

Minutes of the Village Board Meeting held at Town Hall on January 24, 2013 at 7PM

Present: Michael Queenan, Mayor
Neil Crouse, Timothy Egan, Thomas Flood and David Sutz, Trustees
Absent: None
Also Present: Robert Weyant, Highway Superintendent; Maria Hunter, Planning Board; Richard Golden, Planning Board Attorney

I. Public Hearing:

a. Acceptance of Dedication – Montesi Drive:

A public hearing was continued from the January 10, 2013 meeting on the offer of dedication of Montesi Drive to the Village for use and maintenance as a public street. The following comments were received:

Mayor Queenan noted that the Town Board is currently holding a public hearing on the formation of a light maintenance district for this development. It would be improper for the Village Board to entertain comments on the light maintenance district and he asked that comments be limited to the dedication of Montesi Drive only.

Trustee Sutz asked Superintendent Weyant if he felt the road was acceptable to his standards and Superintendent Weyant stated he does not have any issues.

With no further comments received, a motion was offered by Trustee Sutz, seconded by Trustee Crouse, to continue the hearing to February 14 at 7PM solely for the purpose of submission of any further documents and/or proof of compliance on part of WPF Construction Corporation, at which time the public hearing shall be deemed closed.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Sutz
NOES 0

II. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Trustee Flood, seconded by Trustee Egan, to accept the minutes of the regular meeting held January 10, 2013.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Sutz
NOES 0

b. Approval of Abstract:

Motion was offered by Trustee Egan, seconded by Trustee Flood, to approve Abstract 15 containing Vouchers 120953 – 121029 and totaling \$290,175.11.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Sutz
NOES 0

c. Fire Department Equipment:

Motion was offered by Trustee Egan, seconded by Trustee Crouse, to approve Fire Department Equipment Requisition 2013-04 totaling approximately \$480, 2013-05 totaling approximately \$3830.13, and 2013-06 totaling approximately \$1330.98.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Sutz
NOES 0

d. Fire Department Application for Membership:

Motion was offered by Trustee Crouse, seconded by Trustee Sutz, to accept the application for membership to the Highland Mills Fire Company received from William Rivera.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Sutz
 NOES 0

III. Old Business:

a. Discussion – Clothing Bin Proposed Local Law:

Mayor Queenan stated Building Inspector Thomasberger and he is working on finalize a draft of the proposed clothing bin local law incorporating the comments made the last time it was discussed. They have a question about the requirement for a 501(c)(3) status – would it be the owner of the bin or the sponsor of the bin that is the 501(c)(3)? He explained that the companies that own the bin tend to give a donation to the sponsor. He spoke with someone from the PBA and was told they received a substantial donation from the box they sponsor, which they use to give back to the community. He is concerned that our local organizations will lose a source of donations by requiring the bin owner to be a 501(c)(3). Trustees Sutz and Crouse stated they feel the bin owner should have the not-for-profit status. Trustee Sutz added he feels the bin owner only donates a small portion of the proceeds they get from the bins contents. Trustee Flood said he is undecided but is leaning towards the sponsor having the status. Trustee Sutz suggested the sponsors own the bins and then contract with an agency to donate/dispose of the goods that are collected. Trustee Crouse stated he feels that all of the proceeds should go to a non-profit, not just a portion as a donation. Trustee Egan stated he is leaning towards the sponsor having the non-profit status but if that does not change the issue of the amount of bins that currently exist, then nothing will change and more could pop-up. Mayor Queenan stated the law will be drafted with both options for the Board to review at a meeting in February when a final decision will need to be made so a public hearing can be scheduled.

IV. New Business:

a. Discussion - Woodbury Common Developers Agreement:

Attorney Golden stated that the Woodbury Common (herein referred to as “Common”) has an application pending before the Planning Board at this time for various improvements. One of the issues is in respect to traffic, which the Planning Board is likely going to require as a condition that the traffic lights on Route 32 be retimed (in connection with the NYSDOT). All agencies involved believe the retiming will improve the traffic flow. There is equipment made that is fairly expensive but it would work with real-time traffic data. The Planning Board cannot dictate off-site improvements but the Common has offered to work with the State agencies and pledge a large amount of money to purchase the equipment that would help improve the timing of the system. Currently, NYSDOT only has this system in one location in Region 9 and only one or two in the State due to its cost. Because it is not a Planning Board issue directly, the agreement should be between the Village Board and Common in the form of a Developer’s Agreement. He sent a draft to the Village Board which incorporates these critical items in connection with the traffic impacts (which are not only due to the Common but also due to the other shopping centers, commuters and school traffic). There will be some non-substantial changes the Common’s attorneys have requested. It was clearly noted that these improvements to the traffic light timing will not cost the Village any money at all. The Village will hold the contribution from the Common and then turn it over to NYSDOT when they begin the upgrades. The Board then asked several questions regarding the planned improvements to the corridor by NYSDOT relating to Exit 131 and how these upgrades will be affected by it. Attorney Golden stated it would be compatible with the upgrades, which plan to eliminate two of the eight existing traffic signals. He further stated there is currently no schedule set for when the upgrades to the signals will be done. He also noted the cost will exceed the amount the Common is donating but NYSDOT would need to fund the remaining balance. The Board

collectively thought this was a step in the right direction to help mitigate and manage the traffic flow better in this part of the Village.

Maria Hunter stated a meeting was held with the Planning Board consultants, representatives from the NYSDOT, Common and other State agencies. Senator Larkin and Assemblyman Skoufis were also present. Traffic numbers were submitted to NYSDOT that were conducted by the Planning Board traffic consultant as well as the Common's consultant. They promised to have the timing with the current system updated within the next three-six weeks. She noted that Assemblyman Skoufis and Senator Larkin indicated that they each would meet with Governor Cuomo to see if an exit onto I-87 from the Common can be considered.

Trustee Sutz inquired about adopting legislation that would enable the police to issue fines for "blocking the box". Mrs. Hunter stated this was discussed with the Transportation Partnering Committee (TPC) which is behind the Route 17 Transportation Corridor Study. She added that Police Chief Vasquez has been involved in the discussions as well. Mayor Queenan stated such designation would be under the NYSDOT since Route 32 is a State highway, but we can lobby for them to do this. He added that Vehicle and Traffic laws may address blocking intersections. Attorney Golden agreed that whatever the Board does would need to be in conjunction with the State.

Trustee Crouse asked that Section 1.4.2 of the agreement be amended by removing the option of posting a Letter of Credit for the restoration bond since we have had negative experiences with them. Attorney Golden asked that if the Board members had any additional changes to have them to him by February 1. Mayor Queenan asked Attorney Golden to have the final draft to the Board by February 8 so they can have time to review it for the February 14 meeting.

V. Public Comment:

Ralph Caruso, speaking as Chairman of the Citizens for the Preservation of Woodbury, asked if the Board has considered his request made at the last meeting regarding moving the Village election to November. Mayor Queenan stated the Board has not discussed it as of yet but research is being conducted into the issue. A response will be made within the next four weeks. Trustee Crouse asked Mr. Caruso how many members are on his committee and who the officers are. Mr. Caruso asked why other organizations that speak at meetings are not asked the same questions. He then stated the traffic caused by Woodbury Common is horrible and the only resolution is the interchange improvements. He feels Woodbury Common should pay the total cost of the equipment needed to improve the traffic signal timing. With regards to an alternative exit onto Interstate 87 that was mentioned this evening, this road is a federal interstate highway and it is prohibited to have an exit from a private establishment onto it. Mayor Queenan stated Senator Larkin said he was going to speak to the Governor about having an exit from Woodbury Common on/off of Interstate 87.

Trustee Sutz asked that a letter be sent to Assemblyman Skoufis and Senator Larkin requesting that the consolidations efforts be considered this Legislative session. Mayor Queenan stated he will have Clerk Potvin prepare a letter.

VI. Adjournment:

With no further comments received or business to discuss, a motion was offered by Trustee Crouse, seconded by Trustee Flood, to adjourn the meeting at 7:55PM.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Sutz
 NOES 0

Desiree Potvin, Village Clerk