

Minutes of the Village Board Meeting held at Town Hall on March 23, 2017 at 7PM

Present: Michael Queenan, Mayor
Neil Crouse, Timothy Egan, Thomas Flood and Anthony Mickolajczyk, Trustees
Absent: None
Also Present: Robert Weyant, Village Streets Administrator; Maria Hunter, Planning Board Chairman

Mayor Queenan noted Village Clerk Potvin is not present this evening as she has been asked by the Joint Monroe Fire District Board of Fire Commissioners to do their meeting as their Secretary is away.

I. Public Hearing:

a. Orange County Community Development Grant FY2018:

A public hearing was held to entertain public suggestions for projects to be applied for funding through the 2018 Orange County Community Development Grant program. The public notice was printed in the Times Herald Record on March 15, 2017 and the following comments were received:

Maria Hunter suggested an elevator for a future building and improvements to the water system. Trustee Mickolajczyk asked if the money was granted out next year, and Mayor Queenan stated yes, but suggestions need to be made during the public hearing. The Mayor then suggested we use the grant money for cameras around our municipal buildings and pump stations. Trustee Mickolajczyk then suggested we use the money to possibly relocate our building department to a new building. Mayor Queenan stated that in order to use the money, the Village needs to own the building or the property. Last year the Village put the money toward curb cuts for wheel chairs in Central Valley. Trustee Mickolajczyk then suggested we use the money for upgrades to Amdur Park water system. Trustee Egan suggested we upgrade our control panels in the water department and install cameras. Mayor Queenan said that the control panels are relatively new, but thinks the cameras are a good idea. Matt Higgins suggested the monitoring of wells at Palaia and Trout brook. The Mayor stated they are monitored. Trustee Flood stated that Woodbury is considered an affluent community so we usually don't qualify for most funding in New York State.

With no further suggestions received, a motion was offered by Trustee Flood, seconded by Trustee Egan, to close the public hearing.

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

Mayor Queenan suggested the Village Board use Fusco Engineering for this application process. He feels it would be a benefit to the community to offer our engineering needs to more than one company like the Board currently does with legal counsel. The Board agreed and it was noted a certified copy of the minutes of this public hearing will be forwarded to the Fusco Engineering for the application process, the deadline for which is April 28, 2017.

II. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Trustee Mickolajczyk, seconded by Trustee Crouse, to accept the minutes of the regular meeting held March 9, 2017.

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

b. Approval of Abstract:

Motion was offered by Trustee Flood, seconded by Trustee Mickolajczyk, to approve Abstract 20 containing vouchers 161771 – 161842 and totaling \$166,528.75.

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

c. Closing of Escrows:

Motion was offered by Trustee Egan, seconded by Trusted Egan, to authorize the Village Clerk to close the following escrow accounts due to inactivity: S097 Cody, S101 Highland Lake Estates Phase II, S238 Cody Inc., S272 Daneu Homes LLC/A&S Estates, S192 Brigadoon Roads Phase 1-4, S330 Woodbury Common, S327 Larkin Lane Traffic Signal, S233 HLE Lot 158.

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

d. Use of Building Request:

Motion was offered by Trustee Crouse , seconded by Trustee Egan, to approve the request to use the meeting room by the Woodbury Police Department 6PM-9PM on May 9, 11, 16 and 18. They will be conducting a Women’s Self Defense Class.

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

e. Fire Department Equipment Request:

Motion was offered by Trusted Egan, seconded by Trustee Flood, to approve Fire Department Equipment Request 2017-01 totaling approximately \$5058.80 to replace scene lights on Truck 525 that are currently broken.

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

III. Old Business:

a. VOTE - Introductory Local Law 1 - Senior Housing Zoning Amendment:

Mayor Queenan noted there is one correction to be made to the law which the attorney has stated is not considered substantial so a new hearing is not required. The correction is 310-36(D)(1)(b)(6) should say the Maximum Site Coverage will be 35% of net site area. Motion was offered by Trustee Egan, seconded by Trusted Mickolajczyk, to adopt Local Law 1 of 2017 entitled “Zoning – Senior Citizen Housing Developments”.

ADOPTED BY ROLL CALL AS FOLLOWS:

Mayor Queenan	AYES
Trustee Crouse	AYES
Trustee Egan	AYES
Trustee Flood	AYES
Trustee Mickolajczyk	AYES

Trustee Crouse stated he asked for the hearing to be held over at the last meeting so he could look through all the documentation on fair housing and the amendments. He also read everything on Section 8 housing, and then stated that he has no problems whatsoever with the law.

A full copy of the local law is printed at the end of these minutes.

b. Resolution - Authorize Bids for Smith Clove Road ADA Improvements:

Motion was offered by Trustee Mickolajczyk, seconded by Trustee Flood, to adopt the following resolution authorizing advertising for bids for the Smith Clove Road ASA Improvements, which are funds we were awarded through the OCCD Grant FY2016 program:

WHEREAS, the Village of Woodbury actively pursues grant opportunities, and
WHEREAS, the Village of Woodbury received a 2016 Community Development Block Grant for \$25,000 for Smith Clove Road ADA Improvements.

NOW, THEREFORE, BE IT

RESOLVED, that the Village Board of the Village of Woodbury, in its capacity as governing body of the Village of Woodbury, does hereby order the Invitation to Bid for the ADA Improvements be published in the Times Herald Record the week of March 20, 2017 with plans available for pick on March 23, 2017 and the bid opening to be held on Tuesday April 11, 2017 at 3:30 PM in Woodbury Town Hall.

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

c. Discussion - Timber Trail Drainage District:

As noted at the last meeting, correspondence was received from David Higgins, Engineer with Lanc & Tully, representing Susan Shapiro for the Timber Trail development. An Irrevocable Offer of Dedication for "Parcel B - Drainage" was submitted with a complete set of plans entitled "Subdivision Plan Prepared for Timber Trail Subdivision" dated March 31, 2008/ revised June 23, 2016. The Timber Trail subdivision totals approximately 7.266 +/- acres into eight single family residential lots. The subdivision has been under review by the Planning Board since 2008 and has received conditional final subdivision approval. Prior to the filing of the subdivision map, a determination must be made by the Village Board as to whether it will accept future ownership and maintenance responsibilities for portions of the stormwater management facilities, specifically those shown within the area identified as "Parcel B" on the subdivision plan. All stormwater drainage flow into these facilities is captured through the catch basins located along the proposed roadway, and each catch basin will be equipped with an 18" sump. This should cause very little sediment or debris from entering the dry wells and very little maintenance requirements. Upon completion of the roadway and drainage facilities within the roadway right-of-way an offer of dedication will be made for Parcel A. Superintendent Weyant stated he conducted a site visit of the proposal with Mr. Higgins. He is recommending the Village Board inform the Planning Board they would like ownership of the property the drainage district is being constructed on.

Motion was then offered by Trustee Flood, seconded by Trustee Egan, to authorize the Mayor to send a letter to the Planning Board stating it is the intention of the Village Board to accept Parcel B and the stormwater facilities for this project.

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

Mayor Queenan noted that once construction of the roadway and drainage infrastructure is complete, a public hearing can be scheduled to formerly entertain comments on the acceptance of dedication and then the Board can take action at that time.

IV. New Business:

a. Approval of Expenditure - Monitoring of Woodbury Stream:

Motion was offered by Trustee Egan, seconded by Trustee Crouse, to authorize the expenditure of \$25,500 to pay for 1/4 of the cost for an independent contractor to monitor the Woodbury Stream in order to collect data about the water shed. This is for a two year period and the cost is being shared between four municipalities.

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

b. Draft MS4 Annual Report Available for Review:

Mayor Queenan noted that the Village, as an MS4 community, is required to satisfy the requirements of the MS4 Permit. To comply with these requirements an annual report was prepared by the Village Engineer, Building Inspector and Highway Superintendent. A draft of the annual report has been posted to the Village website for public review and comment. The final report will be sent to the DEC by June 1st.

c. Authorize Mayor to Sign – Inspection Dinner Contract:

Motion was offered by Trustee Egan, seconded by Trustee Mickolajczyk, to authorize the Mayor to sign a contract with Mountainville Manor for the 2017 Fire Department Inspection Dinner to be held on June 10, 2017.

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

d. Liquor License – Amalfi Pizzeria:

Notice was received on March 13, 2017 that ARM Family Enterprise, LLC (trade name Amalfi Pizzeria) located at 225 Route 32, Central Valley, is applying for a liquor license from the NYS Division of Alcoholic Beverage Control State Liquor Authority. Mayor Queenan stated a letter was sent to the Police Department to determine if there is any reason why the Village should object to this application being approved and they stated there have been no significant incidents that would prohibit the application. Therefore, Village Clerk Potvin was instructed to send a letter to the State Liquor Authority indicating the Village Board has no objection to the application.

V. Public Comment:

Matt Higgins stated that he is happy to hear that the creek will be monitored, and questioned where they would specifically be monitoring the creek. Mayor Queenan stated that they are monitoring water flow upstream and downstream before and after the wells. He then stated that a college is involved, and they will be collecting scientific data for credibility to possibly make a case in the future. Mr. Higgins then suggested that the senior housing be a half mile off of Route 32, and that it is specifically stated that in the law as part of the code. Mayor Queenan stated that just for the record SEQRA and the planning board address those situations.

Several residents of Woodbury Junction appeared to discuss issues they are experiencing with the development, their quality of life, and the safety for the residents of their community. The following spoke: Joe Zlata, Susan Circello, Laura Plotkin and Chow Pui Wan. Mr. Joe Zlata wanted to confirm with the Village Board that the planning board received the letter that was sent. Maria Hunter stated that they had received the letter and there are plans in place for the next planning board meeting to have an Executive Session with the board members and the attorney to discuss it. He then stated that no financial records have been turned over to Mr. Kaufman by Mr. Brodsky, and that is completely unacceptable. Susan Circello discussed the lack of communication between herself and the board of directors. Whenever she asks for financial records, she is never given a full report. She also stated she spoke to Gary Thomasberger who informed her he is still waiting on a map, that would specifically show who owns what in regards to the clear cutting of the trees and the property lines. Mrs. Circello later in the evening stated that on Monday she and other adults had to form a human chain for the children to get on the buses cause of the dangerous icy conditions on and around Clinton Alley. Mr. Chow Pui Wan wanted to address the numerous problems around his home in Woodbury Junction. He stated that he is a concerned resident, father, and husband and he does not want to see an accident happen. He would like his kids to be able to run free and he can't allow them to do that with the heavy construction all over the place in his development. Mayor Queenan stated that he as well as others went up to the site

the day after the last Village board meeting to look at what has been going on. He then went on to say that he needs the maps to make sure they delineate between whose property is whose, however he also stated that the Village would do everything they legally could do to help the residents of Woodbury Junction. Trustee Flood suggested a stop work order from the Building Inspector, especially since it is a safety issue for children, he stated action must be taken. Trustee Egan suggested the Village back bill the developers and use the snow and ice bond that the builder set up with the Village. Trustee Crouse suggested that a site inspector go up to the site on weekends. Village Streets Administrator Robert Weyant stated that in a dangerous situation, during an extreme situation the highway department can go up there and sand and salt. Trustee Mickolajczyk stated that the responsibility of the Village Board is to protect the residents and he is strongly behind what Trustee Flood is suggesting.

VI. Board Member/Department Comment:

Village Streets Administrator Robert Weyant stated the Highway Department will be hosting Electronic Drop-off on April 28, 2017 2pm-5pm and April 29, 2017 8am-1pm at Highway Department *Computers, Faxes, Printers, Phones (home and cell), TVs, radios, batteries, etc.* and Woodbury Clean-up Day on May 6, 2017 9:30am at Smith Clove Elementary with lunch to be served after cleanup at approximately 12:15pm. He then went on to thank everyone he works with, his employees, the assistance of other companies and the Water and Sewer, and Building and Grounds departments within the Village and Town.

Trustee Mickolajczyk thanked all the departments as well as the Police and EMS for putting their safety on the line to help out the residents of Woodbury.

Trustee Crouse stated he was contacted by Orange County Water Authority and was told Woodbury and Cornwall are eligible for grant money. He suggested we look into having culverts replaced. He also thanked every department who helped out during the snow storm.

Trustee Flood thanked the residents of Woodbury Junction for coming out and speaking. He suggested monitoring up there from 7am to 7pm and possible stop work orders if things get out of hand. He then stated that the Attorney General does nothing he is supposed to do, and he does not want to enforce any rules. He then went on to thank Legislature Jim DeSalvo and Assemblyman James Skoufis for their continued work and care in helping the residents of Woodbury.

Trustee Egan stated he agrees with Trustee Flood, and could not say it better. He also wanted to thank Robert Weyant and all of his employees.

Mayor Queenan stated that he will do all that he can for the residents of Woodbury Junction and that hopefully the developer will comply. He then went on to thank Robert Weyant and his staff. He stated that people don't realize how lucky we are to have such great dedicated employees that worked 30 hours straight.

VII. Adjournment:

With no further business to discuss, a motion was offered by Trustee Egan, seconded by Trustee Mickolajczyk, to adjourn the meeting at 8:30 PM.

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

Jessica McClennan, Deputy Village Clerk

Local Law 1 of 2017

A LOCAL LAW AMENDING CHAPTER 310-36 OF THE CODE OF THE VILLAGE OF WOODBURY ENTITLED "ZONING - SENIOR CITIZEN HOUSING DEVELOPMENTS".

BE IT ENACTED by the Board of Trustees of the Village of Woodbury, Orange County, New York, as follows:

SECTION 1. Section 310-36(C)(2)(h) is amended as follows:

"In a senior housing rental project or a condominium project, maximum density shall be eight dwellings units per buildable acre for two bedroom units, nine dwelling units per buildable acre for one bedroom units and ten dwelling units per buildable acre for studio units."

SECTION 2. Section 310-36(D) is amended as follows:

310-36(D)(1)(b)(1) Minimum lot size - 5 acres

310-36(D)(1)(b)(5) Maximum Building Height - 3 stories or 35 feet (no change in actual building height)

310-36(D)(1)(b)(6) Maximum Site Coverage - 35% of net site area

310-36(D)(1)(b)(8) Off street parking

USE	PARKING SPACE
2 Bedroom dwelling unit	1.75 per unit
1 Bedroom dwelling unit	1.5 per unit
Studio dwelling unit	1.0 per unit
Overflow/Visitor	0.50 per unit
Superintendent	2.00 per unit
Staff (per person)	0.50 per unit

SECTION 3. Section 310-36(C)(1)(a)(1)(b) is amended as follows:

"Townhouses - defined as one of several units in a building which unit is designed for and occupied exclusively as a home or residence for not more than one family living independently of any other family separated from any other unit by a party wall or walls and erected on a lot intended to be held in the form of a condominium or in single and separate ownership from any adjoining units."

SECTION 4. Savings Clause

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State in Albany.