

Minutes of the Village Board Meeting held at Town Hall on September 8, 2015 at 7PM

Present: Timothy Egan, Deputy Mayor
Neil Crouse and Thomas Flood, Trustees
Absent: Michael Queenan, Mayor
David Sutz, Trustee
Also Present: Karen Ungerer, Zoning Board

Deputy Mayor Egan announced that Mayor Queenan and Trustee Sutz are attending the Monroe Town Board meeting this evening where they are scheduled to vote on the annexation petition.

I. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Trustee Crouse, seconded by Trustee Flood, to accept an amendment to the minutes of the July 23, 2015 by correcting the "Schedule A" for the description of the discontinuance and conveyance of Melody Lane to Cabela's, as follows:

"ALL that certain plot, piece, or parcel of land situate in the Village of Woodbury, County of Orange, State of New York, said lands being more particularly bounded and described as follows:

BEGINNING at a point lying on the northeasterly line of New York State Route 6 Extension, being the southerly corner of lands herein described and a westerly corner of lands now or formerly B&D Motel, LLC, said point being North 43 degrees 52' 02" West, as per Grid North State Plane Coordinate System New York East, 516.54 feet from a point lying on the northwesterly line of Central Valley Turners State Highway No. 115 (New York State Route 17) being the southerly corner of lands now or formerly Cabela's Wholesale, Inc.;

THENCE, from said point of beginning, running along the northeasterly line of said New York State Route 6 Extension being the southwesterly line of lands herein described, (1) North 43 degrees 38' 17" West, a distance of 67.23 feet, to a point being the southwesterly corner of lands herein described and a southerly corner of lands now or formerly B&D Motel, LLC;

THENCE running along an easterly line of lands of said B&D Motel, LLC being the westerly line of lands herein described on the following four (4) courses and distances:

- (2) North 04 degrees 24' 47" East, a distance of 88.23 feet;
- (3) North 00 degrees 34' 53" West, a distance of 65.11 feet;
- (4) North 13 degrees 21' 23" West, a distance of 45.69 feet; and
- (5) North 19 degrees 13' 43" West, a distance of 124.95 feet, to a point being the northwesterly corner of lands herein described and lying on a southerly line of New York State Route 17 and U.S. Route 6;

THENCE running along a portion of the southerly line of said New York State Route 17 and U.S. Route 6 being a northerly line of lands herein described, (6) North 77 degrees 56' 11" East, a distance of 42.26 feet, to a point being a southeasterly corner of said New York State Route 17 and U.S. Route 6;

THENCE running along an easterly line of said New York State Route 17 and U.S. Route 6 being a westerly line of lands herein described, (7) North 11 degrees 03' 42" West, a

distance of 140.64 feet, to a point being the northeasterly corner of lands herein described and lying on a westerly line of lands now or formerly B&D Motel, LLC;

THENCE *running along a portion of the westerly line of lands of said B&D Motel, LLC, and continuing along a westerly line of lands of the State of New York and across Locey Lane, and along the westerly line of other lands of said B&D Motel, LLC, being a portion of the easterly line of lands herein described on the following five (5) courses and distances:*

(8) South 14 degrees 22' 29" East, a distance of 140.73 feet; and

(9) South 19 degrees 13' 43" East, a distance of 121 .23 feet;

(10) South 13 degrees 21' 23' East, a distance of 53.85 feet;

(11) South 00 degrees 34' 53" East, a distance of 72.89 feet; and

(12) South 04 degrees 24' 47" West, a distance of 135.35 feet, to the point or place of BEGINNING. Containing 0.419 ± acres.

Premises herein described being a portion of the former Town of Woodbury roadway known as Melody Lane.

Premises herein described being a portion of the current roadway known as Locey Lane.

Premises herein described being subject to any easements, rights-of-way, covenants or restrictions of record."

ADOPTED AYES 3 Crouse, Egan, Flood
 NOES 0

Motion was then offered by Trustee Flood, seconded by Trustee Crouse, to accept the minutes of the regular meeting held August 27, 2015.

ADOPTED AYES 3 Crouse, Egan, Flood
 NOES 0

b. Approval of Abstract:

Motion was offered by Trustee Crouse, seconded by Trustee Flood, to approve Revised Abstract 6 by deleting voucher 150363 (check #13861) issued for \$495.41. This reduces the total of the abstract to be \$128,375.97.

ADOPTED AYES 3 Crouse, Egan, Flood
 NOES 0

Motion was then offered by Trustee Flood, seconded by Trustee Crouse, to approve Abstract 7 containing vouchers 150416 – 150447 and totaling \$76,622.46.

ADOPTED AYES 3 Crouse, Egan, Flood
 NOES 0

c. Fire Department Equipment Requisition:

Motion was offered by Trustee Flood, seconded by Trustee Crouse, to approve Fire Department Equipment Requisition 2015-22 totaling approximately \$755.04 for the purchase of a sump pump.

ADOPTED AYES 3 Crouse, Egan, Flood
 NOES 0

d. Closing of Escrow:

Motion was offered by Trustee Crouse, seconded by Trustee Flood, to close escrow D429 for the Crown Castle – Arden Dish account that had an application before the Planning Board. All consultant

bills have been paid and the application process is completed. This closure is recommended by the Building Department.

ADOPTED AYES 3 Crouse, Egan, Flood
 NOES 0

e. Fire Department Applications for Membership:

Motion was offered by Trustee Flood, seconded by Trustee Crouse, to accept the application for membership to the Highland Mills Fire Company received from Kyle King (physical approved) and Fady Azzer (pending physical).

ADOPTED AYES 3 Crouse, Egan, Flood
 NOES 0

II. Old Business:

a. Authorize Mayor to Sign – Cabela’s Developers Agreement:

Motion was offered by Trustee Crouse, seconded by Trustee Flood, to authorize the Mayor to sign a developer’s agreement with Cabela’s.

ADOPTED AYES 3 Crouse, Egan, Flood
 NOES 0

b. Resolution – Locey Lane Maintenance Jurisdiction:

Motion was offered by Trustee Flood, seconded by Trustee Crouse, to resolve that the Village of Woodbury hereby abandons its maintenance jurisdiction of that portion of Locey Lane depicted on Map 54-C, Parcel 77, as the New York State Department of Transportation has approved the proposed conveyance of the property to Cabela’s Wholesale, Inc.

ADOPTED AYES 3 Crouse, Egan, Flood
 NOES 0

III. New Business:

a. Liquor License Notification:

Notice was received on August 18 from Le Pain Quotidiana and on August 21 from TGI Fridays, that they are separately applying for a liquor license from the NYS Division of Alcoholic Beverage Control State Liquor Authority. Deputy Mayor Egan stated a letter was sent to the Police Department to determine if there is any reason why the Village should object to these applications being approved and they stated there have been no significant incidents that would prohibit the applications. Therefore, Village Clerk Potvin was instructed to send a letter to the State Liquor Authority indicating the Village Board has no objection to the applications.

b. Authorize Mayor to Sign – FY15/16 Snow and Ice Agreement:

Motion was offered by Trustee Crouse, seconded by Trustee Flood, to authorize the Mayor to sign an agreement with Orange County for the contract of snow and ice removal on certain County roads for the 2015/2016 season at a rate of \$4,750 per mile. It was noted that the contract with the Village will begin in January, 2016.

ADOPTED AYES 3 Crouse, Egan, Flood
 NOES 0

c. Resolution – Authorize to Initiate/Participate in Litigation:

Motion was offered by Trustee Crouse, seconded by Trustee Flood, to adopt the following resolution authorizing the Village of Woodbury to initiate as well as otherwise participate in litigation:

WHEREAS, the Board of Trustees (“Board”) of the Village of Woodbury, New York (“Village”) has a right and responsibility to be certain all laws, rules and regulations are complied with involving matters impacting on Village residents; and

WHEREAS, the Village has previously been involved in review of the Annexation Petitions filed concerning property in the Town of Monroe, New York to be annexed to the Village of Kiryas Joel, New York (collectively the “Annexation Petition”); and

WHEREAS, the Village of Kiryas Joel, New York has recently indicated approval of the Annexation Petition; and

WHEREAS, the Village Board has been informed by its legal Counsel that critical environmental and other requirements were not complied with in that Annexation Petition process; and

WHEREAS, the Village Board desires to initiate as well as participate in any and all lawful challenges to that Annexation Petition.

NOW THEREFORE, it is resolved by the Village Board as follows:

1. All “WHEREAS” paragraphs are incorporated herein by reference as though set forth in full herein.
2. The Village Mayor is authorized to execute a Retainer Agreement as recommended by Special Counsel to the Village to provide for the retention of Legal Counsel to file any and all necessary litigation to address any and all unlawful procedural or substantive aspects of the Annexation Petition.
3. The Village Mayor is also authorized to execute an Inter-Municipal Agreement as recommended by Special Counsel to allow for the expeditious and economical aforesaid lawful challenges to be pursued.
4. The Village Board hereby authorizes the expenditure of \$25,000 for said litigation. The Village Board reserves all rights to make such additional expenditures from time to time for said litigation as appropriate.
5. This Resolution shall take place effective immediately.

ADOPTED AYES 3 Crouse, Egan, Flood
 NOES 0

Trustee Crouse pointed out that Woodbury has successfully fought annexation attempts, with the support from Monroe residents. He believes this is a regional issue and Woodbury should support Monroe residents at this time.

IV. Board Member/Department Comments:

Trustee Egan reminded the public that the Orange County Firemen’s Parade will be held in Woodbury on September 26. More information is available on the Highland Mills Fire Company’s website. Clerk Potvin reminded the public that the Lion’s Club will be holding their annual community yard sale on September 12.

V. Public Comments: *There were no public comments received.*

VI. Adjournment:

With no further business to conduct or comments received, a motion was offered by Trustee Flood, seconded by Trustee Crouse, to adjourn the meeting at 7:15PM.

ADOPTED AYES 3 Crouse, Egan, Flood
 NOES 0

Desiree Potvin, Village Clerk