

Minutes of the Village Board Meeting held at the Highland Mills Firehouse, 455 Route 32, Highland Mills, New York on March 11, 2008 at 7:30PM

Present: Stephanie Berean-Weeks, Mayor
Neil Crouse, Patrick Kinney and Joann Stabile, Trustees
Absent: Michael Kling, Trustee
Also Present: Richard Golden, Attorney for the Village; Dennis Lindsay, Engineer for the Village; Gary Thomasberger, Building Inspector; William McClennan, Water/Sewer Superintendent; Peter Stabile, Highway Superintendent; Dominick Prozzillo, Fire Chief; George Sewitt, Maria Hunter and Lorraine McNeill, Planning Board

I. Update by Engineer – MS4 Audit Report

Engineer Lindsay stated, to remain in compliance with the general permit issued by the Department of Environmental Conservation and the Environmental Protection Act, a meeting must be held to update the public on what action the municipality has done the previous year on the Municipal Separate Stormwater Sewer Systems (MS4s). A draft report was prepared and submitted to the Board on March 6, 2008. No comments were received from the public at this time but Mayor Berean-Weeks stated the topic will be discussed again at the April 22 meeting so the public has the opportunity to review the report to ask questions.

II. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Trustee Stabile, seconded by Trustee Crouse, to accept the minutes of the meeting held February 26, 2008.

ADOPTED AYES 4 Berean-Weeks, Crouse, Kinney, Stabile
NOES 0

b. Approval of Abstract:

Motion was offered by Mayor Berean-Weeks, seconded by Trustee Kinney, to approve Abstract 16, Vouchers #20070845 - #20070925, totaling \$79,546.62.

ADOPTED AYES 4 Berean-Weeks, Crouse, Kinney, Stabile
NOES 0

c. Budget Modification:

Motion was offered by Mayor Berean-Weeks, seconded by Trustee Stabile, to approve a modification to the General Fund budget by decreasing A960 Appropriations (A8010.444 ZB – Schools/Dues) by \$460 and increasing A960 Appropriations (A8020.102 ZB – Member Stipend) by \$460.

ADOPTED AYES 4 Berean-Weeks, Crouse, Kinney, Stabile
NOES 0

EXTRA ITEM – Equipment Request:

Motion was offered by Trustee Stabile, seconded by Trustee Crouse, to approve the request received from Fire Chief Prozzillo to purchase twelve Minitor V pagers with

dual channel, chargers and batteries at a cost of \$491 each to be spent from line-item A3410.204.

ADOPTED AYES 4 Borean-Weeks, Crouse, Kinney, Stabile
NOES 0

III. Old Business:

a. Update - Workplace Violence:

Mayor Borean-Weeks reminded the Board that a joint meeting with the Town Board is scheduled for March 17 at the Town Hall to review the draft "Workplace Violence Prevention Plan" prepared on February 26, 2008.

b. Discussion - Senior Housing Definition:

Attorney Golden stated that there was some concern stressed that the current Senior Housing regulations did not provide for some exemptions (spouse of a 55+ years old that is under 55, if a live-in care taker for a 55+ years old individual was required and that caretaker was under the age of 55). The Board recently spoke about also adding an exemption for a disabled dependent with an age minimum of 21. Trustee Crouse stated he feels that no age minimum should be set and the definition used by the *Fair Housing Act* for "disability" should be the one used in the Village's law. Trustee Kinney asked if other municipalities utilize an age restriction in this matter and Attorney Golden stated he does not know of any other municipality that addresses this in their law. Mayor Borean-Weeks asked Attorney Golden to prepare a draft of the law for the Board to review at its April 22 meeting.

c. Discussion – Legacy Ridge Zone Change Local Laws:

Mayor Borean-Weeks stated the County has sent their General Municipal Law Section 239 review regarding these two proposed local laws. Attorney Golden explained the County has made some recommendations that the Board can either accept or dismiss. Since the County has recommended this be handled by local determination, a super-majority vote is not required. Therefore, the Board can vote on the laws when they are ready to proceed. Engineer Lindsay stated the recommendations made by the County are routine and consistent with the recommendations they make on other similar applications. Trustee Crouse stated he would like to conduct a walk-thru on the site prior to making a decision and the rest of the Board agreed. A walk-thru was scheduled for March 31 at 2PM. Attorney Golden added most of the recommendations made by the County would be addressed by, and the obligations of, the Planning Board during the site-plan process.

d. Discussion – Public Assembly Local Law:

Attorney Golden stated he has reviewed the draft prepared by Building Inspector Thomasberger and Trustee Crouse and he has some modifications to the wording to make it easier to enforce. He believes this is an important law and should be in place prior to the summer. Mayor Borean-Weeks suggested the Board members and consultants review the law and submit changes/recommendations to the Attorney Golden by April 1. She then asked Attorney Golden to have a draft ready for review at the April 22 meeting.

EXTRA ITEM – Home Rule Legislation Update:

Mayor Berean-Weeks stated she spoke with Senator Larkin's office this week and they would like to know the Village's position on the two proposed pieces of legislation carried over from last year regarding the Fire District and the Water/Sewer District. After discussion, a motion was offered by Mayor Berean-Weeks, seconded by Trustee Crouse, to inform Senator Larkin's office that the Village Board is not in favor of the legislation proposed for the Woodbury Fire District and the Woodbury Water/Sewer Districts in their current format due to inaccuracies. Further discussion will be held to determine if the Village Board would like to pursue these issues in the future, with different wording.

ADOPTED AYES 4 Berean-Weeks, Crouse, Kinney, Stabile
NOES 0

e. Discussion – Sign Ordinance:

Mayor Berean-Weeks asked Attorney Golden to prepare an updated draft of the proposed local law for the Board to review and then discuss at the April 22 meeting.

IV. New Business:

a. Appointment of Site Inspector – Greens Phase II:

Building Inspector Thomasberger stated he will contact Clough Harbour and Stephen Deutsch to determine if either of them are interested in serving as site inspector for this project and will report to the Board in time for their next meeting.

b. Schedule Budget Worksession :

Motion was offered by Mayor Berean-Weeks, seconded by Trustee Kinney, to designate the March 25 regular meeting as a worksession to discuss the tentative budget for FY2008/9 and to begin the meeting at 6PM.

ADOPTED AYES 4 Berean-Weeks, Crouse, Kinney, Stabile
NOES 0

c. Schedule Public Hearing – FY2008/9 Budget:

Motion was offered by Mayor Berean-Weeks, seconded by Trustee Stabile, to schedule a public hearing for the adoption of the FY2008/9 budget on April 8, 2008 at 7:30PM to be held at the Highland Mills Firehouse.

ADOPTED AYES 4 Berean-Weeks, Crouse, Kinney, Stabile
NOES 0

EXTRA ITEM – Expenditure of Funds from Capital Reserve:

Motion was offered by Trustee Kinney, seconded by Trustee Crouse, to resolve, pursuant to the provisions of section 6-c of the General Municipal Law of the State of New York, that the Clerk of the Village be and hereby is authorized and directed to expend from the Equipment and Apparatus Capital Reserve Fund of the Village of Woodbury the amount of \$438,373.00 from said Reserve Fund for the purpose of purchasing a new fire pumper truck for the Village of Woodbury Fire Department from the Smeal Fire Apparatus Company, located at 610 West 4th Street, Snyder, Nebraska. This resolution shall be subject to a permissive referendum, as permitted by law.

ADOPTED BY ROLL CALL AS FOLLOWS:

Mayor Berean-Weeks	AYES
Trustee Crouse	AYES
Trustee Kinney	AYES
Trustee Kling	ABSENT
Trustee Stabile	AYES

EXTRA ITEM – Use of Meeting Room Request:

Motion was offered by Mayor Berean-Weeks, seconded by Trustee Crouse, to approve the request to use the meeting room received by the Orange County Planning Department for April 10, 2008 at 7PM for a meeting of the stakeholders involved with the Harriman Transit Supportive Development Study.

ADOPTED AYES 4 Berean-Weeks, Crouse, Kinney, Stabile
 NOES 0

V. Board Member Comments:

Trustee Crouse stated he was asked by the Southeast Orange County Transportation Task Force to ask Trustee Kinney if he would give a presentation to them on Global Warming at their next meeting, which is April 8. Trustee Kinney agreed to do so.

Clerk Potvin stated she was requested by Trustee Kling to ask for the following actions/discussions to be held:

1 – He would like permission to install three keyfobs onto the doors to the mailroom, supply closet and conference room (from within the office). Motion was offered by Mayor Berean-Weeks, seconded by Trustee Stabile, to approve this to be done at a cost to not exceed \$1000.

ADOPTED AYES 4 Berean-Weeks, Crouse, Kinney, Stabile
 NOES 0

2 – He would like permission to purchase a lockable storage cabinet to house the sound equipment in the meeting room. Motion was offered by Trustee Kinney, seconded by Trustee Crouse, to approve the purchase of a storage cabinet on wheels with holes able to be drilled in the back for the sound equipment at a cost to not exceed \$500. George Sewitt will assist Trustee Kling on this matter.

ADOPTED AYES 4 Berean-Weeks, Crouse, Kinney, Stabile
 NOES 0

3 – In reviewing the current fiscal years budget, there is money unexpended for the purchase of a video camera for the meetings. Motion was offered by Mayor Berean-Weeks, seconded by Trustee Crouse, to authorize Trustee Kinney to purchase a camera at a cost to not exceed \$800.

4 – In reviewing the current fiscal years budget, there is money unexpended for an audit to be conducted. Trustee Crouse stated the \$10,000 budgeted for the audit was for when the funds were transferred from the Town to the Village for the Building, Planning, Zoning, Water and Sewer Departments. Since this has already been done, and since the Town is performing an audit of their records which includes these departments, then the money does not need to be spent.

5 – He asked for an update on revising the use of meeting room request form in relation

to political groups using the room. Attorney Golden suggested it be added to an agenda in the future for discussion.

6 – There is a door located on the first floor of the building that needs to be repaired. Clerk Potvin did not have any further information on which door it may be. Mayor Berean-Weeks stated she feels a request should come from Chief since he is responsible for the downstairs area.

VI. Public Comment

Clerk Potvin recommended a policy be set regarding an employee that is subpoenaed to appear in court and how they would be paid for such time used. After further discuss, a motion was offered by Mayor Berean-Weeks, seconded by Trustee Crouse, to only pay an employee if they are subpoenaed for a work related issued. If not, then they can use personal time. This will be the temporary policy until an employee manual/handbook is formally adopted.

ADOPTED AYES 4 Berean-Weeks, Crouse, Kinney, Stabile
 NOES 0

Robin Crouse stated there was an article printed recently in the newspaper about the sale of the Nepera property. The article mentioned that the annexation issue was going to be pursued by the new owners and she asked if the Village has received any communication to such. None was received. She then asked if the Board could explain the work that is being done along Roselawn and Haley Farm Road. Building Inspector Thomasberger explained that the work is in connection with the sewer and pipe lines for Woodbury Junction. He added there are bonds in place for the work that is being done. Mrs. Crouse stated there are a lot of tree logs located on one parcel and Inspector Thomasberger explained the owner of that parcel burns the logs for his home and it is like that every year.

VII. Adjournment:

With no further comments received or business to discuss, a motion was offered by Trustee Stabile, seconded by Mayor Berean-Weeks, to adjourn the meeting at 9:30PM.

ADOPTED AYES 4 Berean-Weeks, Crouse, Kinney, Stabile
 NOES 0

Desiree Potvin, Village Clerk