

Minutes of the Village Board Meeting held at the Highland Mills Firehouse, 455 Route 32, Highland Mills, New York on April 22, 2008 at 7:35PM

Present: Stephanie Berean-Weeks, Mayor
Neil Crouse, Richard Jackson, Patrick Kinney and Joann Stabile, Trustees
Absent: None
Also Present: Richard Golden and Kelly Naughton, Attorneys for the Village; Gary Thomasberger, Building Inspector; William McClennan, Water/Sewer Superintendent; Peter Stabile, Highway Superintendent

I. MS4 Presentation Continued:

Mayor Berean-Weeks stated this presentation is continued from the March 11, 2008 meeting so the public would have the opportunity to review the draft report and make comments if they choose. Robin Crouse stated the public was never made aware that the report was available for review. Clerk Potvin stated the public was informed at the meeting held March 11 that the report was received and made available. It was also noted at that time that the report would also be before the Town Board on March 20. No further comments were received.

II. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Trustee Stabile, seconded by Trustee Jackson, to accept the minutes of the meetings held April 8 and 15, 2008.

ADOPTED AYES 5 Berean-Weeks, Crouse, Jackson, Kinney, Stabile
NOES 0

b. Approval of Abstract:

Motion was offered by Mayor Berean-Weeks, seconded by Trustee Crouse, to approve Abstract 19, Vouchers #20071064 - #20071120, totaling \$580,808.21.

ADOPTED AYES 5 Berean-Weeks, Crouse, Jackson, Kinney, Stabile
NOES 0

c. Adoption of Water Re-Levy Resolutions:

Motion was offered by Mayor Berean-Weeks, seconded by Trustee Jackson, to approve the following resolution to re-levy 470 delinquent/unpaid water rents from the Consolidated Water Fund totaling \$69,090.71 onto the 2008/9 Village property tax bill:

WHEREAS, the Water Superintendent, William S. McClennan, prepared a list of delinquent water bills dated April 14, 2008 for the Village of Woodbury Consolidated Water Fund which has been submitted to the Village Clerk and who, in turn, has prepared and filed with the Village Board a statement showing all water rents and charges and amounts due as of April 14, 2008; and

WHEREAS, New York State Law allows the Village Board to adopt a resolution that the aforesaid delinquent water bills shall become liens against the property of the individual property owners which liens shall then be taxed as part of the 2008/9 Village property tax bill; and

WHEREAS, it is necessary for the Village Board to adopt such resolution so the County's Department of Real Property, when printing the 2008/9 Village property tax bills, may levy the delinquent water bills against the properties that owe.

NOW, THEREFORE BE IT RESOLVED, that the delinquent water statements submitted to the Village Board by the Village Clerk pursuant to New York State Law shall be

filed with the Orange County Department of Real Property by the Mayor so that they shall levy such sums against the property which is liable for said delinquent water statements and shall state the amount of the tax in a separate column in the annual tax rolls for the Fiscal Year 2008/9; and

BE IT FURTHER RESOLVED, that a copy of this resolution with the delinquent water statements shall be immediately transmitted to the County's Real Property Tax Department for immediate action.

ADOPTED BY ROLL CALL AS FOLLOWS:

Mayor Berean-Weeks	AYES
Trustee Crouse	AYES
Trustee Jackson	AYES
Trustee Kinney	AYES
Trustee Stabile	AYES

Motion was then offered by Mayor Berean-Weeks, seconded by Trustee Crouse, to approve the following resolution to re-levy 31 delinquent/unpaid water rents from the Highland Lake Estates Water Fund totaling \$14,750.82 onto the 2008/9 Village property tax bill:

WHEREAS, the Water Superintendent, William S. McClennan, prepared a list of delinquent water bills dated April 14, 2008 for the Village of Woodbury Highland Lake Estates Water Fund which has been submitted to the Village Clerk and who, in turn, has prepared and filed with the Village Board a statement showing all water rents and charges and amounts due as of April 14, 2008; and

WHEREAS, New York State Law allows the Village Board to adopt a resolution that the aforesaid delinquent water bills shall become liens against the property of the individual property owners which liens shall then be taxed as part of the 2008/9 Village property tax bill; and

WHEREAS, it is necessary for the Village Board to adopt such resolution so the County's Department of Real Property, when printing the 2008/9 Village property tax bills, may levy the delinquent water bills against the properties that owe.

NOW, THEREFORE BE IT RESOLVED, that the delinquent water statements submitted to the Village Board by the Village Clerk pursuant to New York State Law shall be filed with the Orange County Department of Real Property by the Mayor so that they shall levy such sums against the property which is liable for said delinquent water statements and shall state the amount of the tax in a separate column in the annual tax rolls for the Fiscal Year 2008/9; and

BE IT FURTHER RESOLVED, that a copy of this resolution with the delinquent water statements shall be immediately transmitted to the County's Real Property Tax Department for immediate action.

ADOPTED BY ROLL CALL AS FOLLOWS:

Mayor Berean-Weeks	AYES
Trustee Crouse	AYES
Trustee Jackson	AYES
Trustee Kinney	AYES
Trustee Stabile	AYES

Motion was then offered by Mayor Berean-Weeks, seconded by Trustee Stabile, to approve the following resolution to re-levy 20 delinquent/unpaid water rents from the Water #6 (Amdur Park) Fund totaling \$3,298.76 onto the 2008/9 Village property tax bill:

WHEREAS, the Water Superintendent, William S. McClennan, prepared a list of delinquent water bills dated April 14, 2008 for the Village of Woodbury Water #6 Fund which has been submitted to the Village Clerk and who, in turn, has prepared and filed with the Village Board a statement showing all water rents and charges and amounts due as of April 14, 2008; and

WHEREAS, New York State Law allows the Village Board to adopt a resolution that the aforesaid delinquent water bills shall become liens against the property of the individual property owners which liens shall then be taxed as part of the 2008/9 Village property tax bill; and

WHEREAS, it is necessary for the Village Board to adopt such resolution so the County's Department of Real Property, when printing the 2008/9 Village property tax bills, may levy the delinquent water bills against the properties that owe.

NOW, THEREFORE BE IT RESOLVED, that the delinquent water statements submitted to the Village Board by the Village Clerk pursuant to New York State Law shall be filed with the Orange County Department of Real Property by the Mayor so that they shall levy such sums against the property which is liable for said delinquent water statements and shall state the amount of the tax in a separate column in the annual tax rolls for the Fiscal Year 2008/9; and

BE IT FURTHER RESOLVED, that a copy of this resolution with the delinquent water statements shall be immediately transmitted to the County's Real Property Tax Department for immediate action.

ADOPTED BY ROLL CALL AS FOLLOWS:

Mayor Berean-Weeks	AYES
Trustee Crouse	AYES
Trustee Jackson	AYES
Trustee Kinney	AYES
Trustee Stabile	AYES

EXTRA ITEM – Use of Building Request:

Motion was offered by Mayor Berean-Weeks, seconded by Trustee Jackson, to approve the request received from the Boy Scouts to use the meeting room the evening of June 19, 2008.

ADOPTED AYES 5 Berean-Weeks, Crouse, Jackson, Kinney, Stabile
NOES 0

EXTRA ITEM – Request to Temporarily Close Road – Bond Street:

Motion was offered by Mayor Berean-Weeks, seconded by Trustee Stabile, to approve the request received from Cub Scout Pack 148 to temporarily close Bond Street on May 17, 2008 from Noon until 4PM to conduct their annual Cub Mobile activity.

ADOPTED AYES 5 Berean-Weeks, Crouse, Jackson, Kinney, Stabile
NOES 0

III. Old Business:

a. Adoption of FY2008/9 Budget:

Motion was offered by Trustee Crouse, seconded by Mayor Berean-Weeks, to adopt the operating budget for FY2008/9 as printed on pages 109 - 119 of this minute book.

ADOPTED BY ROLL CALL AS FOLLOWS:

Mayor Berean-Weeks	AYES
Trustee Crouse	AYES
Trustee Jackson	AYES
Trustee Kinney	AYES
Trustee Stabile	AYES

b. Discussion – Revision to Senior Housing Law:

Attorney Golden stated the intent of the proposed revision is to provide an additional exception to Section 310-26 of the Zoning Code to permit disabled children to reside in a senior housing development household with an eligible parent in order for that the parent to care for their child. The Board discussed/reviewed the proposed draft in detail and, once they are in agreement with its format, a motion was offered by Mayor Berean-Weeks, seconded by Trustee Crouse, to schedule a public hearing for June 10, 2008 to entertain comments on proposed Introductory Local Law 3 of 2008 entitled “Senior Citizen Housing Development” to permit disabled children residents. The hearing will be held at 7:30PM at the Highland Mills Firehouse.

ADOPTED AYES 5 Berean-Weeks, Crouse, Jackson, Kinney, Stabile
 NOES 0

Clerk Potvin asked if General Municipal Law 239(l)(m)(n) is required to be followed prior to the Board taking action on adopting the law since it is a change to the zoning code. Attorney Golden stated he would review the law to see if it is necessary to refer the action to the County for their review.

c. Discussion – Public Assembly Law:

Attorney Golden stated the intent of the proposed law is to protect the general public health, safety and welfare by regulating certain large public assemblies to reduce traffic congestion and noise, while providing for the free movement of all emergency services to affected persons. There was a lengthy discussion about what type of entities/groups would be exempt from the law (i.e., school sporting events, non- or not-for-profit groups). Discussion also included whether the law should be included in the zoning code or as its own chapter. Another revised draft will be made and discussed at the May 13, 2008 meeting.

d. Discussion – Sign Ordinance:

Attorney Golden stated the intent of the proposed law is to regulate existing and proposed outdoor advertising signs, and outdoor signs of all types. Planner Turner submitted a list of comments from the Planning Board. It was decided that this topic would be tabled until the May 13 meeting and Planner Turner will be asked to attend.

e. Update – Audio Equipment Storage Unit:

Trustee Stabile stated the storage unit has been ordered and the cost was \$100. She also ordered shelves for the unit (two at a cost of \$42.98). There is an option of purchasing new, shorter wires (\$51.00) which would fit the unit better then the long wires we currently use. The entire unit will be set-up in time for the next meeting.

f. Update – Installation of Keyfabs:

Mayor Berean-Weeks stated quotes were forward to the Board by former Trustee Michael Kling. The first quote is from Commercial Instruments & Alarm Systems (CIA) is for \$6,206 and includes upgrading the entire system. The second quote is from Mike’s Lock Service for \$1,188 to do some additional work required after the system upgrade by CIA. It was decided that Trustee Jackson would contact CIA to determine if there was a need for the entire system to be upgraded and a report will be

given at the May 13 meeting.

g. Update – Repairs to Thermostats:

Trustee Crouse stated he contacted Astar and the quote received represented a cost of \$288.40 per thermostat and \$180.00 for labor per unit (four units total - \$1873.60). He did some price comparisons and was able to find the same units at a less expensive price. He will conduct some more research and report to the Board at the May 13 meeting.

EXTRA ITEM – Authorize Mayor to sign Clough Harbour Agreement:

Motion was offered by Trustee Kinney, seconded by Trustee Stabile to authorize the Mayor to sign the agreement with Clough Harbour & Associates for site inspection services for 2008.

ADOPTED AYES 5 Borean-Weeks, Crouse, Jackson, Kinney, Stabile
NOES 0

Trustee Crouse stated he has concerns about the amount of time that the site inspector is spending at the Woodbury Junction site. He feels that someone should be there full-time or at least inspecting the site daily. Building Inspector Thomasberger stated he does not believe there is a need, at this time, for the inspector to be present more than two or three days per week. He reminded the Board that the site inspector comes from the Albany area and the commute is costly. He feels that he is capable of handling the every day issues that may arise for now. He added that the inspector that was assigned to this project has been replaced.

IV. New Business:

There was no new business to discuss.

V. Board Members Comments:

Trustee Crouse stated he wants to pursue the creation of an Environmental Conservation Commission. The Code currently only provides for a commission that addresses tree preservation, not all the environmental issues that may arise. Attorney Golden asked what duties the Commission would be charged with and Trustee Crouse stated to advise the Village and Planning Board. Trustee Stabile stated she believes this is already part of the Planning Boards responsibility. Attorney Golden stated projects requiring SEQRA review are done by the Planning Board. There are municipalities that have Environmental Conservation Commissions so, if the Board chooses, he will conduct research into the issue. Trustee Crouse then stated he feels that the employees should be required to turn-off their Village vehicles instead of having them idle. He feels this is a policy that would assist in reducing fuel costs and also help the environment. He would also like to see the Town implement the same procedure. He then stated that he, along with Supervisor Burke, will be attending the “kick-off” meeting for the FY2008 Community Development grant program.

Mayor Borean-Weeks reminded the Board that there is a joint worksession scheduled for April 28 with the Town Board to discuss the Workplace Violence program. She announced there is a light out on the side of the building and she will be calling Orange & Rockland about having it repaired. She then stated that, during the budget worksession discussion held on March 25, Building Inspector Thomasberger was instructed to purchase a vehicle prior to the end of this fiscal year. He has conducted research and the vehicle from State bid that fits the needs of his department is a 2008 Chevrolet Trailblazer at a cost of \$22,522.70. Trustee Stabile suggested a vehicle be purchased that is more gas efficient. The Board discussed this issue at length, debated pros and cons, which resulted in a motion being offered by Trustee Crouse, seconded by Trustee Jackson, to permit Building Inspector Gary Thomasberger to purchase, from State bid, a 2008 Chevrolet Trailblazer.

ADOPTED AYES 4 Borean-Weeks, Crouse, Jackson, Kinney
NOES 1 Stabile

Trustee Kinney reminded the Board and public that there is a public hearing scheduled for April 29 by the Comprehensive Plan Committee on the draft comprehensive plan.

VI. Public Comment:

Jonathan Swiller asked if the Village has been served an Article 78 by either Anthony Incanno or the Cornwall Central School District. Clerk Potvin stated she has not been served. Mr. Swiller then stated the Public Assembly Law should also include reimbursement for all municipal emergency services, not just police. He also suggested the Village Board start having worksession meetings in addition to regular meetings, like the Town Board currently does.

Richard Manley, suggested the definition of “not-for-profit” or “non-profit” in the Public Assembly law be the same as it is in the State law (Section 501-3c).

VII. Adjournment:

With no further business to discuss or comments received, a motion was offered by Trustee Kinney, seconded by Mayor Berean-Weeks, to adjourn the meeting at 10PM.

ADOPTED AYES 5 Berean-Weeks, Crouse, Jackson, Kinney, Stabile
 NOES 0

Desiree Potvin, Village Clerk