

Wawayanda Town Board Meeting 06/07/07

June 7, 2007

A Regular monthly business meeting of the Town Board of the Town of Wawayanda was called to order at 7:35 P.M., on Thursday, June 7, 2007, at the Town Hall, Ridgebury Hill Road, Slate Hill, New York.

Those present were:

John R. Razzano	Supervisor
David S. Cole	Councilman (Arrived @ 8:15 PM)
Edward Krajewski	Councilman
Gail M. Soro	Councilwoman
Richard Penaluna III	Councilman
Teresa Pierce	Town Clerk

Absent: Richard Guertin Attorney for the Town

Also Present: Howard Goldstein - Bookkeeper; Mary Markiewicz - Planning Board Member; Gladys Hall - Historian; and 3 other individuals.

PLEDGE TO THE FLAG

Supervisor Razzano stated that **Councilman Cole** will be late this evening because he is presenting the JROTC graduating Seniors with Achievement Awards on behalf of the Town.

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 **Councilwoman Soro**, seconded by **Supervisor Razzano**, 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 \$4,285.05 from the General Disbursement Account, representing bills that were payable upon receipt. Breakdown as follows:

PPG 07-00715-PPG07-00719	\$1,146.23
PPG07-00723	\$ 633.71
PPWS 07-00707-PPWS07-00714	\$2,505.11

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 \$160,259.58 Breakdown as follows:

General Fund	G07-724 thru 765	\$88,100.70
	G07-818 thru 874	
	G07-917 & G07-922	
Highway Fund	H07-766 thru 817	56,031.56
Water/Sewer Districts	WS07-875 thru 914	15,638.32
Robinn Meadow	RMCP 07-915 thru RMCP 07-916	489.00
Capital Project		

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Robinn Meadows Sewer District	\$3,369.53
Ridgebury Lake Acres Sewer District	3,244.02
Ridgebury Lake Water District	2,018.98
Denton Hills Water District	2,314.59
Arluck Water District	1,085.53
Water/Sewer Dist. #1	3,625.67
Water/Sewer Total =	\$15,638.32

ALL IN FAVOR - CARRIED**ESCROW ACCOUNT PAYMENTS:**

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to reimburse the General Fund in the amount of \$1,433.50 for bills that were paid prior to Escrow Accounts being established, and to authorize that payment be made through the Special Trust and Agency Account and charged to each Escrow Account, as follows:

- **Sam Simon** - \$294.50 to **McGoey, Hauser and Edsall Consulting Engineers**, Inv #'s-06-999 and 06-1925.
- **Greens at Woodbury/-Slate Hill Orchards** - \$164.50 to **McGoey, Hauser, and Edsall Consulting Engineers**, Inv #06-24992449
- **Howard Shapiro** - \$784.50 to **McGoey, Hauser and Edsall Consulting Engineers**, Inv#'s 06-2906, 07-315 and 07-615.
- **James Bergen** - \$190.00 - Public Hearing Fees

ALL IN FAVOR - CARRIED

MOTION by **Supervisor Razzano**, seconded by **Councilwoman Soro**, to authorize payment to **McGoey, Hauser, and Edsall Consulting Engineers** for services rendered in reference to invoice 07-1378, with payments being made through the Special Trust and Agency Account and charged to the individual escrow accounts, as follows:

- **Grandview** - \$178.50
- **Dulce Ferrera** - \$220.90
- **Bergen** - \$59.50 ** At the May 3, 2007 Town Board Meeting a motion for payment was made from this escrow account. The escrow account balance listed on this motion of \$3,050.00 was incorrect. The correct balance prior to payment was \$700.00.
- **Sam Simon** - \$297.50
- **Heritage Customer Homes** - \$ 78.10
- **Lands of Shapiro** - \$762.60
- **Huckleberry Hills (Giuseppe Depaulis)** - \$119.00
- **Post Child Care** - \$131.40
- **Tetz Panattoni** - \$47.60
- **Ryerson Court** - \$321.30

ALL IN FAVOR - CARRIED**APPROVAL OF MINUTES:**

The Town Clerk requested approval of the minutes of the May 3rd Town Board meeting, as presented.

MOTION by **Councilwoman Soro**, seconded by **Councilman Penaluna**, to approve the minutes of the May 3rd Town Board meeting, as presented by the Town Clerk.

ALL IN FAVOR - CARRIED

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EXHIBITION PERMIT/JOHN DEBEAUVERNET: John DeBeauvernet has submitted an application for a Fireworks Display which will take place on July 7th during a picnic celebration at his residence at 157 Stony Bar Road. Mr. DeBeauvernet has been receiving a permit for several years and hires a licensed professional to put on the show. Also, he will be providing us with a 'Certificate of Insurance'. The application was referred to our Code Enforcement Officer, Jack Grifo, and he responded that he had no complaints about prior activities. He did, however, recommend that Mr. DeBeauvernet be required to notify the Slate Hill Fire Department prior to the event and, if conditions warrant, to be on standby.

MOTION by **Supervisor Razzano**, seconded by **Councilwoman Soro**, to authorize the issuance of an Exhibiton Permit to John DeBauvernet in association with a fireworks display on July 7th, 2007, with the condition that the Slate Hill Fire Department be notified about this activity, and be on standby, if deemed necessary.

VOTE

Supervisor Razzano	-	Aye
Councilman Cole	-	Aye
Councilman Krajewski	-	Aye
Councilwoman Soro	-	Aye
Councilman Penaluna	-	Recused *

MOTION CARRIED

* No specific reason given.

TOWN CLERK CORRESPONDENCE:

Town of Wallkill Zoning: on June 4th Teresa Pierce, Town Clerk, received a copy of a proposed Local Law which would create new Zoning Districts and amend certain other provisions of the Zoning Code of the Town of Wallkill, in order to implement the Town of Wallkill's 2005 Comprehensive Plan.

Along with the proposed law was the Final Generic Environmental Impact Statement (FGEIS) associated with the law. These documents are available for review in the Town Clerk's office.

Town of Minisink/ Public Hearing Notice: On June 11, 2007, at 7:00 P.M., a public hearing will be held in conjunction with the application of **Sharon Decker**, for a variance related to Sec.1, Blk. 1, Lot 11.11, which would allow her to convert an existing 'Mother/daughter' residence into a two-family residence.

NEW BUSINESS:

RECREATION CENTER/BUILDING PLANS: **Supervisor Razzano** discussed his thoughts and ideas over the design of the building, and commented that the current design and location will provide for adequate expansion if needed in the future.

Mary Markiewicz asked if this structure was the Log Cabin that was donated to the town, and was informed that the proposed structure is much larger than the cabin, and that the intention is to use the logs for the front of the building as a siding treatment.

Marguerite Lowry spoke of the recommendations from the Recreation Committee that were discussed at their last meeting, such as high ceilings in the basement and the use of as much natural lighting, as possible. She also suggested that the building blend in with the existing Senior Center.

Councilman Penaluna spoke about the pavers that would be used for the walkway, and suggested that they could be sold to the public as a fund raiser. The purchase would have his/her name engraved on the paver.

Councilwoman Soro suggested that there be an outside access door to the kitchen, which would be more convenient if there was an outdoor event taking place.

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.

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Marguerite Lowry, read aloud a history that she had composed for the purpose of the dedication ceremony of the quilt, which is referred to as ‘**The Peoples Quilt**’. It detailed the events that took place which inspired the idea of this project and made the quilt a reality.

A copy of her composition will follow these minutes as Addendum #1.

A discussion took place as to where the Quilt would be displayed in the Town Hall.

RECREATION COMMITTEE:

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to appoint the following individual to the Town Recreation Committee:

- 1) Connie Lichtenburger
- 2) Marguerite Lowry
- 3) Kathryn Sherlock

ALL IN FAVOR - CARRIED

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to appoint Richard Penaluna III to the Recreation Committee.

VOTE:

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

MOTION CARRIED

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to appoint Dave Cole to the Recreation Committee.

VOTE:

Supervisor Razzano - Aye
Councilman Penaluna - Aye
Councilman Krajewski - Aye
Councilwoman Soro - Aye

MOTION CARRIED

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to appoint Gail Soro to the Recreation Committee.

VOTE:

Supervisor Razzano - Aye
Councilman Cole - Aye
Councilman Krajewski - Aye
Councilman Penaluna - Aye

MOTION CARRIED

The **Recreation Committee** will be meeting on June 28th, 2007, at 7:00 PM, at Town Hall.

Supervisor Razzano discussed a proposed Picnic in the Park, with a tentative date of August 18th, 2007. The cost for such an event was discussed, as well as suggestions for activities.

Councilwoman Soro questioned if food could be brought in by the public, and it was determined that clarification would be needed from the Health Department.

Marguerite Lowry asked about the possibility of allotting some of the end of the year surplus funds to the Recreation Committee for expenditures in the year 2008.

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John Grifo, Building Inspector, submitted an application from David P. Smith, aka 'The Inspector, LLC', to perform Electrical Inspections in the Town. He is in compliance with Chapter 82 of the Town Code, and John Grifo recommends that the Town Board approve the application, pending receipt of the \$150.00 application fee.

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to authorize David P. Smith, aka 'The Inspector, LLC,' to perform Electrical Inspection Services in the Town.

ALL IN FAVOR - CARRIED

M&T BANK/CUSTODIAL AGREEMENT

MOTION by **Councilman Krajewski**, seconded by **Councilman Penaluna**, to authorize the Supervisor to sign a custodial agreement with M&T Bank

ALL IN FAVOR - CARRIED

COLLATERAL RESOURCE BILL: **Supervisor Razzano** stated that information about this proposed legislation was provided to each Board member at the last meeting. This bill would amend the Civil Practice Law Rules to allow municipalities to offset awards for future lost earnings made to employees by disability pensions and other collateral sources of compensations. The Town of Wawayanda was urged to support this legislation.

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to authorize a letter be written and forwarded to the Appeals Division of the New York City Law Department in support of the Collateral Resource Bill.

ALL IN FAVOR - CARRIED

TOWN AUDIT PROPOSAL: A proposal had been received from a Sedore & Company, an Independent Auditor, to conduct a town audit for the year ending 2006. The cost would range from \$12,500 to \$15,000.

A discussion took place amongst the Board members, and it was determined that an audit is not needed at this time.

MS4-GPS PROPOSAL: **McGoey, Hauser and Edsall**, Engineers, P.C., have submitted a proposal for Geographical Information System(GIS) Design and Consulting Services. The scope of work would entail the implementation of a GPS field data collection system for collection of storm water infrastructure and mapping. McGoey, Hauser and Edsall will provide database and system setup for the field data collection process. The field data collection will be conducted by town personnel. MH&E will conduct initial training and provide support as required throughout the process. They will download, post, process the data, and import the information to the mapping system on a periodic basis, as submitted by Town personnel. MH&E will then prepare maps showing the collected data. The cost for this would be approximately \$5,560-\$9,870 for the Phase I Base Mapping and Software Implementation, and \$1,400 for the rental cost of (1) GEOXT portable GPS data collection for one month.

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to retain McGoey, Hauser, and Edsall, to provide a Geographical Information System and Consulting Services for the Town of Wawayanda.

ALL IN FAVOR - CARRIED

STREET LIGHT FOR SEWARD ROAD: A request was received from Karen Baudendistel, a resident of Seward Road, to have a dusk to dawn light installed on the pole across the street from her residence. She indicated that her request was based on recent problems in the area.

Discussion took place amongst the Board Members, and it was determined that the Town should not be covering the cost for the light. Suggested that if Ms. Baudendistel wishes to have a light installed, she should contact Orange & Rockland and have it installed at her expense.

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DENNIS KETCHAM/TRAINING: Dennis R. Ketcham, Assessor, submitted a request for approval to attend a seminar on appraising which will be held at Cornell University in Ithaca, during the week of July 15th through July 20th, 2007. His attendance at this seminar allows him to meet approximately half of the continuing education credits required by NYS, in order to maintain his certification. The Town has already paid for the instruction/classroom portion back in March, but at that time there was no formal approval for his attendance.

MOTION by Supervisor Razzano, seconded by **Councilwoman Soro**, to authorize Dennis Ketcham to attend the 2007 Assessor's seminar at Cornell University in Ithaca..

ALL IN FAVOR - CARRIED

TIRE COLLECTION/WEST NILE VIRUS: Supervisor Razzano, advised the Board that the Orange County Department of Public Works, Division of Environmental Facilities & Services, will hold a West Nile Tire Collection from June 1, 2007 until June 30, 2007. Said he had spoken with Highway Superintendent Green, to see if he would be interested in conducting the tire collection again this year. Mr. Green did not see where this would be a problem for his department. The Town will accept a limit of five (5) tires per resident, with the tires being limited to 17" or smaller in size/off rim. The Town Highway Department will transport them to the landfill, and as noted by the notice from the County, there should be no cost incurred by the Town.

FEMA ANNOUNCEMENT: We received notification that those who sustained losses or damages from the April 24th flooding may be eligible for disaster aid. The deadline to apply for the assistance is June 23rd, 2007.

CORRESPONDENCE & COMMUNICATIONS:

Margaret Wymer sent a 'Thank You' note for the flowers, thoughts, and prayers on the passing of her husband Earl Wymer, who was a former Town of Wawayanda Assessor.

Gloria Pason sent a 'Thank You' for the flowers and expression of sympathy on the passing of her husband Fred Pason, a former Town Assessor.

Association of Town's Clam Bake: Supervisor Razzano informed the Board that he has received a second request from Barbara Decker Secretary for the Orange County Association of Towns, Villages, and Cities, asking for a head count of who will be attending the Clam Bake that will take place on Tuesday, June 26th at the Wallkill Golf Course.

Those who will be attending will be Supervisor Razzano, Councilman Cole, Councilman Krajewski, and Councilman Penaluna.

Purchase of Speed Control Device - Supervisor Razzano said that we have gone around and around about a Speed Control device. We thought that we might get some grant money, but our application was denied.

In consulting with the towns of Minisink and Greenville, they have both expressed an interest in participating jointly in the purchase and sharing the use of such a device, but we are still looking for a few other towns to go in on the purchase. The estimated cost ranges from \$16,000-\$23,000. If we could get the additional support of at least two other towns, it would definitely be cost effective, and each town would benefit from the purchase.

After further discussion, all board members were in agreement that we should seek the participation from a few more towns.

PUBLIC COMMENTS & QUESTIONS:

Councilwoman Soro spoke about an article that appeared in yesterday's 'Times Herald Record' which discussed the issue of 'Open Space'. Said she was stressed with the position that Senator John Bonacic took, and does not understand why they wanted to exclude the Town of

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Wawayanda. Requested that the town send a letter to Mr. Bonacic informing him we are not pleased with his position, and asked for an explanation.

Supervisor Razzano said that before we send a letter he would prefer to speak to Senator Bonacic to find out why he did not offer support.

Deborah Glover posed the following questions to Supervisor Razzano:

- 1) Have you received the paperwork that was presented from **Masada** to the City of Middletown?
- 2) Have you seen the agreement that the City of Middletown signed with **Chartwell**?
- 3) Are you currently negotiating with **Chartwell**, and if so, please be mindful because the agreement with the City of Middletown is greatly flawed.

Supervisor Razzano responded to Ms. Glover's questions by saying. "Yes, we have received the paperwork that Masada has given to the City of Middletown, and we have seen the agreement that the City of Middletown has signed with Chartwell. The town has been in contact with Chartwell, and we have started moving forward with finalizing our agreement".

Further discussion took place regarding the Community Preservation Act, and the funding for the Open Space preservation.

Ms. Glover also spoke of a **speed control device** that she observed while visiting upstate. She explained that the devices were strategically placed on telephone poles in the area, and that she has obtained information as to the cost, which just may be a cheaper alternative. Said she will forward this information to the Board for their review.

Councilwoman Soro questioned, "Who are the individuals who are negotiating the agreement with Chartwell, on behalf of the town?".

Supervisor Razzano responded that Attorney Guertin, Russell Budd, and Attorney Bowitch are working together on the negotiation process.

Councilwoman Soro stated that she is going to demand that a public meeting be held before the agreement is finalized, so that the public has the opportunity to have their views heard.

Supervisor Razzano did not feel a need for such a meeting, and stated that his main objective is to protect the best interest of the town.

Further discussion took place amongst the board members.

Marguerite Lowry spoke of a walk through the new section of the park that she took with Councilman Cole and Park Superintendent Flynn. Discussed the need for gates in the park and asked that the board take action on this matter. Also, discussed the need for walking trails, and spoke about a walk that a few of the Recreation Committee members took on the Appalachian Trail in New Jersey.

Supervisor Razzano informed Ms. Lowry that they are working on the gates in the park, and as far as the trails go, things like that take time.

David LeBlanc voiced his concern with the cost of the GPS. He also spoke about a meeting that he had attended in the Town of Greenville, and noted that they are in the process of obtaining a grant for hiking trails.

Mary Markiewicz referred to **Chartwell**, and stated, "If they carry solid waste, we can't prevent them from going through our town, but can we prevent them from stopping in our town?".

Supervisor Razzano responded that they have certain rights that we just cannot control.

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NO OTHER BUSINESS OR COMMENTS.

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

ALL IN FAVOR - CARRIED

MEETING ADJOURNED: 9:32 P.M.

**PREPARED BY KATHRYN SHERLOCK
RESPECTFULLY SUBMITTED,**

Teresa E. Pierce, Town Clerk