

**Wawayanda Town Board Meeting 11/17/09**

A Regular monthly workshop meeting of the Town Board of the Town of Wawayanda was called to order at 7:00 P.M., on Tuesday, November 17, 2009 at the Town Hall, Ridgebury Hill Road, Slate Hill, New York.

Those present were:	John R. Razzano	Supervisor
	David S. Cole	Councilman
	Edward Krajewski	Councilman
	Richard Penaluna III	Councilman
	Denise Quinn	Councilwoman
	Teresa Pierce	Town Clerk
	Richard Guertin	Attorney for the Town

Also Present: Mary Markiewicz - Planning Board Member & Gladys Hall - Historian.

**PLEDGE TO THE FLAG**

**RESOLUTIONS FOR UNPAID WATER & SEWER BILLS:**

**MOTION** by **Supervisor Razzano**, seconded by **Councilwoman Quinn**, to adopt a Resolution authorizing that unpaid water charges for the Arluck Water District, as of November 17, 2009, in the amount of \$8,203.48, be placed on the 2010 Town and County tax roll.

**ALL IN FAVOR - CARRIED**

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Cole**, to adopt a Resolution authorizing that unpaid water charges for the Denton Hills Water District, as of November 17, 2009, in the amount of \$3,067.36, be placed on the 2010 Town and County tax roll.

**ALL IN FAVOR - CARRIED**

**MOTION** by **Supervisor Razzano**, seconded by **Councilwoman Quinn**, to adopt a Resolution authorizing that unpaid water charges for the Ridgebury Lake Water District, as of November 17, 2009, in the amount of \$6,725.90, be placed on the 2010 Town and County tax roll.

**ALL IN FAVOR - CARRIED**

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Cole**, to adopt a Resolution authorizing that unpaid water and capital charges for the Robinn Meadows Water District, as of November 17, 2009, in the amount of \$14,722.26 be placed on the 2010 Town and County tax roll.

**ALL IN FAVOR - CARRIED**

**MOTION** by **Supervisor Razzano**, seconded by **Councilwoman Quinn**, to adopt a Resolution authorizing that unpaid water/sewer and capital charges for the Town of Wawayanda Water & Sewer Districts #1, as of November 17, 2009, in the amount of \$30,447.20 be placed on the 2010 Town and County tax roll.

**ALL IN FAVOR - CARRIED**

**EXECUTIVE SESSION:**

**MOTION** by **Supervisor Razzano**, seconded by **Councilwoman Quinn**, to enter into **Executive Session** to discuss pending litigation.

**ALL IN FAVOR - CARRIED**

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**EXECUTIVE SESSION:** No action taken.

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Cole**, to close Executive Session and re-open the regular meeting.

**ALL IN FAVOR - CARRIED**

**LITIGATION SETTLEMENT/CLOVER LEAF REALTY & SUNRISE PARK REALTY vs. TOWN OF WAWAYANDA:**

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to adopt a resolution providing for the settlement of four law suits in State and Federal Court by Clover Leaf Realty and Sunrise Park Realty which challenged the assessment formula of the Water & Sewer Districts #1, whereby the Town Board of the Town of Wawayanda agrees to settle these law suits for a total sum of \$150,000.00 (one hundred and fifty thousand dollars), payable in three annual installments of \$50,000.00 (fifty thousand dollars) with no interest, with the first payment being made December 2009, the second in December 2010, and the final installment being made December 2011. In addition, as part of the settlement, and to help secure long term financing, and to be consistent with the New York State Town Law, the Town Board agrees to institute a new assessment formula for Water & Sewer District #1, based on benefit to the effective properties.

**ALL IN FAVOR - CARRIED**

**SPECIAL MEETING/TOWN OF WAWAYANDA WATER & SEWER DISTRICTS #1:**

**MOTION** by **Supervisor Razzano**, seconded by **Councilwoman Quinn**, to schedule a special meeting to take place on November 20, 2009 at 10:30 AM., to allow the Town Board an opportunity to discuss matters concerning the Town of Wawayanda Water & Sewer Districts #1.

**ALL IN FAVOR - CARRIED**

**PROPOSED LOCAL LAW TO AMEND THE TOWN OF WAWAYANDA ZONING CODE BY CREATING AN INDUSTRIAL USE OVERLAY DISTRICT:**

**MOTION** by **Councilwoman Quinn**, seconded by **Councilman Cole**, to schedule the Public Hearing on December 3, 2009 at 7:00 P.M., on a proposed Local Law to Amend the Town of Wawayanda's Zoning Code, by Creating an Industrial Use Overlay District.

**ALL IN FAVOR - CARRIED**

**No other comments or questions.**

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to adjourn the meeting.

**ALL IN FAVOR - CARRIED**

**MEETING ADJOURNED: 9:12 P.M.**

**PREPARED BY KATHRYN SHERLOCK  
RESPECTFULLY SUBMITTED,**

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**Teresa E. Pierce, RMC  
Town Clerk**