Village's current zoning law is available through the office of the Village Clerk if anyone is interested in reviewing it.

b. Budget Modifications:

Motion was offered by Trustee Sutz, seconded by Trustee Egan, to approve a modification to the budget of the General Fund totaling \$17,565 by increasing A1410.401 (VC – FOIL Copies) by \$20, A1410.430 (VC – Trans/Travel) by \$400, A1420.403 (Attorney – ZBA) by \$10,000, A1930.400 (Judgment/Claims) by \$4000, A1980.400 (MTA Payroll Tax) by \$100, A5182.400 (WPF Street Lighting) by \$650; A3410.411 (FD – Office Supplies) by \$300, A3410.420 (FD – Exhaust System) by \$1745, A3410.430 (FD – Trans/Travel) by \$350 and decreasing A3410.201 (FD – Equipment – LT) by \$2395, A9010.800 (NYS Retirement) by \$15,170.

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

c. Approval of Abstract:

Motion was offered by Trustee Crouse, seconded by Trustee Sutz, to approve Abstract 22 containing vouchers 141507 – 141631 totaling \$162,682.27.

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

d. Fire Department Membership Applications:

Motion was offered by Trustee Egan, seconded by Trustee Sutz, to accept the membership application to the Highland Mills Fire Company received from Raymond Hanaburgh.

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

e. Fire Department Equipment Requisitions:

Motion was offered by Trustee Egan, seconded by Trustee Sutz, to approve the Fire Department Equipment Requisition 2015-13 totaling approximately \$534.05 for the purchase of eleven helmet shields.

**ADOPTED** AYES 4 Queenan, Crouse, Egan, Sutz

NOES 0

**II. Old Business:** *There was no old business to discuss.*

**III. New Business:**

a. FY2015-2016 Insurance Proposal:

Two proposals were received from two different agents for insurance coverage for the Village's Fiscal Year 2015/2016 (note –neither proposal provides for any coverage for the anticipated highway department functions transferring January 1, 2016). Our current agent, Marshall & Sterling, presented a proposal of \$93,115.80 and the other proposal was for \$69,556.79, but we would need to pay an approximate \$7000 fee to buy out of our current plan with NYMIR. Mayor Queenan noted there is a significant difference in cost, which is quite alarming, but when both proposals are analyzed it is very clear that they are not equal in value or in the coverage offered. The proposal from McKane Group has higher deductibles and the coverage limits are different. In addition the provider quoted by McKane, CNA, previously represented the Village and the experience was not very positive (they refused to pay a claim that FEMA said should have been an insurance issue during either Hurricane Irene or Sandy). Trustee Egan stated he has reviewed both policies and feels that the proposal from Marshall & Sterling is the better value for the cost proposed. Other members of the Board agreed and noted that the Village currently has a very good working relationship with Marshall & Sterling. There was also concern that although the proposal from McKane was low, there was no predicting what it could be when it is time to renew. Based on the above discussion, a motion was offered by Trustee Crouse, seconded by Trustee Egan, to accept the proposal received from Marshall & Sterling for insurance coverage for the FY2015/2016 totaling \$93,115.80.

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

b. HMFC Ladies Auxiliary Reinstatement:

Correspondence was received from Fire Chief McClennan stating that the Highland Mills Fire Company has approved a proposal for the reinstatement of the Highland Mills Fire Company Ladies Auxiliary, along with their original by-laws and charter. The Auxiliary will be covered under the insurance policy obtained by the Highland Mills Fire Company and will provide support services during Department related functions (fire scenes, parades, fundraising events). It was decided that the Village Attorney will be consulted to determine if action is required by the Village Board and the issue will be discussed at the next meeting. Trustee Egan stated he did verify that the HMFC does have independent insurance that would cover this group. Mayor Queenan stated that is understood but if action is not needed to be taken then the Board should not do so.

c. Waiver for Fire Permit Fee – HMFC Fireworks:

Motion was offered by Trustee Egan, seconded by Trustee Crouse, to waive the fire permit fee for the Highland Mills Fire Company's firework display planned for July 11.

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

d. Tax Collectors FY2015/2016 Warrant:

Motion was offered by Trustee Egan, seconded by Trustee Sutz, to authorize the Mayor and Village Clerk to sign the FY2015/2016 Collecting Officer's Warrant totaling \$4,974,000.00.

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

e. Authorize Mayor to Sign Fire Department Parade Contracts:

Motion was offered by Trustee Egan, seconded by Trustee Crouse, to authorize the Mayor to sign contracts with Orange County AOH Division 1 Pipes and Drums for band services at four parades for the Fire Department (Woodbury Memorial Day Parade May 24, Warwick Parade June 20, West Haverstraw Parade September 19 and Orange County Parade September 26).

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

EXTRA ITEM – Discussion of Assembly Bill A7450:

Mayor Queenan stated there was an article in the Times Herald Record today about Assembly Bill A7450 and he asked Clerk Potvin to read the bills summary. Proposed Assembly Bill (A7450) entitled “an act to amend the general municipal law in relation to requiring the consent of the legislature of the county of Orange concerning municipal annexation petitions” has been sponsored by Assemblyman Karl Brabenec. The summary of specific provisions of the law state that Section 711 of the general municipal law would be amended by adding a new subdivision six that would state: (1) the county legislature shall have 90 days to either confirm or disapprove the annexations determinations; (2) in the event the county legislature fails to take any action either confirming or disapproving such determinations within 90 days, such determinations shall be deemed denied; and (3) the county of Orange may, by local law, limit the applicability of this subdivision to applications for annexations in excess of a particular acreage amount of in excess of any particular value or real property. The justification for the bill states: “The county legislature should determine the outcome of annexation measures. Annexing territory may have significant implications on its neighboring towns and, therefore, should be reviewed by the county legislature”. Mayor Queenan stated he feels that the proposed bill should be amended to state that the entity petitioning for annexation should not be able to serve as lead agent, only the entity or entities being directly affected by the petition should be able declare lead or co-lead agency. There is a lot of debate regarding this proposed bill. As Mayor, he will actively work with the Mayors and Supervisors of the County to offer a bill that will protect all rights and the interest of the residents of Woodbury and Orange County. He noted that he has a problem with Kiryas Joel being able to serve as lead agency on their annexation petition with Monroe when the petition will solely benefit them. He feels the laws should be amended to ensure that proper SEQRA is being followed and to ensure that the Environmental Impact States are accurate and unbiased.

Trustee Egan stated his concern is that the proposed law will allow the County to have oversight and overwhelming power over all municipalities. He would like to see existing law enforced or made stronger. He does agree that the issue of lead agency should be addressed as well. He noted there is no matching Senate bill so until there is one, it will not be able to move forward.

Trustee Sutz stated he agrees with the proposed law, noting it is a proactive stand to address the specific issue of annexation. He did attend the County meeting where they allocated \$200,000 to conduct a parallel environmental impact statement on the effects of the annexation petition and they stressed they have concerns about the impact it will have on the roads and the water and sewer systems. He feels the proposed legislation may aide when there are disagreements between municipalities and could use a third party to decide. That being said, he does feel that the law could be better by including the other issues raised this evening.

Trustee Crouse stated it is his understanding the proposed legislation will be unique to Orange County and understands the municipal leaders are divided on the issue. He wants to be sure the residents of Woodbury are protected. Mayor Queenan noted that he has already spoken to Supervisor Caruso and Harriman Mayor Welle about this issue and standing together on it.

**IV. Public Comment:** *There was no public comment received.*

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

Mayor Queenan announced that this year the Orange County Firemen’s Parade will be held in Woodbury on September 26, Noon - 6PM. More details to follow.

Clerk Potvin noted the unveiling of the memorial in memory of the former Town Supervisor John Burke will take place at the John P. Burke Memorial Pool (formerly known as the Central Valley Pool/Pond) on June 13 at 11AM.

**VI. Adjournment:**

With no further business to discuss, a motion was offered by Trustee Sutz, seconded by Trustee Crouse, to adjourn the meeting at 7:40PM.

<b>ADOPTED</b>	AYES	4	Queenan, Crouse, Egan, Sutz
	NOES	0	

Desiree Potvin, Village Clerk