

Wawayanda Town Board Meeting 10/04/2007

October 4, 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, October 4, 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
Richard Guertin	Attorney for the Town
Teresa Pierce	Town Clerk

Also Present: Kathryn Sherlock - Deputy Town Clerk; Mary Markiewicz and Barbara Parsons - Planning Board Members; and 7 other individuals.

PLEDGE TO THE FLAG

*Prior to the meeting being called to order, the Town Clerk provided each Board member with a copy of the Supervisor's Tentative Budget for 2008.

PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW TO AMEND THE BUILDING CONSTRUCTION, MAINTENANCE AND FIRE PROTECTION CODE OF 2006:

Supervisor Razzano read the 'Notice of Public Hearing' as it appeared in The Times Herald Record on September 24, 2007.

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to open the Public Hearing.
ALL IN FAVOR - CARRIED

Let the record show that there were no comments or questions from the public.

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to close the public hearing.

ALL IN FAVOR - CARRIED

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to adopt as presented, the proposed Local Law entitled "Amendment of the Building Construction, Maintenance and Fire Protection Code of 2006", as Town of Wawayanda Local Law #4 of 2007.

ALL IN FAVOR - CARRIED

* **A complete copy of Local Law #4 of 2007, entitled "Amendment of the Building Construction, Maintenance and Fire Protection Code of 2006" will appear in the official Town Board Minute Book as addendum #1 to these minutes.**

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.

Wawayanda Town Board Meeting 10/04/2007**APPROVAL OF DEPARTMENT REPORTS:**

MOTION by **Councilman Penaluna**, seconded by **Councilwoman Soro**, to accept the various departmental reports, as submitted.

ALL IN FAVOR - CARRIED

PAYMENT OF BILLS:

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to authorize the payment of bills in the amount of \$4,760.14 from the General Disbursement Account, representing bills that were payable upon receipt. Breakdown as follows:

PPG 07-01487	\$2,833.29
PPWS 07-01486	\$1,926.85

ALL IN FAVOR - CARRIED

Discussion Prior to Approval of Additional Bills:

Councilwoman Soro questioned the vouchers for the Sam's Club Discover Card, and stated that the Board never pre-authorized any of the bills or any amount that was to be expended pertaining to the Town Picnic. She also questioned when the town came up with a credit card account.

Supervisor Razzano informed Ms. Soro that the town has always had credit cards. The Sam's Club Discover credit card is treated the same as the Home Depot, Lowe's, and Staple's accounts that the town has had for years, and these types of credits cards are acceptable because they do not circumvent the approval process by the Board.

He then explained that members of the Recreation Committee went out comparison shopping, and it was determined that Sam's Club was the most reasonably priced, so the town opened a membership, as well as a credit account because they would not accept a town voucher.

Councilwoman Soro asked about the other credit card accounts that the town has.

Teresa Pierce, Town Clerk, responded that we have Staples, Lowe's, Home Depot, and the Highway Department has a gas card. Now we have the Discover Card through Sam's Club.

Councilwoman Soro questioned who was responsible for the Sam's Club card?

Supervisor Razzano responded that the Town of Wawayanda is responsible for the card.

Councilwoman Soro said that according to the statement there is cash available and because we had a problem with this in the past she would like clarification as to how this account works.

Supervisor Razzano explained that the problem in the past was with a debit card, and that the Discover Card is a credit account and all credit accounts have cash available.

Teresa Pierce explained that this card remains in her safe until it is needed, and that no one individual carries it around with them at all times.

Supervisor Razzano said that at this time we are looking to utilize Sam's Club for the supplies for our building because it seems we could obtain them at a better price.

Councilwoman Soro said that nobody objects to having the picnic. It's the protocol that has been put into place with regard to the finances.

Councilman Cole said that the protocol that is in place is the same as the Home Depot and any of the other cards. The charges are presented on a statement, and that statement is then audited and reviewed at the next business meeting, approved by the board, and then payment is made.

Supervisor Razzano stated that for clarification, once a debit card is swiped, the money is instantly deducted from a checking account, and there is no checks and balances, and no approval process.

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Councilwoman Soro maintained that it was her belief that proper notification was not given to the Board.

From the audience, **Barbara Parsons** commented that it's a shame that an event that was so nice has been spoiled.

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to authorize payment of bills from the General Disbursement Account in the amount of \$172,883.65 Breakdown as follows:

General Fund	G07-01522 thru 01608 G07-01648 G07-01651	\$ 63,641.50
Highway Fund	H07-01488 thru 01520 H07-01609 thru 01611 H07-01649	98,062.46
Water/Sewer Districts	WS07-01612 thru 01647 WS07-001652	11,179.69

WATER/SEWER BREAKDOWN:

Robinn Meadows Sewer District	\$ 1,865.41
Ridgebury Lake Acres Sewer District	2,038.07
Ridgebury Lake Water District	1,149.58
Denton Hills Water District	857.30
Arluck Water District	2,048.68
Water/Sewer Dist. #1	3,220.65

Water/Sewer Total = \$ 11,179.69

ALL IN FAVOR - CARRIED

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to reimburse the General Fund for invoices paid through the General Fund:

- Robinn Meadows - \$10,538.75

Payment will be made through the Special Trust and Agency account.

ALL IN FAVOR - CARRIED

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to pay **Greenplan Inc.** for Planning & Environmental Review Services rendered in reference to the following:

- Lower Road Associates - Inv. 4371 - \$1,010.00

Payment will be made through the Special Trust and Agency account and charged to the individual escrow account listed above.

ALL IN FAVOR - CARRIED

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to pay **Karen Arent Landscape Architect** for services in reference to the following:

- R R & M Pre Owned Cars - \$245.00
- Bradley's Corner Hotel and Restaurant - \$35.00

Payment will be made through the Special Trust and Agency account and charged to the individual escrow account listed above.

ALL IN FAVOR - CARRIED

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MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to reimburse the General Fund for invoices paid through the General Fund Account and not charged to the Escrow Accounts.

- Grandview Estates - MHE Inv 07-615 - \$ 1,454.5
- Lower Road Associates - MHE Inv 07-315 - \$541.50
- Lower Road Associates - MHE Inv 07-615 - \$119.00
- Felter/Superior Homes - MHE Inv 07-1897 - \$59.50
- R&R Used Car Dealership - Public Hearing & Parcel Fee - \$220.00

Payment will be made through the Special Trust and Agency account and charged to the individual escrow account listed above.

ALL IN FAVOR - CARRIED

TOWN CLERK CORRESPONDENCE:

APPROVAL OF MINUTES:

In a memo to the Town Board, the Town Clerk requested that the minutes for **August 21st**, and **September 6th** be approved.

Councilwoman Soro stated that she has not had an opportunity to review them because she has been replacing a sidewalk on her property.

MOTION by **Councilman Krajewski**, seconded by **Councilman Penaluna** to approve the minutes of the August 21st and September 6th, 2007 Town Board meetings, as presented by the Town Clerk.

VOTE

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

MOTION CARRIED

ASSESSMENT ROLL FOR WATER & SEWER DISTRICTS: The assessment rolls for the various municipal water and sewer districts have been prepared and received from our Assessor.

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to set a Public Hearing on November 8, 2007, on the Assessment Rolls for the various Town of Wawayanda water and sewer districts.

ALL IN FAVOR - CARRIED

CHARLES KIRBY - BOARD OF ASSESSMENT REVIEW: Charles Kirby's term on the Board of Assessment review expires on October 1st. He has indicated that he does not wish to be re-appointed (Submitted a letter indicating this), so it will be necessary to consider the appointment of another individual to fill his post.

Members are appointed for 5 year terms which begin on October 1st and end on September 30th. When a person is chosen, the term will be retroactive to start on October 1st, 2007 and end on September 30, 2012.

Based upon a consensus of the Board, the Supervisor's office will forward a letter of appreciation to Mr. Kirby, thanking him for his many years of service to the town.

MOTION by **Councilman Krajewski**, seconded by **Supervisor Razzano** to accept, with regret, the resignation of Charles Kirby from the Board of Assessment Review.

ALL IN FAVOR - CARRIED

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ANDREW BARRON - MODEL GLIDER MEET: Andrew Barron has submitted an application for a Model Glider Meet which is scheduled to take place on October 20 & 21, 2007 at Barron Field, LLC. As per our Building Inspector/Code Enforcement Officer, there have been no complaints from last year's event.

Mr. Barron has provided the Town Clerk with a certificate of Liability Insurance to cover the activity. The document names the Wawayanda Town Board as the Certificate Holder.

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to authorize the Town Clerk to issue a permit to Andrew Barron for the Annual Model Glider Meet on October 20 -21, 2007.

ALL IN FAVOR - CARRIED

STREET SPECIFICATIONS AND ZONING PAMPHLETS: With the adoption of the New Street Specifications, booklets were ordered from General Code Publishers, for sale to the public. The bill arrived, and they are charging more than they did for the previous booklets. Current selling price is \$6.00, but the new charge comes to \$9.24 per book. Also, an additional order of zoning books was ordered and when the cost was calculated they also came to more than what we are currently selling the books for. We charge \$25.00 per copy and the new cost is \$30.73 per copy.

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to increase the charge for Street Specification Booklets to \$10.00 per copy, and Zoning Booklets to \$35.00 per copy.

ALL IN FAVOR - CARRIED

THE CHURCH AT RIDGEBURY/SIGN REQUEST: Lewis Sign Company requested two sign variances for 'The Church at Ridgebury'. Board members were provided with a copy of a letter from our Building Inspector to Lewis Sign Company, as well as associated diagrams. A representative from Lewis Sign Co. and a couple of church members were available to answer questions from the Board.

Based on the discussion that was held, **MOTION** by **Councilman Cole**, seconded by **Councilwoman Soro**, to grant a variance to the Church at Ridgebury, for signs that will be placed on property identified as Section 16, Block 1, Lot 4.

ALL IN FAVOR - CARRIED

2008 TENTATIVE BUDGET: **Supervisor Razzano** discussed a few highlights of the 2008 Tentative Budget that he had prepared and filed with the Town Clerk.

Some noteworthy items were:

- 1) The budget provides for a 3% salary increase for all town employees.
- 2) The amount to be raised by the General Fund has been increased by 4% over last year. This increase should be offset by projected revenues which should be up by \$200,000. This is not because of sales tax or mortgage tax, but because of the adjusted fees schedules of the Planning Department, Building Department, and Court Department which are generating additional revenues. Overall, the budget is expected to be down 22% from last year's rate.
- 3) A \$25,000 Capital Reserve Building Fund has been added on page 12 of the budget. This is because it is quite noticeable that all departments are tight on space. Inevitably, something will have to be done to provide more office space as the town continues to grow.
- 4) The Planning Board has requested new software. \$10,000 has been included for this purpose.
- 5) The Highway Budget is up 11%. Because the Highway Superintendent has been on vacation, Supervisor Razzano said that he has not had an opportunity to speak with Mr. Green about it. Currently there is no debt in the Highway Department since all of the trucks have been paid off. However, Mr. Green has put in a request for a bulldozer, and both he and Mr. Flynn, Park Superintendent, have been talking about purchasing a Bucket Truck.
- 6) Supervisor Razzano is proposing a \$50,000 Capital Reserve Account for future equipment purchases.

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The Board discussed that fire departments have been given new state regulations to follow in regard to their budgets. According to new regulations, the deadline for Fire Departments to have their budgets adopted actually comes after the deadline for the town budget. This creates a problem because the Town Budget must reflect the Fire Departments' figures. However, both fire departments have been contacted, and they have agreed to have their approved budget submitted to the town by November 15th, 2007.

Councilwoman Soro asked for the amount that is currently in surplus, and **Supervisor Razzano** informed her that he did not have those numbers available.

Councilwoman Soro made a comment that she thought it very unfortunate that he did not have those numbers.

Supervisor Razzano stated that Ms. Soro consistently asks for those numbers, and added that all of the departments are doing fine. "We audit the bills every month, we pay attention to all of our budgets, and just like last year, the town did very well. \$695,000 has been put back into the bank account and that is quite a feat, since it has never been done before." He then directed her to speak to the Accountant so that he may clear up any questions that she may have.

In the exchange that followed, **Councilwoman Soro** accused the Supervisor of sneaking things into the budget.

Supervisor Razzano responded that he had enough and would no longer stand for her slanderous comments.

There were no further comments regarding the budget.

SIMON BUSINESS PARK/STREET SPECIFICATIONS: Kirk Rother, Consulting Engineer, submitted a request, on behalf of **Simon Business Park**, to waive some of the regulations in our Commercial Street Specifications.

A discussion took place among the members of the Board.

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to adopt a resolution to waive the Town of Wawayanda Commercial Street Specifications for the Simon Business Park project by allowing reductions from a 60 ft. right-of-way to a 50 ft. right-of-way; a 40 ft. wide pavement to a 30 ft. wide pavement; and a 120 ft. cul-de-sac to a 100 ft. cul-de-sac, subject to approval by the Highway Superintendent, Planning Board, and the New Hampton Fire Department.

VOTE

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

MOTION CARRIED

ORANGE COUNTY IDA/PUBLIC HEARING ON CAITLIN CREEK INN: Alex Nubert, an Attorney representing the Orange County Industrial Development Agency, has requested use of our Town Hall to hold a Public Hearing on Monday, October 29th, at 10:00 A.M.. This is in association with the application for the Inn at Caitlin Creek.

Based upon a brief conversation, all board members expressed approval to authorize the Orange County Industrial Development Agency to use the Town Hall on October 29th, to hold a Public Hearing in regard to the Inn at Caitlin Creek.

Wawayanda Town Board Meeting 10/04/2007**EXECUTIVE SESSION:**

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to interrupt the meeting so that the Board may convene in Executive Session to discuss the employment conditions for a particular employee.

ALL IN FAVOR - CARRIED

EXECUTIVE SESSION: No action taken.

Upon returning to the meeting room, **Councilwoman Soro** stated that she is requesting that it be placed in the record that she was not feeling well, and that her heart was racing and she felt dizzy. Rather than taking her seat at the podium, she sat down in the front row of the audience and continued to say that she was not well. Being concerned, a member of the audience placed a call to E-911. Realizing that 911 was called, **Councilwoman Soro** she said that there was no need for them to come and that she would be okay once she was home with her husband. She then returned to her seat at the podium.

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

ALL IN FAVOR - CARRIED

RECREATION COMMITTEE: The Recreation Committee submitted a list of additional members who have been attending meetings, and asked that the Board formally appoint them to the committee.

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

- | | |
|---------------------|------------------|
| 1) Cathy Gonzales | 5) Teresa Pierce |
| 2) Diane Morgan | 6) Alfred Pierce |
| 3) Cathy Cole | 7) David LeBlanc |
| 4) Virginia Cassidy | |

VOTE

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

MOTION CARRIED

****Councilwoman Soro** stated that she voted no because Mr. Leblanc is not a town resident and that he is nothing more than a troublemaker.

Supervisor Razzano addressed **Councilwoman Soro** and stated that he is perplexed by her actions. The Town Picnic was a tremendous success and there were many individuals who put a lot of work into it. Said he could not understand why she did not sign any of the vouchers, and why she did not contribute anything to the picnic. He said that he was confused because if she was truly a member of the Recreation Committee, why did she not support the picnic that everyone was in favor of.

Councilwoman Soro said that she was away that day and only attended one meeting. Added that the questions she had were answered this evening, so now she can come in tomorrow to sign the vouchers.

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Councilman Krajewski said that everyone he has spoken to said that they had a great time, and even the individuals who did not make it, stated that they heard it was a great event and they regretted that they had not been able to attend.

Mary Markiewicz asked "In comparison to the budget for the town, what exactly was the cost of the picnic?"

She was advised that the budget for the town runs in the millions and in comparison, the cost was a very small percentage.

Barbara Parson commented that she had returned from Russia the night before and had to go to her daughters house the day of the picnic, but she still made a point to attend the picnic, and she's glad that she did, because she had a great time.

'SUPPORT OUR TROOPS' COLLECTION BOX: Teresa Pierce, Town Clerk has placed a collection box in the hallway of the Town Hall, in an effort to collect supplies for our troops in Iraq.. A list of suggested items was provided, and additional copies of the list will be attached to the box.

MEETING INTERRUPTION: Members of the Slate Hill Fire Department and EMS (Emergency Medical Services) arrived to attend to **Councilwoman Soro's** medical complaint.

MOTION by **Councilman Krajewski**, seconded by **Councilman Cole**, to take a short recess.
ALL IN FAVOR - CARRIED

Councilwoman Soro left the meeting room so that she could be medically checked. After about 10 minutes, the members of the Fire Department and the EMS left the building and Councilwoman Soro returned to the podium.

MOTION by **Councilman Cole**, seconded by **Councilman Krajewski** to reconvene the meeting.

ALL IN FAVOR - CARRIED

Councilwoman Soro had comments and questions on the following:

1) Gas Line on Dolsontown Road: Asked if the town was receiving any incentive to have the line run through the town, and if anyone asked for an incentive.

Supervisor Razzano explained that when the town received the initial notice from Orange & Rockland asking for our support, we did just that, and did not ask for anything else.

Councilwoman Soro said that it was her understanding that other town's have received an incentive and that she will provide this in writing to the board.

2) Union Negotiations: Questioned what the status was, and was advised that this subject would have to be discussed in Executive Session.

3) Marie Vavricka: Stated that Mrs. Vavricka had recently passed away, and added that she was the oldest member of the town, and will be sadly missed.

4) Breast Cancer Awareness Month: Stated that October is Breast Cancer Awareness month and urged everyone to participate in any activity raising funds to fight this disease.

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5) Town Board Minutes: Councilwoman Soro asked Attorney Guertin to please refresh her memory and tell her what the turn around time is for the Town Board Minutes?

Attorney Guertin said that he was not sure and asked for the Town Clerk to respond to the question.

Teresa Pierce, Town Clerk, informed her that the turn around time is 10 days.

Councilwoman Soro said that if that was the case, then the turn around time is not being met.

Barbara Parson suggested that minutes be stamped with the date that they are distributed.

NO OTHER BUSINESS OR COMMENTS.

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

ALL IN FAVOR - CARRIED

MEETING ADJOURNED: 9:05 P.M.

PREPARED BY KATHRYN SHERLOCK

RESPECTFULLY SUBMITTED,

Teresa E. Pierce, Town Clerk/RMC