

Minutes of the Village Board Meeting held at the Highland Mills Firehouse, 455 Route 32, Highland Mills, New York on April 15, 2008 at 7:30PM

Present: Stephanie Berean-Weeks, Mayor  
Neil Crouse, Richard Jackson and Joann Stabile, Trustees  
Absent: Patrick Kinney, Trustee  
Also Present: Kelly Naughton, Attorney for the Village; Dennis Lindsay, Engineer for the Village; Stuart Turner, Village Planner; Gary Thomasberger, Building Inspector; William McClennan, Water/Sewer Supervisor; Dominick Prozzillo, Fire Chief; John Jones, First Assistant Fire Chief; Maria Hunter and Sheila Conroy, Planning Board; John Burke, Town Supervisor

## **I. Public Hearing:**

### a. FY2008/9 Tentative Budget:

A public hearing was held to entertain comments on the FY2008/9 tentative budget. The public notice was printed in the Times Herald Record on April 9, 2008 and no public comments were received.

Trustee Crouse stated the following amendments have been made to the budget presented this evening:

#### **Consolidated Sewer Fund**

GC1910.400 Increased by \$2,500 for flood insurance premiums  
GC8110.438 Increased by \$500,000 since Village will be fully responsible for all payments to the County, per Attorney Golden  
Fund Balance Decreased by \$300,000 to due to transfer error by Town (GC1062)  
Tax Levy Increased by \$802,500 pursuant to the above  
Unit Charge Increased by \$232.81 pursuant to above

#### **General Fund**

A3089 Increased by \$28,325 per Senator Larkin April 8, 2008 memo  
Tax Levy Decreased by \$28,325 per above  
Ad valorem Decreased by 0.049/1000

The public was given the opportunity to comment again on the amendment and the following comments were made:

Maria Hunter asked what the total tax levy would now be and she was informed the total was now \$2,374,555.

With no further comments received, a motion was offered by Mayor Berean-Weeks, seconded by Trustee Jackson, to close the public hearing.

**ADOPTED** AYES 4 Berean-Weeks, Crouse, Jackson, Stabile  
NOES 0

Trustee Crouse announced that the adoption of the budget will be schedule for the April 22, 2008 meeting.

## **II. Zone Change Requests:**

Trustee Crouse reminded the petitioners present this evening that the Board is giving them an opportunity to present their proposals but no action will be taken this evening.

a. Dunderberg Ventures:

Alan Lipman, attorney representing the owners of Dunderberg Ventures, submitted to the Board a petition to amend the zoning law for Section 225, Block 1, Lots 17 and 18 from R2A to OP. His client would like to construct a building on the property to be used for medical or business offices. Trustee Crouse pointed out the Citizens Advisory Commission is currently looking at a portion of the property as part of the improvements to the Route 32/6/17 corridor.

b. Woodbury Professional Center:

Gerald Jacobowitz, attorney representing the owners of the Woodbury Professional Center (aka WPC Associates) located at 615 Route 32, stated the lot is currently zoned as CR. This type of zoning restricts the use of building which limits the opportunity to rent space. He believes that the use restrictions should be revised and, after reviewing the proposed Comprehensive Plan, he finds five sections of the document that proves his request is justified. He would like the opportunity to work with the Village Planner to create a list of uses that would be acceptable in CR zoning. He then suggested some uses that would not violate the performance standards listed in Section 310-22 or design standards as listed in Section 310-29 of the Village Code.

c. Clove Aggregate Corp:

Ira Emanuel, attorney for Clove Aggregate Corp, stated the zoning for his clients property (213-5-5.12 and 5.2) is currently IB. IB zoning is intended “to provide for a variety of economic development opportunities at appropriate locations surrounding major roadway interchanges but physically separated from residential uses”. His clients property, located on Falkirk Avenue, is primarily residential and is on a dead-end street. They are requesting a zone change to R-0.25A which is “consistent with the environmental, social and governmental needs of the Village and the area”. He then cited a memorandum prepared by Planner Turner August 2, 2005 that addresses his clients property and agrees that the IB zoning is not appropriate for it.

**III. Request to Acquire Property:**

a. Weingarten – Forest Road:

Stephen Reinke, attorney representing Martin Weingarten, stated his client would like to purchase from the Village two unusable parcels on Forest Road (215-1-1 and 2). One of the parcels consist of 8,413 square feet and the other consists of 1,268. Both parcels fail to meet the area requirements to make them usable. He believes that permitting his client to purchase this property would be a benefit to the Village as the property will become taxable. He suggested the Board meet with their attorney in executive session to discuss the issue further.

**EXTRA ITEM – Old Business:**

a. Replacement of Thermostats:

Mayor Berean-Weeks stated the contract with Astar has been reviewed and it has been determined that the proposal to replace the thermostats is not part of regular maintenance. Additionally, the Board will be reviewing the contract in the Summer and

will be soliciting at least three verbal bids, as required by the procurement policy followed by the Village. A motion was then offered by Mayor Berean-Weeks, seconded by Trustee Jackson, to approve the expenditure of \$1,873.60 for the installation of four touch screen thermostats to replace the existing ten years old ones. This cost includes parts and labor. Trustee Crouse stated he would like the cost to also include the balancing of the system. Motion was withdrawn and Trustee Crouse will contact Astar to obtain a detailed proposal showing what is included for the price quoted.

b. Update - Installation of Cores/Keyfabs on Various Doors:

To date, \$934 in work has been conducted to install latch guards, replace cores and electric strike several doors in the building. Mayor Berean-Weeks reminded the Board this work is being done as part of the Workplace Violence program and that an expenditure of up to \$1,000 was approved at a recent meeting. A quote has been received through former Trustee Michael Kling from CIA Security for the installation of keyfab boxes on three doorways. Motion was offered by Trustee Crouse, seconded by Trustee Stabile, to approve an expenditure to not exceed \$2,000 for the purchase and installation of the keyfabs parts from CIA Security.

**ADOPTED** AYES 4        Berean-Weeks, Crouse, Jackson, Stabile  
                  NOES 0

Clerk Potvin noted there is still outstanding work needed to be done by Mike's Lock Service and a quote should be received prior to the next meeting.

c. Update - Audio Equipment Storage:

Trustee Stabile stated she conducted research and was able to locate a business that sold mixer boxes ranging from \$100 to \$275, depending on the size. The cost includes the company setting-up our equipment in the box. It does not have wheels but they can be added on at a later time. She will be going to the store tomorrow to look at the mixer box and will have an update for the Board at the next meeting.

**IV. Board Member Comments:**

Trustee Crouse stated he would like to create a "Conservation Commission" and asked Attorney Naughton to research amending the Village Code.

**V. Public Comment:**

John Smith stated three attorneys spoke this evening about changing zoning. He believes that the existing zoning is there to protect the Village and that there is no need to amend it. Regarding the request to purchase Village land, he feels that, by the Village owning this land, it protects Woodbury from neighboring municipalities. He then asked how much of an increase he will realize on his taxes. Trustee Crouse stated it would depend on his assessment. Mr. Smith then asked if the Highland Lake Estates Water and Sewer funds are fully supported by the residents of those districts or are the other residents contributing to their costs. Trustee Crouse stated they are very clearly taxed differently, as the budget shows.

Jonathan Swiller stated that he hopes the Village Board continues to protect the taxpayers but feels that adding ratables would be a good thing.

Planner Turner reminded the public that the Comprehensive Plan Committee is conducting a public hearing on April 29 at 7:30PM at the Highland Mills Firehouse on the draft comprehensive plan.

**VI. Adjournment:**

With no further comments received or business to discuss, a motion was offered by Mayor Berean-Weeks, seconded by Trustee Crouse, to adjourn the meeting at 8:30PM.

**ADOPTED** AYES 4      Berean-Weeks, Crouse, Jackson, Stabile  
                 NOES 0

Desiree Potvin, Village Clerk