

Wawayanda Town Board Meeting 07/05/2007

July 5, 2007

A Regular monthly business meeting of the Town Board of the Town of Wawayanda was called to order at 7:30 P.M., on Thursday, July 5, 2007, 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
Gail M. Soro	Councilwoman
Richard Penaluna III	Councilman
Teresa Pierce	Town Clerk

Absent: Richard Guertin Attorney for the Town

Also Present: Mary Markiewicz and Barbara Parsons - Planning Board Members; Gladys Hall - Historian; and 40 other individuals.

PLEDGE TO THE FLAG

CHARTWELL INFORMATIONAL MEETING:

Tom Winant, P.E. a Manager for Chartwell, stated that Supervisor Razzano invited him to attend the meeting this evening so that he may set the record straight regarding any of the mis-information that has been circulated, and to explain what Chartwell's hopes and goals are for the rail line. Prior to the meeting he distributed a basic 'Question & Answer' sheet that had newspaper articles attached which, he believed, addresses some of the mis-information that has occurred. The questions were, as follows:

1) Is the railroad planning to transport waste anywhere along its line?

A: No! We came out publicly over a year ago and said we would not pursue shipping waste on the railroad.

2) Why not?

A: The person who spearheaded the plan was let go from Chartwell, and after careful review we found that there were several flaws in the plan, both economic and operational. It does not make sense.

3) Is there any relationship between Chartwell and Masada?

A: No! The person who had a relationship with Masada left Chartwell, and we have no dealings with Masada on any level. The previous owner may have had discussions with them.

4) What are the plans for the railroad?

A: We hope to be an economic driver for the community. Our one customer, GenPac, provides 194 good paying jobs, and is a strong tax contributor to the community. We hope to attract a few more companies like GenPac, and they are also looking at the possibility of intermodal freight.

Mr. Winant explained that he understands the trans-waste part of the rail business pretty well, considering that he has been doing this for the last ten years. Added that when it comes to the railroad, dealing in waste just does not make sense, and should not be pursued.

He continued that the railroad is always going to be a short line for the community, and without their one customer, GenPac, and the railroad's two employees, they would not be able to serve the community.

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The point of what the railroad could be and what their game plan has become, is to be a catalyst for economic development. If they bring in three or four good customers that are rail based, and get the trucks off the road, they could provide approximately 150 - 200 jobs per facility. Added that this concept is very optimistic thinking, and it is not going to happen in a short period of time. In the event that it does, the railroad would be an employer of approximately seven to eight people, then the community would have another 1,000 jobs.

Mr. Winant stated that the point that he is trying to make is that there will not be any waste handled along the rail line because it does not make sense. Chartwell has already agreed with the City of Middletown that there will be no transfer stations, and if you look at the direction that Chartwell is going, which is to bring in good job producing companies, rateables, remove trucks from the roadways, and make this an active corridor as well as a common ground, that is the direction that most people want to go.

He then noted that when they originally sat down to discuss what they thought the railroad could be, they knew there would be obstacles. They were already aware that the community was hearing 'waste by rail', and for that they apologize. There was no communication and mistakes were made. However, at this time they (Chartwell) would like to request that they be able to move forward.

Mr. Winant spoke about the New York State Department of Transportation's Grant Program that offers any Class I Railroad money for infrastructure. Said that Chartwell has already submitted an application. Went on to explain what their intentions are for the funds. if they are awarded the grant.

Supervisor Razzano asked for a definition of the words 'transfer vs. transload station'.

Discussed the fact that Chartwell has signed an agreement with the City of Middletown which indicates what they plan to do, and also what they don't plan on doing. At this time, the Town of Wawayanda is close to completing our agreement, and the reason for his question is because those two words keep coming up.

Mr. Winant responded by stating that from the waste perspective, a 'transfer station is a facility where smaller trucks such as roll-offs would dump their loads on the floor, and it is then either sorted or bailed, and then transferred out by another means. The term 'trans load' appears in the document because it refers to the type of business.

The term 'transload facility' as defined in the Middletown agreement, is a location where bulk commodities can be taken off a rail car and put it into another mode of transportation.

It is also indicates+

in the agreement that Chartwell will control the facility and Middletown will set the limits.

Councilman Cole asked "In relation to the grant proposal is there any plans in connecting the railroad from where it currently stops in Unionville to somewhere in New Jersey"?

Mr. Winant replied that he has thought long and hard about that stretch and after some research, it was realized that the right-of-way is gone. There are housing developments on it now, and apparently a lake as well.

Mr. Winant spoke about other research that he has done in respect to implementing a Scenic Train to go along the stretch, but that turned out to be something that would not be economically viable. Added that they are considering the possibility of removing the existing tracks that run through the Town of Minisink, and making a walking trail.

Supervisor Razzano asked **Councilwoman Soro** if she had any comments or questions, and she responded that she was going to wait until the end of the presentation.

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Supervisor Razzano said that for clarification, Chartwell owns the Middletown New Jersey Railroad which is a short line that starts in Unionville and ends on East Main Street in Middletown, by Tony Boffa's restaurant, and that any product that has to reach a destination can only travel up through Middletown and out.

Mr. Winant responded that was a correct statement and that the routing would have to go through the Crawford branch which is call the 'Metro North Line' which comes out of the city, thru Harriman and into Port Jervis from a commuter stand point. That is the main line that Chartwell is connected to, and is only served on the 'Norfolk Suffolk' which comes down the line into Middletown and has a mile and a half switch.

PUBLIC COMMENTS & QUESTIONS:

Joseph Torrisi was looking for clarification on the fact that Chartwell had absolutely no interest in dealing in garbage. He spoke about the City of Middletown's contract which indicates the city will receive five dollars a car load. Said that it is his understanding that this would only apply if and when it were to take place. Asked why this provision was added if Chartwell did not have any interest in dealing in garbage. Also referred to the term 'Common Carrier', and asked if they follow the same guidelines as Yellow Freight.

Mr. Winant responded that the five dollar fee applies to any car for any transload, and that it is not specific to garbage only. In response to the question regarding the 'Common Carrier', he would have to investigate that further, and then stated that as a common carrier, they would have to supply service to anyone with a reasonable request.

Supervisor Razzano read aloud a section of the agreement between the City of Middletown and Chartwell as follows: 'To reimburse the City for inspection and any other services conducted by the City pursuant to this Agreement, MNJ will pay to the City on each anniversary of the effective date of this Agreement, an amount equal to five (\$5.00) dollars for each rail car delivered and trans-loaded at a transload facility located on a right-of-way or property owned or leased by MNJ in the City during prior calendar year; provided that if the number of rail cars is below 200 in any calendar year, MNJ will pay the City the sum of one thousand (\$1,000) dollars.'

David Whitworth commented that he appreciates the response of "No Waste" but if you are calling yourselves a common carrier that has to accept a reasonable deal, how can you rule out

the fact that if the town were to put in a transfer station we would then be in the waste business. **Mr. Winant's** responded by stating that "Yes, if you were to look at it in that perspective".

Barbara Parsons questioned, "If Mr. Torrisi was to utilize the rail line to bring in products would his location then become a transload facility, or even a transload station?"

Ms. Parsons also asked if they were to build a transload facility somewhere in the town, and to accomplish this they would have to purchase land, would Chartwell come before the Planning Board for local approvals.

Mr Winant said that was a very good question and referred to Chartwell's agreement with the City of Middletown. Explained that if they had to obtain approvals from every single town, everyone involved would try to stop the process. They are basing their operation on how the rail line has been run for over the past 40 years, and the fact that they have never impacted anyone along the way and do not plan on impacting anyone in the future.

Dan Myers commented that he does understand what is being said to the effect that the railroad is not going to initiate anything, and they are willing to give up their right to pre-empt the Planning Board. However, if he owns a property next to the railroad and he constructs a Nuclear Waste Reprocessing Facility, the railroad would then be required to deal with me. With that being said, he expressed the belief that the control would come back to the Solid Waste Law that

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is still in the process of being revised and developed by the Town. He then inquired, "If our Solid Waste Law stated that we would not allow this type of facility in our town, would we then eliminate the risk of having such a facility?"

Councilwoman Soro questioned if the Solid Waste Law addresses what Mr. Myers was discussing.

Supervisor Razzano stated that, at current time, the Solid Waste Law is being reviewed by Attorney Guertin and Russell Budd. Ultimately, all the decisions are going to be determined by the Town Board and the Planning Board. Added that this is our town, and we are going to base our decisions on what we believe to be in the best interest of the town.

Councilwoman Soro said that her question of whether or not the language is in the draft solid waste law that will allow transfer stations, trans-loading stations, or the expansion of an existing solid waste facility has not been addressed.

Supervisor Razzano responded that he has not reviewed the final version, but currently it is in there, and the fact that the town has the authority to approve or disapprove is in there.

Councilwoman Soro commented that in her review of the law she did not see any such language. She continued to say that she has come across some major changes that she believes may not have been made in the best interest of the residents of this town.

Supervisor Razzano invited **Russell Budd**, Town Consultant, to address her question since he has been working on the revisions to the law.

Russell Budd provided a brief history of his affiliation with the Town, and then noted that last spring he was asked to review the town's Solid Waste Law. Once he completed this task, he turned his copy over to the Town Attorney for comments. Attorney Guertin's comments have been recently received, and they are being incorporated into a draft Solid Waste Law. The draft will be reviewed by the Town Attorney, as well as the Town Board, and then a public hearing will be set.

An **unidentified individual** questioned the qualifications of Mr. Budd in the review of the law, and Mr. Budd provided the gentleman with a detailed explanation of his qualifications and background, as well as the resources that he used in developing the draft Solid Waste local law.

Mr. Budd requested that he be able to address the concerns that were raised by two individuals. Said that in relation to the question, "If Masada is built, how will municipal solid waste possibly be brought in, and to what extent is the unknown jetting obligated to carry that material?". He referred to the Middletown agreement and the section that explains that MNJ is obligated to transport any solid waste to or from facilities in sealed enclosed leak proof containers, so no one will know what is inside them.

Andrew Morrell asked if the railroad crossings would be modernized, and was informed that funding is available through the state, and that if and when the time came, Chartwell would apply for the grant.

Alex Lorenzo spoke about the tracks that have been paved over on County Route 78, and asked if they would be reconnected.

Mr Winant informed him that they would be.

Barbara Lowery asked how the railroad, located in the area of County Route 78, would affect the property values.

Mr Winant responded that he really did not have an answer to that question, and that the railroad has been located in that area for over 140 years, and that anyone who was under the assumption that it would not come back was not making a fair assumption. Reassured her that the railroad is not going to have a tremendous amount of traffic.

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Jim Davis stated that, as a firefighter in this town, he believes that it is the Town Board's responsibility to make sure that all of the railroad crossings are protected. Also questioned whether or not the town would have any input on the hours of operation of the railroad.

Supervisor Razzano responded that we all have the same concerns, and reminded him that this is not going to be a high speed rail line, and that right now they are looking, at the most, one train per day.

An **unidentified woman** voiced her concern of being awakened in the middle of the night by trains. She was informed that the train would not run past 5:00 PM every evening.

Barbara Parsons commented that a main concern is if there are going to be safeguards at all of the crossings.

Mr. Winant explained in great detail the procedure that they would have to follow. Said that they are mandated by the government to meet certain requirements at all crossings.

Ed Horan commented that one train a day would be considered optimistic, and that ten trains a day, in ten years, would also be very optimistic. Added that MNJ always operates during the day time hours because of a public service ordinance that dates back to the time he was born.

Mr. Winant explained that **Mr. Horan** used to work for the railroad and is very familiar on how

the railroad conducts business.

Connie Litchenberger said that Supervisor Razzano made a previous comment about Masada not coming to fruition and wondered what he was basing that statement on. She also spoke about Masada's proposed technology and stated that she has not heard of that system actually being proven to work, and although Mr. Budd stated that containers would be sealed, there is always the possibility that there could be leakage or an accident resulting in the containers being opened. If that should happen, she said she did not agree with a comment made earlier that it would be Middletown's problem. We are an adjacent community and we should be looking out for our Town's best interests. We should also show concern for Middletown because they have always shown good faith to our town.

Rose Robischon stated that when you are talking about waste, we have an idea of how the waste could be brought in, but where will the left over waste go after being processed..

Mr. Winant replied that after processing, the residue would be taken to a landfill, and then provided her with various locations where it could be shipped.

Deborah Glover discussed the conversation that she had with Mr. Winant today, and said she believes that there are several issues that have to be addressed.

Ms. Glover read aloud some of the information that she received from Chartwell's website, and spoke about the agreement with the City of Middletown which she believes to have many flaws. Also, spoke about the need for the Town of Wawayanda to complete the revision of the Solid Waste Law, and stressed the importance that the document contain certain restrictions placed on the properties located along the rail line.

Mr. Winant responded that we all need to work together, and that problems with the zoning need to be addressed. Reiterated the fact that they do not want to deal with Solid Waste.

Barbara Parson agreed that we need to work on the Solid Waste Law, and that we do need to make sure that the town restricts solid waste facilities.

Mr. Winant stated that just for the record transporting solid waste is not a viable solution for Chartwell.

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Councilman Cole stated that the town is currently updating the Solid Waste Law and that the last version is dated 1979.

Councilwoman Soro stated "The first responsibility of a town's elected officials is to protect and serve the residents of the community. I would like to see the rail succeed in our Town. The rail could provide a venue which could bring in good clean rateables, as well as jobs. With that said, it is inherent that this Board put in place strong, enforceable Solid Waste Laws & Zoning that will protect our residents".

Ora Woods asked if the railroad would ever grow to a larger capacity, and was informed that the rail line will end in Slate Hill, and will never have the potential to be extended.

An **unidentified individual** asked Mr. Winant if he ever had to deal with a community similar to

ours, and if so, what does he believe to be the outcome after 10 - 15 years.

Mr Winant referred the gentleman to the handout and the article pertaining to the Morristown, New Jersey article, and said that is what he believes to be the closest they have come.

Further discussion took place.

Supervisor Razzano thanked Mr. Winant for coming this evening, and expressed the opinion that what took place this evening had been good for the community.

REGULAR BUSINESS:

PRESENTATION OF BILLS AND DEPARTMENT REPORTS:

Reports from the Supervisor, Town Clerk, Planning Board, and the Building & Fire Inspector/Code Enforcement Officer, and the bills from the General Fund, Highway Fund, and Water & Sewer Districts were presented to the Board for review.

APPROVAL OF DEPARTMENT REPORTS:

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to accept the various departmental reports, as submitted.

ALL IN FAVOR - CARRIED

PAYMENT OF BILLS:

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to authorize the payment of bills in the amount of \$4,614.73 from the General Disbursement Account, representing bills that were payable upon receipt. Breakdown as follows:

PPG 07-00928 thru 00930	\$1,891.80
PPWS 07-00926 thru 00927	\$2,722.93

ALL IN FAVOR - CARRIED

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to authorize payment of bills from the General Disbursement Account in the amount of \$347,386.61 Breakdown as follows:

General Fund	G07-968 thru 1033	\$ 48,333.20
	G07-1082 thru 1121	
	Highway Fund	
	H07-931 thru 967	
	280,053.13	
	H07-1035 thru 1045	
Water/Sewer Districts	WS07-1046 thru 1081	19,000.28

WATER/SEWER BREAKDOWN:

Robinn Meadows Sewer District	\$2,181.80
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Ridgebury Lake Acres Sewer District	1,712.26
Ridgebury Lake Water District	430.17
Denton Hills Water District	10,884.90
Arluck Water District	2,727.51
Water/Sewer Dist. #1	1,063.64

Water/Sewer Total = \$19,000.28

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to pay **McGoey, Hauser and Edsall Consulting Engineers** for services rendered in reference:

Huckelberry Hills (Depaulis) - \$194.00
 Heritage Customer Homes (Depaulis) - \$185.70
 Loyas - \$377.10
 Post Child Care - \$86.90
 Dworfetsky - \$170.20
 Lands of Ferrera - \$90.50
 Lower Road Associates - \$178.50
 Tetz/Panattoni - \$1609.00
 Javelin Mine - \$228.10
 Ryerson Court - \$364.20
 Ridgebury Hills - \$201.36
 Ridgebury Hills - \$59.50
 Lakeridge - \$591.50

Payments will be made through Special Trust and Agency and charged to each of the individual escrow accounts listed above.

ALL IN FAVOR - CARRIED

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to reimburse the General Fund for bills that were paid prior to escrow accounts being established. Payments will be made form the following escrow accounts:

Post Child Care - \$35.00 for Karen Arent Landscape Architect Invoice #07-185
 Panattoni/Tetz - \$535.50 for McGoey, Hauser and Edsall Consulting Engineers Invoice #07-818 and 07-1055

Payment will be made through the Special Trust and Agency account and charged to each of the above escrow accounts.

ALL IN FAVOR - CARRIED

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to close out escrow accounts for **Duce Ferrera** and transfer balance of escrow (\$164.10) to the General Fund. These funds will be a partial payment **towards invoices already paid by the General Fund prior to escrow being established. Payment will be made through the Special Trust and Agency account.

ALL IN FAVOR - CARRIED

**Planning Board will invoice Dulce Ferrera for an outstanding balance of \$347.90.

APPROVAL OF MINUTES:

In a memo to the Town Board, the Town Clerk noted that she had made an **amendment** to **page 7** of the **June 7th minutes**. On the bottom half of the page where Councilwoman Soro is speaking, the wording had been amended to read, "**Councilwoman Soro** stated that she is going to demand that a public meeting be held **before** the agreement is **finalized**, so that etc., etc."

Amendment to the June 19th minutes. Because something was unintentionally omitted, on Page 2 a paragraph was added to the end of the Public Comments and Questions section. It reads:"The

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subject of warehouses came up, and in the brief discussion that followed, **Councilwoman Soro** expressed the opinion that when black dirt farmers quit farming, they should have more options for the use of their farm buildings. She then referred to a section of the Town of Goshen's zoning law, copies of which were provided to each board member, and suggested that perhaps we can utilize some of the wording on our zoning document."

The Town Clerk noted that she had already adjusted the minutes in the official Town Board minute book to reflect the amendments, and then asked for approval of the May 15th minutes as prepared, and the June 7th and June 19th minutes, as amended.

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to approve the minutes of the May 15th Town Board meeting as presented, and the June 7th, and the June 19th Town Board minutes with the revisions as noted by the Town Clerk.

ALL IN FAVOR - CARRIED

TOWN CLERK CORRESPONDENCE:

CATLIN CREEK/LIQUOR LICENSE: On June 27th, the Town Clerk received notification, by certified mail, from Dawn O'Hare, the General Manager of 'The Gardens on Catlin Creek'. We were advised that they intend to file for a renewal of the liquor license for this establishment. No action required or taken.

Town of Minisink ZBA Public Hearing: Notification was received, by certified mail, from **Sharon Decker** who is applying to the **Minisink Zoning Board of Appeals** for a variance to convert an existing 'Mother/daughter' residence into a two-family residence (Sec.1, Block 1, Lot 11.11). A Public Hearing will be held at 7:00 P.M. on Tuesday, July 9th at the Minisink Town Hall, 20 Roy Smith Drive, Westtown, NY.

POST ROAD PUMPS:

A few weeks ago, a gentleman from the Post Road area requested to be placed on the agenda, but he did not show up. No action taken.

REGULAR BUSINESS:

PROPERTY TAX RESOLUTION:

A resolution intended to provide tax relief and protection to New York State residents and businesses was presented, as follows:

**Resolution 6-2007
TOWN OF WAWAYANDA
RESOLUTION OF SUPPORT
PROPERTY TAXPAYER PROTECTION ACT**

Whereas, The tremendously high property tax burden on New York families and businesses is the number one issue facing our community today, and the sheer cost of living in New York has forced many residents and businesses to leave, thus slowing the economic engine of the state: and

Whereas, Young people are finding it difficult to purchase homes, seniors are struggling to maintain their homes, and businesses are facing immense challenges to create and retain jobs; and

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Whereas, New Yorkers face the highest property taxes in the nation, and when measured as a percentage of home value, nine of the top 10 property tax rates in the entire country belong to counties in New York; and the State must act now to thwart the detrimental effects that high property taxes are having on local governments; and

Whereas, Assembly Minority members have introduced the “New York State Property Taxpayer Protection Act (Assembly Bill 877),” which puts forth new and innovative ideas for property tax reform that limit the amount school districts can raise annually through local tax levies to four percent or the rate of inflation, whichever is less; in addition the Act would relieve municipalities and school districts of unfunded mandates, reduce county Medicaid costs, strengthen financial accountability over school tax dollars, promote local government efficiency, and encourage local option insurance pooling; and

Whereas, The “New York State Property Taxpayer Protection Act” will help fix New York’s broken property tax system, providing homeowners, businesses and municipalities significant and lasting relief from the crushing burden of skyrocketing property taxes; and now, therefore, be it

Resolved, That this Legislative Body pauses in its deliberations to acknowledge New York State’s property tax crisis and urge the immediate passage and chaptering of the “New York State Property Taxpayer Protection Act,” which will help local governments reinvigorate New York’s economy by providing incentives for people and businesses to move and stay here; and be it further

Resolved, That a copy of this Resolution, suitably engrossed, be transmitted to the Governor of the State of New York, the President of the New York State Senate, the Speaker of the New York State Assembly, and to each member of the New York State Legislature.

On **MOTION** by **Supervisor Razzano**, seconded by **Councilwoman Soro**, and upon a vote of 5 Ayes, and 0 Nays, the foregoing resolution was duly adopted.

SEASONAL EMPLOYEES / HIGHWAY DEPARTMENT: Michael Green, Highway Superintendent, will be hiring (1) one seasonal employee, Evan Miedema, who will be starting in July.

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to hire Evan Miedema as seasonal employees for the Highway Department.

ALL IN FAVOR - CARRIED

PANATTONI/PLANNING BOARD LEAD AGENCY: A **Notice of Intent for Designation of Lead Agency**, was received from the Planning Board regarding the **Panattoni Development Company/Concrete Properties**. It requested a letter of support from the Town Board in regard to their intentions to act as lead agency in regard to the project.

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to authorize the Supervisor's office send a letter to the Planning Board stating that the Town Board takes no exception to the Wawayanda Planning Board acting as lead agency for Panattoni Development Company/Concrete Properties, tax map parcel 11-1-35.23 and 4-1-43.2.

ALL IN FAVOR - CARRIED

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JUSTICE GRANT APPLICATION RESOLUTION : **Peter P. Gromacki**, Town Justice, and **Timothy P. McElduff, Jr.**, Town Justice, submitted a memo to the Town Board requesting authorization for submission of a Grant Application to the 2007 Justice Court Assistance Program.

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to adopt a resolution to support the Town of Wawayanda Justice Department's application for a grant through the 2007 Justice Court Administration Program, and to authorize the Town Supervisor to sign the related documents..

VOTE

Supervisor Razzano	- Aye
Councilman Cole	-Aye
Councilman Krajewski	- Aye
Councilwoman Soro	- Aye
Councilman Penaluan	- Aye

MOTION CARRIED

RECREATION CENTER PLANS: **Supervisor Razzano** provided the Board with a revised copy of the plans for the proposed Recreation Center. Minor changes have been made to the bathroom/kitchen area and dormers. The changes were based on suggestions received during a discussion that took place at a previous town board meeting

Supervisor Razzano stated that he wished to be able to move forward on this project and asked the Town Board if they had any further comments.

After a brief discussion it was agreed that the Supervisor would contact the Architect to get this project moving.

AILEEN GUNTHER, ASSEMBLYPERSON, CONSTITUENT DAY: The Supervisors's Office received a request from Aileen Gunther to use the Town Hall for a Constituent Meeting on July 17, 2007. After a brief discussion, Board members agreed that this would be acceptable, and that the Supervisors office will contact her office.

TOWN QUILT UNVEILING: The **'Our Town Quilt'** has been completed, and there will be an Unveiling of the Quilt on July 15, 2007, at 3:00 PM, at the Wawayanda Town Hall, 80 Ridgebury Hill Road.

PERSONNEL MATTER:

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to interrupt the regular meeting so that the Board may convene in Executive Session in regard to a specific personnel matter.

ALL IN FAVOR - CARRIED

EXECUTIVE SESSION: No action taken.

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

ALL IN FAVOR - CARRIED

SHANNA BOSCH/TEMPORARY REPLACEMENT DURING MATERNITY LEAVE:

Sometime around December, **Shanna Bosch**, Secretary for the Building Department and Water and Sewer Department, will be out on maternity leave for approximately 4-6 weeks, and intends to use her vacation/sick time for this occasion.

Jack Grifo, Code Enforcement Officer, had submitted a request that Diane Morgan be appointed to fill in for Shanna during her absence. He noted that Ms. Morgan has experience in

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working for the Town, and she is familiar with real estate, planning, construction, etc. She would also be expected to perform Shanna's duties for the Water and Sewer Department.

Mr. Grifo requested approval of 35 hours per week, even though he anticipates that the workload will be slightly lower during that specific time of the year. Said he is planning on at least 25 hours per week. He also asked for a training period prior to Shanna's leave.

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to hire Diane Morgan as a temporary replacement for Shanna Bosch while she is out on maternity leave, and to have her work a maximum 35 hour week at a pay rate of \$13.00 per hour, and to also allow for a two week training period prior to the leave.

VOTE

Supervisor Razzano	- Aye
Councilman Cole	-Aye
Councilman Krajewski	- Aye
Councilwoman Soro	- Abstained
Councilman Penalan	- Aye

MOTION CARRIED

PUBLIC COMMENTS & QUESTIONS:

Recreation Building: Mary Markiewicz stated that she attended a Planning Board Education Session in Chester that was held in the meeting room underneath their Library. Said that this building seemed to be set up the same way that our Recreation Building is proposed to be set up in Shannen Park, and voiced the opinion that the room was very musty smelling. Suggested that the Town take that into consideration, so that we do not have that type of situation.

Board of Ethics: Deborah Glover asked the Board if they were ever going to consider putting an Ethics Committee together, and discussed her reasons why she believes that this needs to be addressed.

Ethics Committee: MaryAnn Labanowski addressed **Councilman Krajewski** as to the reasons why he commented the he does not believe an Ethics Committee is needed.

Councilman Krajewski provided her with his reasoning and added that even after he attended a seminar at the Association of Town's in Manhattan he still was not convinced as to why the Town should be compelled to implement such a committee.

Ms. Glover commented that the Volunteer Fire Departments have recently been mandate to implement an Ethics Committee, and asked the Board, "Why the prohibition?"

Councilwoman Soro said the she is for an Ethics Committee, and said that there are times when the Supervisor does not want to discuss documents and shuts people down.

Supervisor Razzano responded to **Councilwoman Soro's** comment by stating that when he does not want to discuss certain documents it is because they are usually not complete, and it is not the proper time. Added that everything has its time and place and that he is always willing to discuss things when appropriate.

Planning Board Education: Barbara Parsons discussed the importance for the Planning Board members to receive training, and although the Town Board had previously addressed the topic, it was never made clear how the training would be handled.

Supervisor Razzano recalled the discussion and agrees that training is needed, and that this matter should be pursued.

Councilman Cole added that he is aware that the Orange County Planning Department is trying to evolve some sort of an education process.

Further discussion took place on options for the education to be received.

Wawayanda Town Board Meeting 07/05/2007

Ethics Committee: Deborah Glover addressed **Councilwoman Soro** and informed her that she does have the right, as a Councilperson, to write a letter to the Town Attorney requesting that he contact the proper state officials for an opinion regarding an Ethics Committee.

Ora Woods voiced her concerns for the need of such a committee and does not understand why this Board does not want to entertain the suggestion.

Her question was responded to by a few of the Town Board members. Generally, they felt that it would just be an extra layer of government.

Barbara Parson commented that when the state mandate is set in place, she hopes that there are guidelines as to how the committee members are selected.

Truck Repairs: David LeBlanc mentioned that the Highway Superintendent's brother is handling repairs to the town vehicle that was in a recent accident. Said that in considering that the repairs are running over \$10,000 (ten thousand dollars), even though Mr. Green's brother runs an upstanding business in the town, this matter should have gone out for bid.

Agricultural Exemptions/Report from the County: Councilwoman Soro stated that she is in receipt of a copy of a report from the Orange County Office of Real Property which resulted from her and the former Town Supervisor being targeted and accused of wrong doing with regard to Agricultural Exemptions. Stated that if anyone was interested in viewing the document, she was going to provide the Town Clerk with a copy of the report which exonerates her from

any wrong doing. She then spoke of a situation that took place whereby she attempted to make copies of the report on the town hall copy machine, but was stopped by Supervisor Razzano because he felt that it was a waste of taxpayer money. Added that it was not a waste of taxpayer money for the Board to request the investigation.

Supervisor Razzano said that the investigation was not done at the request of this town board but at the request of a private citizen. Added that the taxpayers did not pay for the investigation, and requested that the record show that the town did not have anything to do with the matter.

NO OTHER BUSINESS OR COMMENTS.

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to adjourn.

ALL IN FAVOR - CARRIED

MEETING ADJOURNED: 9:55 P.M.

**PREPARED BY KATHRYN SHERLOCK
RESPECTFULLY SUBMITTED,**

Teresa E. Pierce, Town Clerk/RMC