

Minutes of the Village Board Meeting held at Town Hall on October 13, 2016 at 7PM

Present: Michael Queenan, Mayor
Neil Crouse and Thomas Flood, Trustees
Absent: Timothy Egan and Anthony Mickolajczyk, Trustees
Also Present: Robert Weyant, Village Streets Superintendent; Jessica McClennan, Deputy Village Clerk;
Maria Hunter and Sandra Capriglione, Planning Board; James DiSalvo, County Legislator

I. Public Hearing:

a. Introductory Local Law #4 – Towing:

A public hearing was held to entertain public comments on the adoption of Introductory Local Law 4 of 2016 entitled "Towing" to provide for regulations for the prompt and safe removal of vehicles on all roads within the Village of Woodbury. The public notice was printed in the Times Herald Record on October 4, 2016 and the following comments were received:

Richard Sarajian, Attorney representing Loyal Tire, stated that although this proposed law is similar to what the town currently has he does feel, as he has stated previously to the Town Board, that the law has areas that need to be reworded or clarified better. The areas he has concerns about are as follows:

- 283-2 Definition of "Towing". He feels that the sentence "towing shall include recovery unless the context states otherwise" does not make sense and is vague.
- 283-5(2) references "wrecker" and he feels "flatbed" should be added. He also feels all towers should be required to have both a wrecker and a flatbed in order to be eligible for a permit.
- 283-5(c) requires the tower to accept credit cards and personal checks which he does not feel is a good idea since both could be canceled after the transaction occurs.
- 283-7(a)(4) he feels the radius should be expanded to one mile.
- 283-7(c) he agrees as it protects all involved and feels 283-7(d) should have similar language requiring written approval from the Police Department as well.
- 283-13(a) he feels should include "flatbeds" and noted that 283-13(a)(5) is need only for wreckers, not flatbeds
- 283-14(D) he feels that "holidays" should be added to the last sentence which would permit the tower to impose a reasonable additional charge.
- 283-14(E)(1)(f) he feels \$150 is too low and it should be \$250.
- 283-14(E)(1)(i) he feels \$4.00 per mile is too low and it should be increased to \$4.50.
- 283-14(F) mentions a form but none has ever been provided.
- 283-15 he feels the rotating list should be clarified as being weekly. He also feels that there should be a penalty if a tower opts to be skipped for specific calls because they don't want to go out in the middle night or find the call to be inconvenient.
- 283-15(c) he feels a response time of 20 minutes during the daytime and 30 minutes during the evening should be considered.
- 283-18 he feels the last line should state that there would be no charge for the removal of nonhazardous debris. He feels that a sentence should be added that a reasonable fee can be charged for the removal of hazardous debris and loads.
- 283-21 he feels that the clause pertaining to imprisonment is unnecessary, adding that if there were any justification, it would most likely be covered under the penal code. Mayor Queenan asked what Mr. Sarajian feels the penalty imposed should be if the imprisonment section is removed and Mr. Sarajian stated not to exceed \$1000 per incident.

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

ADOPTED AYES 3 Queenan, Crouse, Flood
NOES 0

Mayor Queenan stated the comments made this evening will be taken under consideration and discussed with the Village attorney.

II. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Trustee Flood, seconded by Trustee Crouse, to accept the minutes of the regular meeting held September 22, 2016.

ADOPTED AYES 3 Queenan, Crouse, Flood
NOES 0

b. Approval of Abstract:

Motion was offered by Trustee Crouse, seconded by Trustee Flood, to approve Abstract 9 containing vouchers 160781 – 160894 and totaling \$228,571.09.

ADOPTED AYES 3 Queenan, Crouse, Flood
NOES 0

c. Fire Department Equipment Request:

As requested at the last Board meeting, the Fire Department has provided justification for the items requested in Equipment Request 2016-22. The request is for a truck bank charger which is different from what was previously approved on Request 2016-15. This charger will mount on the truck so at a scene firemen will have the capability to recharge batteries at a long duration call. The other charger was included with the tool purchase and is for the firehouse only and runs on an 110V standard voltage. Based on the above, a motion was offered by Trustee Flood, seconded by Trustee Crouse, to approve Fire Department Equipment Requisition 2016-22 totaling approximately \$2007.50 for the purchase of three eDraulic mounts and one truck bank charger for auto-vehicle extrication.

ADOPTED AYES 3 Queenan, Crouse, Flood
NOES 0

d. Appointment of Village Street Superintendent:

Mayor Queenan stated notification was received from Orange County Department of Human Resources that Robert Weyant has passed the Village Streets Superintendent exam and can have his status changed from “provisional” to “permanent”. Motion was offered by Trustee Flood, seconded by Trustee Crouse, to appoint Robert Weyant to the position of Village Street Superintendent as a permanent appointment.

ADOPTED AYES 3 Queenan, Crouse, Flood
NOES 0

Motion was then offered by Trustee Crouse, seconded by Trustee Flood, to authorize the Mayor to sign an employee contract renewal with Superintendent Weyant for a term of January 1, 2017 – May 2020.

ADOPTED AYES 3 Queenan, Crouse, Flood
NOES 0

e. Rescind Membership Approval – Fire Department:

Based on information provided by the Fire Chief and as recommended by counsel, motion was offered by Trustee Crouse, seconded by Trustee Flood, to rescind the September 8, 2016 motion to accept an application received from Kevin Steinhauer for active membership with the Central Valley Fire Company. Mr. Steinhauer's status can remain social with Central Valley Fire Company until his restrictions are removed by the Department physician.

ADOPTED AYES 3 Queenan, Crouse, Flood
NOES 0

f. Use of Building Request:

Motion was offered by Trustee Flood, seconded by Trustee Crouse, to approve the request to use the meeting room on October 22, 2016 by Woodbury Boy Scout Troop 4 10AM-4PM for an Eagle Scout Ceremony.

ADOPTED AYES 3 Queenan, Crouse, Flood
NOES 0

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

IV. New Business:

a. Request for Bond Return – Cabela's:

A request was received from Cabela's for the return of the bonds/escrow being held in connection to their application that was before the Planning Board. There are currently two escrow accounts (Restoration Cash Bond - \$75,000 plus interest; Site Inspection Escrow – current balance approximately \$71,800) and one Restoration Bond in the amount of \$225,000. Engineer Lindsay has conducted an inspection and suggests that the bonds can be returned but \$13,000 should be held for three outstanding issues: removal of debris dumped onsite (\$5000), removal of reinforcing steel (\$5000) and replacement of concrete barrier blocks at entry (\$3000). Motion was offered by Trustee Crouse, seconded by Trustee Flood, to return the bonds held for Cabela's less \$13,000 plus funds to cover outstanding consultant fees. Cabela's is asked to have the three items completed by January 31, 2017 or the money will be used for the Village to do the work.

ADOPTED AYES 3 Queenan, Crouse, Flood
NOES 0

b. Authorize Mayor to Sign Agreement – Munistat Financial Services:

Motion was offered by Trustee Flood, seconded by Trustee Crouse, to authorize the Mayor to sign an agreement with Munistat Financial Services for financial advising services relating to bonds.

ADOPTED AYES 3 Queenan, Crouse, Flood
NOES 0

V. Public Comment: *None received.*

VI. Board Member/Department Comment:

Superintendent Weyant reminded all the Fall Electronic Pick-Up is scheduled for this weekend.

County Legislator DiSalvo stated he is here for the Board members if they need anything. Trustee Flood stated more money to improve the conditions of the roads would be appreciated. Legislator DiSalvo stated infrastructure is important to the County Executive and the Legislature, noting they are doing their best to maintain it. Trustee Flood then asked for assistance with more sheriff

patrols on Route 32 to control speeding and Legislator DiSalvo stated he would speak to the Sheriff's office about it.

Trustee Crouse reminded all that the annual Halloween Trunk-or-Treat sponsored by the Chamber of Commerce will be held again this year with many organizations participating. He feels it is a great and safe place to go get candy on Halloween.

Trustee Flood thanked all the departments for the work they are doing and noted it is great to see our road infrastructure being maintained.

Clerk Potvin announced notification was received from the NYSDOT that they are progressing on a project to restore the pavement conditions on the Palisades Interstate Parkway between Exits 13 (Route 202) and Exit 18 (Route 6). The construction is anticipated to begin in Spring 2017 and during construction they will be closing traveling lanes. They plan on creating detour routes when the lanes are closed, which will be Monday – Thursday, 9PM-5AM southbound and 10PM-6AM northbound.

Mayor Queenan urged all residents to have their heaters serviced and carbon monoxide detectors checked since it is getting colder out and they will be used soon.

VII. Adjournment:

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

ADOPTED	AYES	3	Queenan, Crouse, Flood
	NOES	0	

Desiree Potvin, Village Clerk