

Minutes of the Virtual Village Board Meeting held on May 14, 2020 at 7:30PM

Present: Timothy Egan, Mayor
Tara Burek, Andrew Giacomazza, Jesus Gomez and Christopher Graziano, Trustees
Absent: None
Also Present: Kelly Naughton, Attorney for the Village and various members of the public

I. Public Comment on Agenda Items Only

Neil Crouse, regarding the Introductory Local Law on Water Quality Protection Overlay, stated the attorney that worked on that for the Board, David Gordon, was supposed to review the comments made at the hearing, do some additional work on the law and provide an update to the Board. He does not recall that any further information was received. He feels this is a very important issue and would like to see the current Board move forward with it. Regarding the request by the Town to fee waiver the application fee for the courthouse roof, he asked the Board to give that serious consideration noting it is similar to the suit between the Town and the Village – the taxpayer will pay for it one way or the other.

II. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Trustee Giacomazza, seconded by Trustee Burek, to accept receipt of the minutes of the meeting held April 23, 2020.

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

b. Approval of Abstract:

Motion was offered by Trustee Burek, seconded by Trustee Graziano, to approve Abstract 23 containing vouchers 191898 – 191955 and totaling \$141,051.98.

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

Trustee Burek asked about the invoice for the new Highway truck and the timeline leading up to its purchase. Mayor Egan stated the truck was ordered prior to the holidays and purchased as part of the Department’s regular vehicle replacement program. Trustee Burek asked if there are any other large expenditure expected. Mayor Egan stated the Village fiscal year begins June 1 and it is finishing up the current fiscal year. The Board has stated they wanted to slow down purchasing due to the unknown projected revenue losses for sales tax/mortgage tax. However, the current fiscal year budget is doing well. Trustee Burek stated she feels the Board needs to be given the heads up on all large purchased. Clerk Potvin noted the was purchasing works is that items are purchased by the Department Heads and then submitted for payment after the fact – which is the abstract to be approved. She suggested each Board speak to the Department that they liaise for and see what upcoming purchases they have planned.

c. Approval of Holiday Schedule:

Motion was offered by Trustee Burek, seconded by Trustee Giacomazza, to adopt the 2020/2021 Holiday Schedule. The Village offices will be closed on the following days to observe the holiday: July 3 (Independence Day), September 7 (Labor Day), October 12 (Columbus Day), November 11 (Veterans Day), November 26 and 27 (Thanksgiving), December 25 (Christmas), January 1 (New Year’s), January 18 (MLK Jr. Day), February 15 (Presidents’ Day), April 5 (Floating Holiday) and May 31 (Memorial Day).

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

d. Resolutions – Unpaid Water Re-Levies:

Trustee Graziano stated due to our current economic times he feels we should not be going after resident to make them pay their delinquent water bills. Attorney Naughton stated she believes it is statutory and is not sure if the Board has the authority to waive them. Trustee Burek asked what statute and Attorney Naughton stated she will research and get back to her. Clerk Potvin noted the tax bills have already been printed (they need to be mailed by May 28) and she noted further the last day to pay the water bill was February 28, prior to the pandemic. She also stated there are residents that do not pay their water bills all year long so that it does get levied unto their taxes for write-off purposes.

Motion was offered by Trustee Burek, seconded by Trustee Gomez, to approve the following resolution for the levy of 757 delinquent water bills from the Consolidated Water Fund that totals \$137,386.08 (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 30, 2020 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 2020/2021 Village property tax bill, and

WHEREAS, it is necessary for the Village Board adopt such resolution so the County, when printing the 2020/2021 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 2020/2021 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 BY ROLL CALL AS FOLLOWS:

Mayor Egan	YES
Trustee Burek	YES
Trustee Giacomazza	YES
Trustee Gomez	YES
Trustee Graziano	NO

Motion was offered by Trustee Gomez, seconded by Trustee Giacomazza, to approve the following resolution for the levy of 22 delinquent water bills from the Water #6 Fund (Amdur Park) that totals \$3264.85 (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 30, 2020 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 2020/2021 Village property tax bill, and

WHEREAS, it is necessary for the Village Board adopt such resolution so the County, when printing the 2020/2021 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 2020/2021 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 BY ROLL CALL AS FOLLOWS:

Mayor Egan	YES
Trustee Burek	YES
Trustee Giacomazza	YES
Trustee Gomez	YES
Trustee Graziano	NO

e. Budget Modifications:

Motion was offered by Trustee Gomez, seconded by Trustee Graziano, to approve the following modification to the budget of the Consolidated Sewer Fund totaling \$24,250: increasing GC1980.400 (MTA Payroll Tax) by \$200, GC8110.201 (Equipment – Pumps) by \$6400, GC8110.403 (Heating Oil/Gas) by \$500, GC8110.437 (Special Projects) by \$4000, GC8110.438 (Operations/Maintenance) by \$7000, GC8110.443 (I & I Repairs) by \$6100, GC9050.806 (Unemployment Insurance) by \$50 and decreasing GC8110.439 (OC Sewer District) by \$24,250.

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

Motion was then offered by Trustee Gomez, seconded by Trustee Graziano, to approve the following modification to the budget of the Consolidated Water Fund totaling \$18,050: increasing FC8310.415 (Engineering) by \$15,000, FC8310.438 (Operations/Maintenance) by \$3,000, FC9050.800 (Unemployment Insurance) by \$50 and increasing FC2605 (Sale of Equipment) by \$18,050.

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

Motion was then offered by Trustee Graziano, seconded by Trustee Giacomazza, to approve the following modification to the budget of the Water 6 (Amdur Park) Fund totaling \$1050: increasing FA8310.200 (Equipment) by \$900, FA8310.442 (Lab Testing) by \$150 and decreasing FA8310.402 (Electric) by \$1050.

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

Motion was then offered by Trustee Burek, seconded by Trustee Gomez, to approve the following modification to the budget of the General Fund totaling \$235,461: increasing A1010.411 (VB – Office Supplies) by \$425, A1010.413 (VB – Grant Writer) by \$9000, A1410.100 (VC – Personal Services) by \$7250, A1410.200 (VC – Equipment) by \$450, A1410.401 (VC – FOIL Expenses) by \$871, A1410.411 (VC – Office Supplies) by \$200, A1610.401 (Gen – Real Estate Taxes) by \$1615, A1610.406 (Gen – Buildings/Grounds) by \$4000, A1610.407 (Gen – Heat Use/Repair) by \$5000, A1680.400 (Data Processing/IT) by \$8500, A1910.400 (Unallocated Insurance) by \$7000, A5010.401 (HD – Telephone) by \$250, A5010.422 (HD – Drug Testing) by \$255, A5110.407 (HD – Traffic Control) by \$505, A5110.448 (HD – Miscellaneous Repair) by \$100, A5110.465 (HD – Blacktop) by \$185,000, A5140.425 (HD –

Ground/Weed Control) by \$2000, A9060.801 (Hospital/Medical Insurance) by \$3000, A9089.800 (Optical Insurance) by \$40 and decreasing A1440.403 (Consultants – VH Expansion) by \$50,000, A1440.411 (Planner – Contractual) by \$10,055, A1620.100 (Custodian) by \$18,350, A5010.101 (HD – Personal Services) by \$3000, A5110.101 (HD – Personal Services) by \$50,000, A5182.401 (Street Lighting) by \$70,000, A9025.800 (Service Award Program) by \$25,000, A9050.800 (Unemployment Insurance) by \$1000, A9055.800 (Disability Insurance) by \$395, A9060.802 (Dental Insurance) by \$7661 and increasing A5112.400 (Perm Improv Highway – CHIPS) by \$134,656 and decreasing A5110.465 (HD – Blacktop) by \$134,656.

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

Trustee Burek asked questions about some of the modification and Clerk Potvin addressed them.

III. Old Business:

a. Discussion – Introductory Local Law 1 of 2018 – Water Quality Protection Overlay:

Mayor Egan stated this introductory local law was first introduced in the fall of 2017. There was public hearing on this law on February 22, 2018. No further action was taken by the Board after that for a variety of reasons. After this meeting is adjourned the Board will be seeking legal advice from Attorney Naughton to determine the status of the law and what steps, if any, the Board will need to take to either continue to pursue it or not. Trustee Graziano stated he feels this is a great law and something as a Board member he has been looking forward to enacting as it protects the resources. He would like to see it on the agenda for adoption at the next meeting. Trustee Giacomazza stated he agrees and feels the law is in good shape to be adopted. He also feels the residents want the waterways in Woodbury protected. Trustee Burek stated she also feels the law is a great concept and is interested in hearing what Attorney Naughton has to say. Trustee Gomez agreed this law needs to be adopted.

b. Decision – Introductory Local Law 2 of 2020 – Zone Change Procedures:

Mayor Egan asked Clerk Potvin if any written comments had been received since the hearing was closed on April 23. Clerk Potvin stated none have been received. A motion was then offered by Trustee Graziano, seconded by Trustee Burek, to adopt Local Law 4 of 2020 entitled “Zone Change Amendment Procedures” by amending Chapter 310 (“Zoning”) and Chapter 65 (“Taxpayer Protection”) of the Village Codebook as printed at the end of these minutes.

ADOPTED BY ROLL CALL AS FOLLOWS:

Mayor Egan	YES
Trustee Burek	YES
Trustee Giacomazza	YES
Trustee Gomez	YES
Trustee Graziano	YES

IV. New Business:

a. Renewal of Energy Rate Lock-In Contract/Agreement:

It is time to renew our lock-in rate for the supply of electric to all Village accounts. Our consultant, M & R Energy Resources Corp, conducted a bid this morning and the plan she recommends is from our current supplier, Constellation, at a cost of \$0.05706 for 24 months or \$0.06138 for 36 months. She noted the savings to the Village with the 24-month plan is \$24,392/year. A motion was offered by Trustee Gomez, seconded by Trustee Burek, to authorize the Mayor to sign a contract for 24 months with Constellation at a price of \$0.05706/kWh for the purchase of electrical supply. The

contract period will begin June 2020 for the new accounts (accounts that did not exist when originally contacted) and November 2020 for the renewal accounts.

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

b. Discussion – Places of Worship – Temporary Restraining Order – 20 Bennington Drive:

Correspondence was received from Building Inspector Thomasberger in March regarding a case he has in Woodbury Justice Court involving a place of worship being conducted at 20 Bennington Drive. At that time the case was supposed to be held but was rescheduled until June. Then the courts closed dues to world events. Since there is an unknown as to when the court system will reopen, he is requesting the Board to authorize special counsel Brian Nugent to file for a temporary restraining order with the Orange County Supreme Court to force the owner to not allow the use of the premises for a place of worship. Clerk Potvin asked Building Inspector Thomasberger if the issue still persists and he informed her that it currently is not but believes when NY Pause is lifted it may continue. He added that since there is an unknown as to when the case may be rescheduled before the Woodbury Justice Court, he would like to pursue the restraining order. Motion was offered by Trustee Graziano, seconded by Trustee Giacomazza, to authorize special counsel Brian Nugent to file a temporary restraining order with the Orange County Supreme Court to force the owner of 20 Bennington Drive to not be allowed to use the premises for a place of worship.

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

c. Request for Fee Waiver – Town Courthouse:

Building Inspector Thomasberger received an email from Town Supervisor Palermo requesting that any and all fees relating to the renovations/repairs/remediation being done to the Town Courthouse roof be waived. He estimates the total cost of the permits necessary would be \$1621. Motion was offered by Trustee Burek, seconded by Trustee Gomez, to approve the request.

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

Trustee Graziano stated he is against waiving these fees. He has watched several recent Town Board meetings at which the Town has had its consult remove items that pertain to the Village.

d. Request for Tax Exemption Status – Village of Kiryas Joel

A letter was received from Daniel Hubbel, attorney representing the Village of Kiryas Joel, requesting the Village of Woodbury approve a property tax exemption for the following parcels that they state are for village-owned water systems: 213-1-64.1, 213-1-49, 202-1-19, 247-4-16, 205-4-8, 999-7-1, 999-7-2. Motion was offered by Trustee Graziano, seconded by Trustee Giacomazza, to deny the request received from the Village of Kiryas Joel to exempt certain properties they own in Woodbury. The reason for this denial is that the Village could have acquired property within its own Village, through negotiation or eminent domain, to locate their water supply facilities but chose instead to allow such lands to be developed for residential and commercial purposes to the benefit of the Kiryas Joel tax base.

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

e. Resolution – NYS Climate Smart Community Pledge:

To be eligible for funding under certain grant opportunities that may be available, the grant writer is suggesting the Board adopt a climate smart communities pledge. Therefore, a motion was

offered by Trustee Gomez, seconded by Trustee Giacomazza, to adopt the following resolution adopting the New York State Climate Smart Communities pledge:

WHEREAS, the Village of Woodbury (hereinafter “local government”) believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come,

IT IS HEREBY RESOLVED that Village of Woodbury, in order to reduce greenhouse gas emissions and adapt to a changing climate, *adopts the New York State Climate Smart Communities pledge, which comprises the following ten elements:*

- Build a climate-smart community
- Inventory emissions, set goals, and plan for climate action
- Decrease energy use
- Shift to clean, renewable energy
- Use climate-smart materials management
- Implement climate-smart land use
- Enhance community resilience to climate change
- Support a green innovation economy
- Inform and inspire the public
- Engage in an evolving process of climate action

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

f. Draft MS4 Annual Report Available for View on Website:

Mayor Egan noted the State Pollutant Discharge Elimination System (SPDES) permit procedures require the Village, as an operator of a regulated Municipal Separate Storm Sewer System (MS4), to file an Annual Report to maintain permit coverage. A Draft of the Annual Report for the period ending 3/9/2020 has been posted to the website for public information and comment. The report complies with the DEC mandatory format. The final report will be filed with the state prior to the June 1, 2020 deadline.

g. FY20/21 Liability Insurance Proposal:

Motion was offered by Trustee Giacomazza, seconded by Trustee Burek, to authorize the Mayor to sign the FY2020/2021 liability insurance policy renewal in the amount of \$141,200.30 Marshall & Sterling.

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

V. Public Comment:

Neil Crouse asked that when then Board goes into attorney/client session to discuss the Water Protection Overlay law that they do not “throw away the baby with the water”. He thinks the previous Village Board did a pretty good start on it and would hope it would not be started from the beginning but maybe tweaked a bit.

Christopher Perino spoke about the Town pool and concerns he has about the project that is being proposed by the Town Board. He does not understand why anyone in Woodbury would consider this project and that it was not properly presented. He then spoke he concerns/opinions regarding the actions of the Town Board to date on this issue (adopting a bond resolution, receiving a petition that was circulated requiring a public vote, nullifying the bond resolution, repealing a Town Code relating to the Parks Commission, creating a new Parks Committee, proposing three different plans for the pool remodel, the fill that is on site, the holding public forums, not addressing the concerns of the public, etc.,). He thanked the Village Board for giving hm the opportunity to speak on the issue.

VI. Board Member/Department Comment:

Trustee Graziano stated he is looking forward to the Hudson Valley area of the State entering Phase 1 – adding our area met five of the seven metrics to do so. He is thankful to work with this group and this Board and added a lot is getting done for Woodbury. He feels they are moving forward and hopes they are earning the votes that they received.

Trustee Gomez noted this week is Police Week and he wanted to thank all his fellow police officers – past, present, and future. He noted times are different from when he served. He also thanked all the first responders and essential workers. He added that saying “thank you” and “please” goes a long way and he encouraged these phrases to be used more.

Trustee Burek thanked all that attended the meeting this evening virtually. She hopes that every remains healthy and safe. The two-month mark is upon us since quarantine began and although at times is has been challenging, she feels it also enabled time to reflect on priorities. She then reminded the public the Board is soliciting letters from individuals interested in serving on the Land Preservation Committee.

Mayor Egan stated the infection rate of healthcare workers was at or below the infection rate of the public which he feels shows that wearing protective equipment (facial masks) works to save lives. Hospitals in the region have been extremely overcrowded but that is no longer the case. He urged individuals to go to the hospital if they have a medical need to do so.

Trustee Giacomazza noted recently on a social media site there as a new challenge begun regarding autism which he feels is cruel and mocks individuals that cannot control their diagnosis. He is disturbed by this challenge and will be posting directions on how to remove it from various social media sites and apps.

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 8:55PM.

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

Desiree Potvin, Village Clerk

LOCAL LAW NO 5 of 2020

A LOCAL LAW AMENDING CHAPTER 310 (“ZONING”) OF THE CODE OF THE VILLAGE OF WOODBURY

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

SECTION 1. PURPOSE

The purpose of this local law is to amend Chapter 310 (“Zoning”) of the Code of the Village of Woodbury to clarify and modify the procedure for amendments to the Zoning Code and the Zoning Map.

SECTION 2. CHAPTER 310: ZONING.

Section 310-52 (“Procedures”) is hereby repealed and replaced with the following language:

§ 310-52. Procedure.

Procedure. This zoning chapter, or any part thereof, may be amended, supplemented or repealed, from time to time by the Village Board on its own motion as provided herein. The Village Planning Board and the Village Zoning Board of Appeals is permitted to recommend to the Village Board any proposed modifications to this zoning chapter.

- A. Referral. After the Village Board moves to amend, supplement or repeal this zoning chapter, but prior to a public hearing on such modification, every such proposed amendment, supplement or repeal shall be referred by the Village Board to the Planning Board for a report and recommendation back to the Village Board. The Village Board shall not take action on any such amendment, supplement or repeal without such report from the Planning Board unless the Planning Board fails for any reason to render such report within 45 days following the date of such referral.
- B. Public hearing. The Village Board shall fix the time and place of a public hearing on any proposed amendment, supplement or repeal of this zoning chapter and cause notice thereof to be given in accordance with provisions of § 7-706 of the Village Law. All notices of public hearing shall specify the nature of any proposed amendment, supplement or repeal, the land(s) or district(s) affected, and the date when and the place where the public hearing will be held. At least 10 days notice of the time and place of such hearing shall be published in the official newspaper.
- C. Required notification of adjacent municipality. Should any proposed amendment, supplement or repeal of this zoning chapter consist of or include any change in the boundaries of any district, which change would occur within a distance of 500 feet of the boundary of any other municipality, or any change in the regulations prescribed for any district any portion of which is located within 500 feet of such boundary, the Village Clerk shall transmit to the Municipal Clerk of such other municipality a copy of the official notice of the public hearing thereof not later than the day after such notice appears in the official newspaper of the Village.
- D. Required notification of County Planning Department. Should any proposed amendment, supplement or repeal of this zoning chapter consist of or include any change in the boundaries of any district, which change would occur within a distance of 500 feet of the boundary of any other municipality; the boundary of any existing or proposed state or county park or other

recreation area; the right-of-way of any state parkway, thruway, expressway or other controlled access highway or county road or parkway; the right-of-way of any stream or drainage channel owned by the county or for which the county has established channel lines; or the boundary of any county- or state-owned land on which a public building or institution is located; or any change in the regulations prescribed for any district any portion of which is located within 500 feet of such boundaries, lands or rights-of-way, then such proposed amendment, supplement or repeal, accompanied by the notice of the public hearing, shall be forwarded to the Orange County Planning Department by the Village for review in accordance with the provisions of Article 12-B, §§ 239-l and 239-m of the General Municipal Law of the State of New York at least 10 days prior to the public hearing. No action shall be taken by the Village Board until the County's recommendations have been received or 30 days have elapsed after such referral has been made.

- E. Protest. In the case of a written protest to any proposed amendment, supplement or repeal of this zoning chapter in accordance with Village Law § 7-708, such amendment, supplement or repeal shall not become effective, except as provided in Village Law § 7-708.
- F. State Environmental Quality Review Act. To the extent that any amendment, supplement or repeal of this zoning chapter by the Village Board is subject to the procedures outlined by the State Environmental Quality Review Act (SEQRA), the Village Board shall comply therewith.
- G. Conformity with the Comprehensive Plan. In all cases where the Village Board shall adopt an amendment, supplement or repeal of this chapter, it shall be not inconsistent with the Village Comprehensive Plan. The Village Board may set forth in findings accompanying said adoption the manner in which such amendment, supplement or repeal is in conformity with the Village Comprehensive Plan.

SECTION 3. CHAPTER 65: TAXPAYER PROTECTION.

Section 65-3 (“Applicability; payment of costs”) is hereby amended to remove “or petition for any zone change” in the first sentence.

SECTION 4. SUPERSEDING PROVISION.

To the extent that any State or local laws fail to provide specific authority for this Local Law or the procedures necessary for its adoption, or otherwise appear to be in conflict with this Local Law or the procedures followed for its adoption, then such laws, including, but not limited to, Article 7 of the New York State Village Law, including, but not limited to, Village Law §§ 7-706 and 7-708, are hereby superseded by this Local Law pursuant to New York Municipal Home Rule Law and the common law.

SECTION 5. SEVERABILITY.

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, and the remaining provisions shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE.

This law shall take effect upon the filing of this Local Law with the New York Secretary of State in the manner provided for in the Municipal Home Rule Law.