

Minutes of the Virtual Village Board Meeting held on April 23, 2020 at 7:30PM

Present: Timothy Egan, Mayor
Tara Burek, Andrew Giacomazza and Christopher Graziano, Trustees
Absent: Jesus Gomez, Trustee (*arrived late*)
Also Present: Kelly Naughton, Attorney for the Village, Sandra Capriglione, Planning Board

I. Public Hearing(s):

a. Introductory Local Law 2 – Zoning – Zone Change Procedures:

A public hearing was held to entertain public comments on Introductory Local Law 2 of 2020 entitled “Zone Change Amendment Procedures” which will amend Chapter 310 (“Zoning”) of the Village Code to clarify and modify the procedures for amendments to the Zoning Code and the Zoning Map. The public notice was printed in the Times Herald Record on April 13, 2020 and the following comments were received:

Clerk Potvin noted on April 20, 2020 she received a response from the County for the GML239 review and it states the Department of Planning has “found no evidence that significant intermunicipal or countywide impacts would result from” approving this law. They added they have no further advisory comments. Clerk Potvin noted no comments from the Planning Board has been received. (*Trustee Gomez “logged into” the meeting*).

Attorney Naughton explained Section 310-52 changes the procedure followed for zone changes. The change will be that the Village Board needs to call for zone changes on its own and modifications are to be sent to the Planning Board for review/comment. Or a recommendation can come from the Planning or Zoning Board to the Village Board for a zone change consideration. In summary, this law will make the process clearer than what is currently in place.

Seth Pulver asked if he will be able to solicit a zone change for his property that he would like to see done. Attorney Naughton stated the current procedure is to petition the Village Board if a private property owner wanted a zone change. The new procedure would require that a letter be written to the Village Board and they can entertain the request if they decide to do so.

Mayor Egan noted the current code requires an escrow to be posted if a property owner requests a zone change to cover all consultant costs relating to their request, thus no taxpayer funds would be used to offset the costs. This law is removing that requirement. Attorney Naughton explained that can still be required as it would fall under Chapter 65-3 “any other submissions to the Village Board of Trustees”. The only change to Chapter 65 this law proposes is removing the words “petition for any zone change”.

With no further comments received, a motion was offered by Trustee Burek, seconded by Trustee Giacomazza, to close the public hearing and accept written comments until 4PM on May 8, 2020.

ADOPTED AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano
 NOES 0

II. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Trustee Burek, seconded by Trustee Giacomazza, to accept receipt of the minutes of the meeting held April 9, 2020.

ADOPTED AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano
 NOES 0

b. Approval of Abstract:

Motion was offered by Trustee Gomez, seconded by Trustee Graziano, to approve Abstract 22 containing vouchers 191826 – 191897 and totaling \$220,997.86.

ADOPTED AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano
 NOES 0

c. Fire Department Equipment Requests:

Four requests have been received from the Fire Department. Two were tabled from the March 26 meeting and two are new for this evening. Mayor Egan stated he spoke with Chief McClennan and requests 2020-08 and 2020-10 are withdrawn indefinitely. Therefore, the only requests for consideration this evening are 2020-11 totaling approximately \$2344.00 for the purchase of department shirts and 2020-12 totaling approximately \$519.98 for the purchase of two dash cams for Chief vehicles. Motion was offered by Trustee Giacomazza, seconded by Trustee Burek, to approve Fire Department Equipment Requests 2020-11 and 2020-12.

ADOPTED AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano
 NOES 0

d. Appointment of Full-Time Assistant Building Inspector – Effective June 8, 2020:

Motion was offered by Trustee Giacomazza, seconded by Trustee Gomez, to appoint Alex Presti to the position of full-time Assistant Building Inspector effective June 8, 2020 at a rate of \$27.55/hour. Discussion was then held. Trustee Giacomazza asked if there is a need for this position at this time when all building has been halted. He feels there is nothing going on and that it would be in the best interest from a budget standpoint to hold off. Trustee Gomez stated he would agree to the hire after the Governor has lifted his restrictions. Clerk Potvin explained that the process of hiring as dictated by the Orange County Department of Human Resources (aka Civil Service) and that if the person is not hired now the process would need to start all over from the beginning. Additionally, she explained the training by the Building Inspector that would need to be conducted and how this time would be perfect since things are slower than normal. She also explained there are still applications coming in (small ones like for fences or pools) so there is work continuing. There was a lengthy discussion held which resulted.

ADOPTED AYES 4 Egan, Burek, Gomez, Graziano
 NOES 1 Giacomazza

III. Old Business: *There was no old business to discuss.*

IV. New Business:

a. Discussion – Introductory Local Law 5 - Net Lot Area:

Motion was offered by Trustee Graziano, seconded by Trustee Burek, to introduce Introductory Local Law 5 of 2020 which will amend Chapter 310 (“Zoning”) of the Code of the Village of Woodbury amending the definition of “Lot Area”.

ADOPTED AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano
 NOES 0

Motion was then offered by Trustee Giacomazza, seconded by Trustee Gomez, to refer Introductory Local Law 5 of 2020 to the Village Planning Board for comment.

ADOPTED AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano
 NOES 0

Attorney Naughton explained that the code as current written has the same wording as this proposed law. There was litigation brought against the Village and the petitioner was successful in

getting this definition revoked but the printer of the codebook never made the change. She noted the definition proposed will incorporate wetlands and steep slopes into the net area calculation for residential and non-residential properties. She noted there is a ten-day notice period for the public hearing so if the Board wants to schedule it, they should keep that in mind. Mayor Egan asked if actions under SEQRA should be done this evening and Attorney Naughton stated it could be now or later. She has prepared and submitted a Full EAF Part 1, 2 and 3 and that the Village Board of Trustees would be the only involved agent for this action.

Motion was offered by Trustee Giacomazza, seconded by Trustee Burek, to declare the Village of Woodbury Board of Trustees as Lead Agency.

ADOPTED AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano
 NOES 0

Motion was then offered by Trustee Graziano, seconded by Trustee Gomez, to type this as an unlisted action.

ADOPTED AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano
 NOES 0

Motion was then offered by Trustee Burek, seconded by Trustee Giacomazza, to schedule a public hearing to be held at 7:30PM on May 28, 2020 to entertain public comments on Introductory Local Law 5 of 2020 that would amend the definition of "Lot Area" in Chapter 310-2 of the Zoning Code.

ADOPTED AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano
 NOES 0

b. Discussion – Land Preservation:

Trustee Burek stated while in quarantine she has been reading the land preservation plans that the Towns of Warwick and Blooming Grove have in place. She explained the purpose of the plan is to identify property the Village would purchase that would remain forever green, conserve an aquifer or be for recreational use. The land will be unbuildable as long as the Village owns it. She noted the first thing to be done is create the plan and then a preservation fund could be funded through a tax on property sales (which needs to be approved through Home Rule legislation with the State). Town of Blooming Groves committee has five residents that have previously served on their Planning/Zoning Board so they have experience on the issue. Mayor Egan stated he has also read through the two plans mentioned and has reviewed Cornwall's as well. They each have different strengths but all seem to outline and capture the essence of that the Board is looked to accomplish. He does have a concern that there was no money budgeted for consultants to assist with this proposal. Trustee Burek stated she feels the first step is to create a committee and then once they identify the protentional properties the Board can go from there. She added it will be a lot of work. Attorney Naughton stated she agrees a committee would need to be formed and added it makes sense that the members have experience in planning and zoning but there may be other individuals with different experience that would be beneficial as well. Mayor Egan asked if the Comprehensive Plan Review Committee could do this as well and Attorney Naughton suggested it be a separate committee since they have separate focuses. She also recommended that no member of the Village Board be on the committee but one member should be designated as liaison. She further stated that it would be great to have a current member of the Planning and Zoning Board on as well but with their current workload it may not be possible. Trustee Graziano stated he agrees this is a committee and plan that needs to be formed as he believes that not every piece of land needs to be developed and that some sort of balance needs to exist. He also feels it is a great chance to give the residents an opportunity to take place in the process. Trustee Giacomazza thanked Trustee Burek for bringing this issue forward and he agrees conserving land is one of the biggest issues each Board member addressed during their campaigns. He is in favor of moving forward and involving the public in

the process. He feels there are plenty of former Planning, Zoning and Village Board members that would be interested in volunteering for this committee. Trustee Gomez agreed and also suggested the grant writer be asked to see if there are any funds available for this time of issue.

Motion was then offered by Trustee Burek, seconded by Trustee Gomes, to form a Land Preservation Committee consisting of five residents and, if possible, a member of the current Planning and Zoning Board. The Village Board liaison will be Trustee Burek.

ADOPTED AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano
 NOES 0

Motion was then offered by Trustee Gomez, seconded by Trustee Graziano, to authorize the Village Clerk to solicit letters of interest from Village residents interested in serving on this committee. Letters will be accepted until 4PM on June 5, 2020.

ADOPTED AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano
 NOES 0

V. Board Member/Department Comment:

Mayor Egan stated the Coronavirus pandemic has been with us for almost two months now and lives have change significantly, adding they may never completely go back to the way they once were. He hopes that one positive from this is an increase in compassion for neighbors, friends and family. He hopes everyone continues to help each other. He announced that he has signed another 30-day declaration and his hope is that he will be able to rescind the order before the period is up. He added everyone needs to do their part to “flatten the curve”. He then noted at a past meeting the Board entered into an agreement with a grant writing firm. Discussion will begin next week between the grant writer and department heads to try to get financial assistance for the Village in all area including recruit of volunteers for the Fire Department, land and equipment acquisitions and improvements to our infrastructure (water/sewer/roads).

Trustee Graziano stated he would like to pay his respects to all of those that have lost the battle with the virus. It has taken a horrible toll on a lot of families so he asked that all remember those that have been affected. He hopes there is a lot of interest from the community of people to volunteer to serve on the Comprehensive Plan Review committee that was formed at the last meeting. He believes this is a chance for the public to have their voices heard regarding how they want to character of Woodbury to be shaped for the next decade. He also recognized all the front-line workers and first responders that are working long hours to put food on our tables, care for our sick, provide our utilities and man all the essential businesses that remain up.

Trustee Gomez thanked all that participated this evening and asked that everyone exercise patience when dealing with others. He also urged that everyone say “thank you” as much as possible.

Trustee Burek stated over the past two Board meetings two core objectives that everyone had campaigned on during their elections have begun. She noted what encouraged her to run for public office was that there is so much beauty in Woodbury to preserve. She feels it is important for Woodbury to be proactive by taking steps to work for the community. She thanked everyone for putting their faith in the Village Board and for allowing the opportunity to make Woodbury strong. She wished everyone to be healthy.

Trustee Giacomazza stated he was told the hardest part about being a Village Trustee was the “running part” but he has learned the hardest part is being a Village Trustee. He noted there are those

that run for office for the wrong reasons – not to protect the community, help their fellow residents or to better Woodbury. He puts pressure on himself to do the right thing for all residents and the best job he can regardless of whether a person voted for him or not. He is grateful that he has a great support network consisting of his family and friends, fellow Trustees, Department heads and our Village clerks. He is very proud of the work that has been accomplished since he took office, noting that since January there have been zoning code changes, a Comprehensive Plan Review Committee formed, work begun to protect open space and water and a resolution passed regarding bail reform. He feels the Board has made the work the Village does more transparent and assessable to the people that make up this wonderful community. All of which was made possible by the cooperative efforts of all. He ended by saying he is blessed to work with an amazing group of people, of which nothing could be accomplished without them.

Clerk Potvin noted that in addition to yesterday being the 50th Anniversary of Earth Day, it was also Administrative Professional Day. Usually that means the employees at Village Hall eat lunch together as a group and some get flowers or gifts from their Department Heads. This year no lunch was held and she did not know if flowers were given as the employees do not see much of each other due to their essential schedules and social distancing. The support staff, in addition to supporting their Department Head, is the person most taxpayers speak to on the phone when they call with a question, concern or issue. Some examples are:

- Sheila (employed for 15 years) in Highway Department helps with calls about leaf pick-up, brush collection, road signage.
- Jean (employed for 19 years) in the Water/Sewer Department mails out the water bills, answers calls about water issues, schedules final meter readings for house sales.
- Maria (employed 21 years), Marian (employed 19 years) and Jennifer (employed two years) in the Building Department answer questions about various building permits (fences, pools, etc), handle municipal searches when you are selling/buying a home, work with applicants appearing before the Planning/Zoning Boards.
- Jessica (employed seven years), Claudia (employed less than a year) and herself in the Village Clerk office answer calls about just about everything as they serve as a “catch-all” – when someone does not know where they need to get a question answered they are there to assist.

She felt it was important to recognize the “backbone” of the Village government so that are shown appreciation for the work they do.

VI. Public Comment:

Joseph Zlato asked if the appointment to the Building Department was a new position or a replacement and Mayor Egan stated it was a new position. Mr. Zlato asked that the directions to connect to the Zoom© meeting be printed with the agenda and he was told that all the information is available on the Village’s website.

VII. Adjournment:

With no further business to discuss or comments received, a motion was offered by Trustee Gomez, seconded by Trustee Giacomazza, to adjourn the meeting at 8:35PM.

ADOPTED	AYES	5	Egan, Burek, Giacomazza, Gomez, Graziano
	NOES	0	

Desiree Potvin, Village Clerk