

Minutes of the Village Board Meeting held at Village Hall April 25, 2019 at 7PM

Present: Michael Queenan, Mayor
Timothy Egan, Thomas Flood, Andrew Giacomazza and Jesus Gomez, Trustees
Absent: None
Also Present: Kelly Naughton, Attorney for the Village; Sandra Capriglione, Zoning Board; Michael Phillips, Water/Sewer Administrator; Scott McClennan, Fire Chief

I. Public Hearing:

a. Orange County Community Development Grant FY2020:

Mayor Michael Queenan stated a public hearing is being held to solicit suggestions for projects to be submitted for funding through the Orange County Community Development program for 2020. The public notice was printed in the Times Herald Record on April 16, 2019. The following project suggestions were received:

Mayor Queenan noted the application deadline is April 26 (tomorrow). Because of the tight deadline, the Village Board recommends (and has prepared an application for) the replacement of approximately seven fire hydrants on Roselawn Road, Cindy Lane, Adrienne Drive, Jill Road and Dennis Drive. By doing this, it will enhance the firefighting capability of this area. The existing hydrants have 4.5" barrels and are about 40-years old. The Village has a standard barrel of 5.25" and upgrading these structures will provide approximately 36% additional fire flow capacity.

Robin Crouse recommended, for the pending expansion of the Village Hall, applying for funds to offset the costs for the disabled accessibility to the building. In addition, she suggested the entrance ramp to the Village Hall be repaired as it is deteriorating.

With no further projects suggested, a motion was offered by Trustee Egan, seconded by Trustee Giacomazza, to close the public hearing.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
 NOES 0

The Village of Woodbury supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. It is the policy of the Village of Woodbury to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The Village of Woodbury further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. Therefore, the Municipal Council of the Village of Woodbury does hereby approve the following resolution upon a motion made by Trustee Egan, and seconded by Trustee Flood:

BE IT RESOLVED, that within available resources, the Village of Woodbury will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New York State Human Rights Law and the U.S. Department of Housing and Urban Development, as appropriate.

BE IT FURTHER RESOLVED, that the Village of Woodbury shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New York State Human Rights Law, and any local laws or ordinances.

BE IT FURTHER RESOLVED, that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
NOES 0

Motion was then offered by Trustee Giacomazza, seconded by Trustee Gomez, to authorize the submission of the Village of Woodbury Application for consideration under the FY-2020 Orange Urban County Consortium Community Development Program and the chief elected official or executive officer is hereby authorized to submit this Application for Hydrant Replacement FY-2020 as described in the proposal. Input from citizens and groups has been received and considered and an application has been prepared which addresses their community concerns. They further certify that they have read and understood the Orange Urban County Consortium Community Development Guidelines for the FY-2020 program year and have met all of its applicable requirements and that the information contained in the Application is accurate and true to the best of their knowledge. If awarded CDBG funds, the Municipality shall implement the activities in a manner to ensure compliance with all applicable federal, state, and local laws and regulations.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
NOES 0

Motion was then offered by Trustee Egan, seconded by Trustee Flood, to approve the following resolution to submit a grant application and execute a grant contract for Community Development Block grant funding for the Village of Woodbury's Hydrant Replacement FY2020 project:

RESOLVED that the Village of Woodbury Village Board formally approves the grant application for the above stated project; and be it

FURTHER RESOLVED that the Village of Woodbury Board of Trustees does hereby classify this as a Type II action under the State Environmental Quality Review Act inasmuch as the project involves replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site [6 NYCRR §617.5(c)(2)]. As such, this project is not subject to review under the State Environmental Quality Review Act; and be it

FURTHER RESOLVED that the Board, the Clerk, and Engineer are hereby authorized to submit the grant application and supporting materials on behalf of the Village of Woodbury; and be it

FURTHER RESOLVED that Mayor Michael Queenan, and the Clerk are hereby authorized to sign the grant agreement on behalf of the Village of Woodbury and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
NOES 0

II. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Trustee Gomez, seconded by Trustee Giacomazza, to accept receipt of the minutes of the regular meeting held April 11, 2019.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
NOES 0

Motion was then offered by Trustee Egan, seconded by Trustee Flood, to accept receipt of the minutes of the Joint Town Board/Village Board meeting held March 25, 2019.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
NOES 0

Motion was then offered by Trustee Flood, seconded by Trustee Egan, to accept receipt of the minutes of the Joint Town Board/Village Board meeting held April 22, 2019.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
NOES 0

b. Approval of Budget Modification:

Motion was offered by Trustee Giacomazza, seconded by Trustee Giacomazza, to approve a modification to the budget of the Fire Department by decreasing A3410.201 (Equipment - Long Term) by \$12,960 and increasing A3410.209 (Turnout Gear) by \$12,960.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
NOES 0

c. Approval of Abstract:

Motion was offered by Trustee Gomez, seconded by Trustee Giacomazza, to approve Abstract 22 containing vouchers 182030 - 182113 and totaling \$160,685.32.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
NOES 0

d. Fire Department Equipment Request:

Motion was offered by Trustee Egan, seconded by Trustee Flood, to approve Fire Department Equipment Request 2019-05 totaling approximately \$12,959.55 for the purchase of five sets of turnout gear.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
NOES 0

e. Schedule Interviews – Expiring Terms on Planning/Zoning Board:

Motion was offered by Trustee Giacomazza, seconded by Trustee Gomez, to schedule a special meeting to be held on May 2, 2019 at 7PM to conduct interviews for individuals interested in serving on the Planning and Zoning Board of Appeals.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
NOES 0

f. Reschedule May 23 meeting to May 29 at 7PM:

Motion was offered by Trustee Giacomazza, seconded by Trustee Gomez, to reschedule the May 23, 2019 meeting to May 29, 2019 at 7PM to accommodate end of the fiscal year invoice processing.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
NOES 0

III. Old Business:

a. Reintroduction of ILL3 of 2019 and Schedule Public Hearing:

Motion was offered by Trustee Egan, seconded by Trustee Flood, to reintroduce Introductory Local Law 3 of 2019 which would amend the Comprehensive Plan to promote orderly hotel growth and development in areas away from the hamlet centers of the Village and to areas which generally host better infrastructure to support such use.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
NOES 0

Motion was then offered by Trustee Egan, seconded by Trustee Flood, to schedule a public hearing to be held at 7PM on May 9, 2019 at Village Hall to entertain public comments on Introductory Local Law 3 of 2019 entitled "Amendment to Comprehensive Plan - Hotel Overlay District".

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
NOES 0

b. Reintroduction of ILL4 of 2019 and Schedule Public Hearing:

Motion was offered by Trustee Egan, seconded by Trustee Flood, to reintroduce Introductory Local Law 4 of 2019 which would amend Chapter 310 of the Village Code to (i) maintain the character and scale of the existing Village hamlet areas; (ii) provide locations for hotel uses in commercial centers and retail complexes that draw customers from a regional market; and (iii) provide locations for hotel development near regional road networks.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
NOES 0

Motion was then offered by Trustee Gomez, seconded by Trustee Giacomazza, to schedule a public hearing to be held at 7PM on May 9, 2019 at Village Hall to entertain public comments on Introductory Local Law 4 of 2019 entitled "Amending Chapter 310 (Zoning) to Create a Hotel Overlay (HO) Zoning District".

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
NOES 0

IV. New Business:

a. Resolution – Dedication of Land along Trout Brook Road:

Motion was then offered by Trustee Giacomazza, seconded by Trustee Gomez, for the Village of Woodbury Board of Trustees to assume Lead Agency relating to this offer of dedication.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
NOES 0

Motion was then offered by Trustee Egan, seconded Trustee Flood, to declare this dedication as being an unlisted action under SEQRA.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
NOES 0

Motion was then offered by Trustee Flood, seconded by Trustee Egan, to determine that this proposed action will not have a significant adverse effect on the environment and to issue a negative declaration.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
NOES 0

Motion was then offered by Trustee Giacomazza, seconded by Trustee Egan, to adopt the following resolution to accept dedication of a parcel of land along Trout Brook Road:

WHEREAS, the Open Space Institute Land Trust, Inc. ("Owner") is the owner of a certain parcel of land designated as "New Lot 1" on a map entitled "2 Lot Subdivision for Open Space Institute Land Trust, Inc." dated January 14, 2019 and filed on March 4, 2019 with the Orange County Clerk's Office as Map No. 92-19, and which parcel is situate within the boundaries of the Village of Woodbury, and

WHEREAS, the Owner desires to convey to the Village of Woodbury title to New Lot 1; and

WHEREAS, an Irrevocable Offer of Dedication was provided to the Village of Woodbury for New Lot 1; and

WHEREAS, the Superintendent of the Village Department of Water and Sewer and the Village Engineer have recommended acceptance of New Lot 1, subject to Village approval; and

WHEREAS, the Board of Trustees of the Village of Woodbury desires to accept the dedication of New Lot 1 in consideration of the utility and other needs and demands of the Village, both present and future.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Woodbury that the Board of Trustees hereby accepts the Offer of Dedication of New Lot 1 as described in Schedule “A”, and authorizes the Mayor to execute any and all documentation necessary to accept such dedication, and directs the Village Clerk to record the Deed and easements, if received, in the Orange County Clerk’s Office.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
 NOES 0

b. FY19/20 Liability Insurance Renewal Policy:

Motion was offered by Trustee Egan, seconded by Trustee Giacomazza, to authorize the Mayor to sign the FY2019/2020 liability insurance policy renewal in the amount of \$139,064.10 with Marshall & Sterling. The renewal is an increase of \$1016.41 from last year due to the blanket policy limit being 2% higher (adjusted for inflation) and insuring three additional vehicles.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
 NOES 0

c. Resolutions – Water Re-L Levy:

Motion was offered by Trustee Egan, seconded by Trustee Giacomazza, to approve the following resolution for the levy of 781 delinquent water bills from the Consolidated Water Fund that totals \$128,372.58 (complete list on file in Village Clerk’s Office):

WHEREAS, the Water/Sewer Administrator, Michael Phillips, prepared a list of delinquent water bills on April 11, 2019 in the Village of Woodbury Consolidated Water Fund which has been submitted to the Village Clerk, and

WHEREAS, the State Law allows the Village Board to adopt a resolution that the aforesaid delinquent water bills shall become liens against the property of the individual property owners which liens shall then be taxed as part of the 2019/2020 Village property tax bill, and

WHEREAS, it is necessary for the Village Board adopt such resolution so the County, when printing the 2019/2020 Village property tax bills, may levy the delinquent water bills against the property.

NOW, THEREFORE BE IT RESOLVED, that the delinquent water statements submitted to the Village Board by the Village Clerk pursuant to State Law shall be forward to the Orange County Real Property Tax Department by the Mayor so that they shall levy such sums against the property which is liable for said delinquent water statements and shall state the amount of the tax in a separate column in the annual tax rolls for the year 2019/2020 Village property taxes; and

BE IT FURTHER RESOLVED, that a copy of this resolution with the delinquent water statements shall be immediately transmitted to the County’s Real Property Tax Department.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
 NOES 0

Motion was offered by Trustee Giacomazza, seconded by Trustee Egan, to approve the following resolution for the levy of 21 delinquent water bills from the Water #6 Fund (Amdur Park) that totals \$3032.87 (complete list on file in Village Clerk’s Office):

WHEREAS, the Water/Sewer Administrator, Michael Phillips, prepared a list of delinquent water bills for April 11, 2019 in the Village of Woodbury Water #6 Fund which has been submitted to the Village Clerk, and

WHEREAS, the State Law allows the Village Board to adopt a resolution that the aforesaid delinquent water bills shall become liens against the property of the individual property owners which liens shall then be taxed as part of the 2019/2020 Village property tax bill, and

WHEREAS, it is necessary for the Village Board adopt such resolution so the County, when printing the 2019/2020 Village property tax bills, may levy the delinquent water bills against the property.

NOW, THEREFORE BE IT RESOLVED, that the delinquent water statements submitted to the Village Board by the Village Clerk pursuant to State Law shall be forward to the Orange County Real Property Tax Department by the Mayor so that they shall levy such sums against the property which is liable for said delinquent water statements and shall state the amount of the tax in a separate column in the annual tax rolls for the year 2019/2020 Village property taxes; and

BE IT FURTHER RESOLVED, that a copy of this resolution with the delinquent water statements shall be immediately transmitted to the County's Real Property Tax Department.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
 NOES 0

d. Declare Items Surplus and Approve of Auction:

Motion was offered by Trustee Egan, seconded by Trustee Flood, to declare the following items as surplus equipment and approve them being let out to auction: 2003 EVI/Spartan Gladiator Fire Rescue Truck (VIN# 4S7AT2F913C043602), 1998 MAKO SCBA Cascade System, two desks.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
 NOES 0

V. Public Comment: *No public comments received.*

VI. Board Member/Department Comment:

Chief McClennan noted the Fire Department has been very busy lately. Manpower is steadily declining so the Department will be preparing a proposal for the Board to entertain a solution, pulling together with the Monroe Fire Department. Trustee Giacomazza noted this weekend is "Recruit NY" weekend. Fire Department and Ambulance Corps across the state are hosting open houses to show you what they do and to encourage volunteers. Mayor Queenan stated he is looking forward to hearing the suggestions from the Fire Department and he vowed the Board will do what they can to help.

VII. Executive Session:

Motion was offered by Trustee Egan, seconded by Trustee Flood, to enter into an executive session to discuss on item relating to current litigation (AEONN LLC) and one item relating to potential litigation.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
 NOES 0

No minutes of the executive session were recorded as no action was taken in executive session.

Motion was offered by Trustee Gomez, seconded by Trustee Giacomazza, to exit executive session and return to open session.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
 NOES 0

Motion was then offered by Trustee Egan, seconded by Trustee Flood, to declare Lead Agency.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
 NOES 0

Motion was then offered by Trustee Egan, seconded by Trustee Gomez, to type the action as unlisted.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
 NOES 0

Motion was then offered by Trustee Egan, seconded by Trustee Flood, to declare a negative declaration.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
 NOES 0

Motion was then offered by Trustee Gomez, seconded by Trustee Giacomazza, to authorize BMGN to execute stipulation on the Board of Trustee's behalf.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
 NOES 0

VIII. Adjournment:

With no further business to discuss, motion was offered by Trustee Giacomazza, seconded by Trustee Egan, to adjourn the meeting at 7:52PM.

ADOPTED AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez
 NOES 0

Desiree Potvin, Village Clerk