

Minutes of the Virtual Village Board Meeting held on December 10, 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; Robert Weyant, Highway Superintendent

I. Public Hearings:

a. Introductory Local Law 12 – ARB Guidelines:

A public hearing was held to entertain public comments on Introductory Local Law 12 of 2020 which will amend Chapters 8 and A314 of the Village Code to clarify the guidelines and standards of the Architectural Review Board. The public notice was printed in the Times Herald Record on November 24, 2020 and the following comments were received:

Mayor Egan noted the law was referred to the Orange County Planning Department and the Village Planning Board on November 13. No comments have been received from either entity but there are still a few days left of the thirty-day comment period. Because of this, he noted the Board cannot adopt the law this evening, but the hearing can be held.

Attorney Naughton stated that this matter as well as introductory local law 13 is listed on the Planning Board’s agenda for the coming week for the board to consider them and provide a report.

Trustee Gomez dropped out of video due to internet malfunction.

With no further comments received, a motion was offered by Trustee Burek, seconded by Trustee Giacomazza, to close the public hearing and to accept written comments until close of business on December 18, 2020.

ADOPTED	AYES	4	Egan, Burek, Giacomazza, Gomez, Graziano
	NOES	0	
	ABSENT	1	Gomez

b. Introductory Local Law 13 – Ridge Preservation Review:

A public hearing was held to entertain public comments on Introductory Local Law 13 of 2020 which will amend Chapter 310 of the Village Code to clarify the guidelines and standards of Ridge Preservation Review. The public notice was printed in the Times Herald Record on November 24, 2020 and the following comments were received:

Trustee Gomez returned.

Mayor Egan noted the law was referred to the Orange County Planning Department and the Village Planning Board on November 13. No comments have been received from either entity but there are still a few days left of the thirty-day comment period. Because of this, he noted the Board cannot adopt the law this evening, but the hearing can be held. He then noted that Attorney Naughton stated earlier that the Planning Board has this law listed on their agenda for consideration.

With no further comments received or business to discuss, a motion was offered by Trustee Burek, seconded by Trustee Gomez, to close the public hearing and to accept written comments until close of business on December 18, 2020.

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

II. Public Comment on Agenda Items Only:

No comments were received.

III. 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 November 24, 2020.

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

b. Approval of Abstract:

Motion was offered by Trustee Gomez, seconded by Trustee Giacomazza, to approve Abstract 13 containing vouchers 201066 – 201120 and totaling \$136,509.86.

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

c. Accept Resignation – Tax Collector:

Motion was offered by Trustee Giacomazza, seconded by Trustee Gomez, to accept, with regrets, the resignation of Carol Herb from the position of Village Tax Collector effective December 31, 2020.

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

IV. Old Business:

a. Discussion/Decision – Introductory Local Law 11 – Beds-and-Breakfast/Boardinghouses:

Mayor Egan noted the public hearing on this Introductory Local Law was held on November 12, 2020 and the Board tabled voting on the law to have time to review the comments that were received. He asked the Board how they would like to proceed based on the comments that were received, noting all SEQRA action on this issue was taken at the October 8, 2020 meeting.

Trustee Burek stated she spoke to the Building Inspector Thomasberger, and he has assured her that he has no issue with enforcement of the current code and that was her only concern that it was unenforceable.

Trustee Giacomazza suggested that instead of removing bed and breakfasts entirely that the board create an overlay district. He then went on to say that he doesn't want them all over Woodbury, however maybe there are certain areas that would be warranted. Mayor Egan stated that was one of the suggestions of the county. Trustee Burek asked if that was doable and Attorney Naughton stated yes, the board could put in different regulations, wherever the board would like them. Those regulations would be similar to the hotel/motel overlay district, wherever the board would find it to be an appropriate location. Mayor Egan stated that this is a creative suggestion and that he likes the idea. Trustee Graziano asked if there is a cap of how many overlay districts a village can have, and Attorney Naughton stated there is no limit, however she suggests the board discuss it further, because it may not have to be an overlay district, it may just be restrictions on where certain ones can be located within the Village which would essentially act as an overlay district.

A motion was offered by Trustee Giacomazza, seconded by Trustee Burek to table this discussion until more information is acquired.

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

b. Discussion/Update – Shops at Woodbury Melody Lane Transfer of Ownership:

Mayor Egan stated this issue was last discussed at the August 27 meeting. The applicant has since posted an escrow to pay the Board's consultant costs relating to this issue and have submitted a current appraisal of the portion of the road they are requesting be conveyed. Correspondence has been received from the applicant's architect, Steven Esposito, dated December 3, 2020, in which he is request the Board discuss this issue this evening. The updated appraisal proposes the area in questioned is valued at \$16,300 and this is what the applicant would like to pay to the Village for the conveyance of the 0.42 acre abandoned Melody Lane right-of-way. The right-of-way is landlocked between the applicant's project and lands owned by the State and it is currently not on the tax rolls. In addition, Mr. Esposito met with Water/Sewer Superintendent Phillips and Village Engineer Lindsay on September 2 to discuss sewer service to the Shops at Woodbury (water service will be provided by the Village of Harriman). At the meeting, the concern with the Departments ability to responsibly provide sewer to this large a user was discussed and the ongoing, aggressive I/I program the Village began in 2012 was explained. In the case of this applicant, the point of connection is not tributary to the critical location identified in the program, but it will impact capacity. Offsetting of this by reduced I/I will meet the Departments needs so a recommendation of \$50,000 would be sufficient (38,000 gpd at the \$2.70/gallon cost of I/I removed). There was also an ESO meeting held on November 13 discussed at which were the current site layout with regards to vehicular and pedestrian access, signage, and utility layout. At the meeting it was stated the Village intends to purchase a 100' ladder truck but currently funds to do so are not available. The applicant would like to discuss a means and method to make a fair and equitable contribution towards a ladder truck. Lastly, the applicant would like to develop and entre into a Developer's Agreement with the Village that would address all of the matters list above.

Trustee Graziano stated he had a few points that he disagrees with. The first being that he completely disagrees with H2M's memo and he feels that a project of this magnitude should be off setting half of their flow, a project of this size will heavily impact the residents and they should be made to make the Village whole. The second issue is within the creation of multiple hotels. He asked how much money a fire truck costs, and Mayor Egan stated that this particular fire truck will cost 1.2 million dollars. Trustee Graziano then stated that if the applicants want 6 hotels then he wants the applicant to contribute more to the purchase of the fire truck then the Woodbury residents. Mayor Egan then stated that there are other applicants and they have yet to discuss with the other applicants what they would be willing to contribute. Mayor Egan then stated it is the Board's responsibility to provide fire protection to all the residents of the Village and we are doing our best to mitigate the cost of the fire truck and the applicant made the offer on his own during the ESO meeting to help with the purchase of the fire truck. Trustee Graziano then stated the board needs to come up with a way to receive funds from these developer's, so we don't request more or less from one or the other throughout the application process. Mayor Egan stated the reason we need this new ladder truck is because the one we have needs to be replaced and a 75-foot ladder truck that we currently have will not reach what is going to be developed. Trustee Graziano then had concerns with the water and sewer systems and the impact on them with these large developments coming in. He wants to ensure that the residents of the Village will still have the qualities and amenities of the existing conditions. Mayor Egan then asked Attorney Naughton if there are any differences between the public and private sectors on this matter. Attorney Naughton stated that there are direct similarities, however she feels that these questions are good, but the board is getting ahead of themselves and it is good that these discussions are being brought up, but it is most likely that a Developers agreement with result and address most of these concerns and issues.

The board collectively agreed that the appraisal for Melody Lane is a good price and they should move on and decide on what to do with that.

Motion was made by Trustee Graziano, seconded by Trustee Burek to schedule a public hearing to be held at 7:30PM on December 22, 2020 to receive public comment and for the Board of Trustees to resolve intent to discontinue and convey a portion of Melody Lane located off Locey Lane from the Village of Woodbury to the Shops of Woodbury.

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

V. New Business:

a. Authorize Advertise for Bids – Adams Street Building:

Mayor Egan stated this issue is tabled at this time for additional discussion at a later date.

b. Discussion – Formation of Revitalization Committee:

Trustee Burek stated she is following up on her comments from two weeks ago when she proposed that the board form a committee that would be responsible for making our hamlet centers more vibrant and competitive. It would be tasked with many things including, finding funds for street and sidewalk maintenance and prospecting, and recruiting new businesses. She then stated that we have seen neighboring towns and villages form these types of committee’s and it is part of our current comprehensive plan to be able to form this type of committee and it is something that has never been formed or discussed and she thinks now is the perfect time. The Village has a very excited base of residents that want to be involved and we will not have a problem getting volunteers for this. Mayor Egan asked what exactly they would oversee. Trustee Burek stated that Monroe has done something similar to this and they are in charge of “Dinner under the Stars” and they received grants for their streetlights, they decorate with flower plants in the winter and flowers in the spring. They are looking into sidewalks to make them brick and when looking into revitalizing your downtown hamlet areas, that is what this committee’s job will be. Trustee Burek then stated this committee should be partnering with the Woodbury Commons to try to attract people to come to the downtown hamlets to support the local businesses.

Mayor Egan stated he thinks of Monroe and Warwick’s main street, and that it would be nice to have our Village look like that. Trustee Burek stated she knows we don’t have an ideal location, but that doesn’t mean we can’t make it be the best it can be. Mayor Egan stated that many years ago the Town and the Village had a meeting to try and revamp the downtown Highland Mills area, however after much discussion it would have cost a lot of money. The Mayor then asked Attorney Naughton for her recommendation on how to move forward. Attorney Naughton then stated similarly to other committees that have been formed, you would need a mission statement and an application. The board then discussed formation and how many people would be in this committee. Trustee Giacomazza stated he had a meeting with his counterparts in Monroe, and they said that one of our advantages is having the Woodbury Commons within our Village. He then stated that the Central Valley properties project took quite a beating during the planning and zoning board process, but it has the potential to have decent stores within it. He then went on to say that it beautifies the area and that it would be a good idea to partner with the chamber of commerce as Monroe did and really make Woodbury more than just the Woodbury Commons.

A motion was made by Trustee Burek, seconded by Trustee Giacomazza to form a Revitalization Committee, not to exceed nine to eleven members, with the purpose of finding innovative and dynamic solutions to revitalize the Village, bringing together a diverse assembly of voices with different expertise and backgrounds, with the goals and solutions to strategize and stimulate the Village.

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

VI. Public Comment:

Mr. Craig Brady would like the board to consider fixing the website and to allow the public an easier way to access documents, as well as refreshing it from time to time. He then stated he used to be able to pull up decisions easily and he can no longer find them when he goes to look for them. He then stated a good website drives interest and the one that we have now doesn't do that. Mayor Egan stated he moderated the ZBA meeting on the prior night and he understands what he is talking about, and one of the things that came up was a decision from 2007. He asked Mr. Brady if he wants information prior to 2007. Mr. Brady then stated that he wants all the documents that were available on the website prior to the switch be put back on the website. Mayor Egan stated he will speak with the clerks and see what can be done.

VII. Board Member/Department Comment:

Mayor Egan stated first he would like to thank the We Are Woodbury group and the Beautification Committee for a wonderful tree lighting event this past Sunday at Perrone Circle. The event was well attended, and holiday cheer was in great supply. Everyone had a much-needed great time and the event organizers did a tremendous job putting this together. He then stated for those of you that do not know our next meeting will be Tuesday, December 22, 2020. This will be the last meeting of the calendar year. It will be a Zoom meeting and will start promptly at 7:30PM. Lastly, he wished everyone of the Jewish faith a Happy Chanukah.

Trustee Graziano stated that COVID-19 cases are rising again, and a vaccine is on the horizon, but he still wants to urge people to continue to social distance and stay safe and take care of their fellow person. He then wished everyone a happy and healthy holiday season and wished people to keep the "peace on earth and good will to all" in mind while out and about.

Trustee Gomez wanted to thank the We are Woodbury group as well as the Highway Superintendent and his employees for a great family tree lightning this past Sunday. He said it was wonderful to see our Woodbury community come out on such a cold day to create and celebrate the holiday season. He also wished our Jewish community a bright and meaningful Chanukah. He then wished everyone peace and light throughout the holiday season.

Trustee Burek thanked everyone who attended and watched the meeting tonight. She also thanked everyone for making Sunday's event a success including the Highway, Fire and Police Departments as well as all the residents and the We are Woodbury group. They all brought much needed joy at a time when it was needed most this year. She then went on to thank her fellow board members for their support with forming the revitalization committee tonight and is happy that everyone sees the potential in this community and this committee. She then wished everyone joy and peace throughout this holiday season.

Trustee Giacomazza stated that a re-election gave him the opportunity to explore new initiatives to move forward with one, which is assisting community members who are dealing with the domestic abuse that they have endured. He then stated that in October he received a message from a resident that was involved in an emotionally abusive relationship with her husband and needed help. He went on to say that this is not something that an elected official is usually involved in, however he felt compelled to do so and was able to get help to her and her family. He stated that domestic abuse is not an isolated problem and that it happens everyday to women and men here in Woodbury. He then said that domestic abuse didn't show up on law enforcement radar until the 1980's and it didn't become a statutory crime until years later at that point the legislature lobbied for domestic violence laws. He stated many deaths are linked to domestic violence, and he would like to see a change. He then stated

with proper intervention, advocacy, and prevention that life can go on and there are hundreds of people that are domestic abuse survivor's and have successfully escaped an abusive relationship, among them are people that have gone on to maintain a relationship with those responsible for the abuse. To balance the public's perception, we need to put names and faces on the victories and mourn the casualties. The embarrassment that comes from being an abused victim needs to stop and they need to be shown that there is a light at the end of the tunnel. He went on to say that much has been accomplished in the past 30 years but even more can be done. He then said to those who inflict pain and cowardly abuse people don't walk the streets wearing scarlet letters or name tags they can be anyone. His goal is to shine a light on those who are the victims to get them the help and emotional support that they desperately need and deserve and for the victims to know that, that type of behavior is not normal, nor should it be tolerated. He then went on to wish the people of the Jewish faith a very happy Chanukah.

VIII. Adjournment:

With no further business to discuss or comments received, a motion was offered by Trustee Gomez, seconded by Trustee Burek, to adjourn the meeting at 8:17 PM.

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

Desiree Potvin, Village Clerk

Attorney/Client Session with Village Attorney