

Minutes of the Virtual Village Board Meeting held on February 11, 2021 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, Village Streets Superintendent;
Pasquale Prozzillo and Christopher Burke, Fire Chiefs

I. Public Comment on Agenda Items Only

Neil Crouse stated, regarding the proposed property maintenance law, traditionally the Building Department takes action after a member of the public or someone files a complaint. He feels it is awkward for someone to file a complaint against a neighbor and suggested the Building Department be able to take independent action to act on a property maintenance issue. Attorney Naughton stated they can do this already and the law is just a way for neighbors to be able to file a complaint for the investigation process be started. Mr. Crouse stated he feels it would be easier if it was clear in the law.

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 January 28, 2021.

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 17 containing vouchers 201370 - 2201440 and totaling \$261,278.76.

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

c. Fire Department Membership Updates:

Motion was offered by Trustee Giacomazza, seconded by Trustee Burek, to change the status of the following individuals from “active” to “inactive” with the Fire Department effective immediately as requested by Chief Prozzillo: Jack Davis, Mark Wilson, Devin Smith, Dan Begbie, Michael Kling, Christian Javier and Eugene Perrone.

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

III. Old Business:

a. Discussion/Decision – Sale of Property – 24 Catskill High Rail - SBL 254-7-1:

Mayor Egan stated this item was tabled from the last meeting as we were waiting for the Assessor to advised what she thought the fair market value for the property was. That information has been received. Therefore, a motion was offered by Trustee Giacomazza, seconded by Trustee Gomez, to adopt the following resolution to authorize the sale, release and transfer of any interest of the Village in certain real property:

WHEREAS, the Village of Woodbury is believed to be the owner of a certain parcel of land identified on the Village of Woodbury tax map as Section 254, Block 7, Lot 1, also known as the UT-B parcel (hereinafter the “Property”); and

WHEREAS, the Property was previously offered to be dedicated to the Town of Woodbury by the predecessor of Woodbury Villas LLC, the developer of the Woodbury Villas community, formerly known as Woodbury Junction and/or WP-3; and

WHEREAS, the right to accept the dedication of the Property was transferred by the Town of Woodbury to the Village of Woodbury by operation of law upon the incorporation of the Village of Woodbury; and

WHEREAS, Woodbury Villas LLC purported to revoke the dedication of the Property based on its assertion that the Property was not needed for a public purpose; and

WHEREAS, the Board of Trustees of the Village of Woodbury (“Board of Trustees”) adopted a resolution accepting the dedication of Property, notwithstanding the purported revocation of the offer of dedication, which resolution was filed in the Office of the Orange County Clerk on June 19, 2019 in Book 14582, Page 1618; and

WHEREAS, the Village of Woodbury has not received a deed from Woodbury Villas LLC transferring title of the Property to the Village; and

WHEREAS, the Board of Trustees has now determined that the Property is no longer necessary for municipal purposes and is surplus property; and

WHEREAS, the Board of Trustees desires to sell and/or relinquish whatever right, title and interest the Village of Woodbury holds in and to the Property, if any; and

WHEREAS, Woodbury Villas LLC desires to acquire whatever right, title and interest the Village holds in and to said Property, if any, which consists of 0.29 +/- acres; and

WHEREAS, the sale, transfer and relinquishment of whatever interest the Village holds in and to the Property is an Unlisted action under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Board of Trustees of the Village of Woodbury has reviewed the attached Full Environmental Assessment Form for this transaction; and

WHEREAS, the price to be paid to the Village of Woodbury by Woodbury Villas LLC has been evaluated by the Town Assessor and determined to be within the range of fair market value for the acquisition of whatever interest in the Property that the Village may hold;

NOW, THEREFORE BE IT RESOLVED by the Board of Trustees of the Village of Woodbury that:

- 1) The Board of Trustees of the Village of Woodbury declares itself to be Lead Agency for the transfer of whatever interest the Village holds in and to the Property pursuant to SEQRA; finds this transfer to be an Unlisted action and authorizes the Mayor to execute an accompanying Full Environmental Assessment Form; and hereby issues an accompanying Negative Declaration for this action.
- 2) The proposed sale, transfer and relinquishment of whatever interest the Village holds in and to the Property has been reviewed by Village officials and it has been established that the Property is no longer necessary for municipal purposes and is surplus property.
- 3) The Mayor is authorized to enter into a contract of sale, whatever interest the Village holds in and to the Property to Woodbury Villas LLC for the sum of \$ 1500.00 which is fair and adequate consideration. The deed transferring said interest shall include a restriction, enforceable by the Village, that the Property may only be used for parking, and no buildings may be placed thereon.
- 4) The sale is subject to the closing of title to be held in the office of the Village Attorney with the Woodbury Villas LLC paying all expenses and at which time a title insurance policy shall be tendered and the instruments taken for recording in the Orange County Clerk’s Office.

ADOPTED BY ROLL CALL AS FOLLOWS:

Mayor Egan

YES

Trustee Burek	YES
Trustee Giacomazza	YES
Trustee Gomez	YES
Trustee Graziano	YES

b. Discussion/Decision – Introductory Local Law 1 of 2020 – Heavy Duty Towing:

Mayor Egan noted only one written comment was received on the law and it was after the comment period had expired. It was from Richard Sarajian, representing Loyal Tire and Auto Center and Apple Automotive Inc a/k/a Apple Auto Body, and contained additional comments from that which he made at the public hearing held on January 28. He asked the Board if they would like to amend the law to incorporate any of the suggestions made from the comments received or adopt the law as it was introduced. Attorney Naughton added she can review the comments and advise the Board which ones she feels may be appropriate to consider incorporating. Mayor Egan stated that would be his suggestion. Trustee Giacomazza stated he is fine with adopting the law as it is currently written and it could be amended at a later date if the Board deems necessary. Trustee Burek stated she thought the written comments received were very thorough. Mayor Egan stated he did agree with the comment received about the equipment not needing to be on the truck but could be on a separate vehicle that is responding and Trustee Burek agreed. Trustee Gomez stated he feels the law is fine as written and if amendments are needed that can be done at a later date. Motion was offered by Trustee Giacomazza, seconded by Trustee Gomez, to adopt Local Law 3 of 2021 entitled “Heavy Duty Towing” 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

Motion was then offered by Trustee Graziano, seconded by Trustee Burek, to amend the fee schedule by adding a “Heavy Duty Tow Permit” fee in the amount of \$3000.

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

c. Receipt of Bids – Improvements to Adam Street Building:

Clerk Potvin stated a bid opening was held on January 26, 2021 for proposals to do interior renovations at the Building Department building located at 19 Adams Street. The public notice was printed in the Times Herald Record on December 25, 2020 and the following bids were received (including alternate option):

Icon Construction Group, White Plains, NY	\$397,361.00
Stanback General Contractors LLC, New Windsor, NY	\$413,042.00
Renu Contracting & Restoration, Copiague, NY	\$427,001.00
Barone Construction Group, Inc., Highland, NY	\$427,600.00
ZN Construction LLC, Elmwood Park, NJ	\$429,365.00
Vinco Builders LLC, Mahopac, NY	\$469,000.00
Wallkill Group, Inc., Hamburg, NJ	\$474,000.00
Page Contracting Group, Brooklyn, NY	\$487,700.00
Meridian Construction Creation, Inc., Monroe, NY	\$489,277.00
Grace Contracting & Developing LLC, West Haverstraw, NY	\$500,000.00

NUA Construction Corporation, Ardsley, NY	\$697,101.00
Bertussi Contracting Inc., Pearl River, NY	\$733,057.00
Siegrist & Sons Corporation, Poughkeepsie, NY	\$796,460.00
S&L Plumbing and Heating Corp, White Plains, NY	\$806,250.00

Clerk Potvin stated the architect has opined that the quotes received are very competitive and came in lower than what he estimated (approximately \$700,000). He does not believe these prices will be seen this low in the future. She further noted the bids received are only valid for 45 days so the Board will need to decide how to proceed (either award or reject) no later than at its February 25 meeting. Attorney Naughton was asked to review the bids received for legal content and she stated they were in order. Mayor Egan asked the Board how they would like to proceed at this time. The Board collectively decided that they would like to review the specifications and will make a decision at the February 25 meeting.

IV. New Business:

a. Schedule Public Hearing – OCCD FY2022:

Motion was offered by Trustee Graziano, seconded by Trustee Burek, to schedule a public hearing to be held on March 11, 2021 at 7:30PM to entertain public suggestions for projects to be applied for funding from the Orange County Community Development grant program in their fiscal year 2022.

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

b. Introductory Local Law 2 of 2021 - Tax Cap Override:

Motion was offered by Trustee Giacomazza, seconded by Trustee Burek, to adopt the following resolution of the Village of Woodbury Board of Trustees setting a time and place for a public hearing to be held on Introductory Local Law 2 of 2021 entitled “Tax Cap Override”:

WHEREAS, the Village of Woodbury Board of Trustees wishes to set a time and place for a public hearing to consider a proposed local law that would override the property tax cap, as defined in Section 3-c of General Municipal Law, for the Fiscal Year 2021/2022; and

WHEREAS, the Village Board hereby determines that it will be the lead agency with respect to the review of the proposed local law (the “project”) in accord with New York State Environmental Quality Review Act (“SEQRA”) and part 617 of the regulations implementing SEQRA, since there are no other agencies that have the authority to approve the project; and

WHEREAS, the Village Board hereby preliminary classifies the action as an unlisted action under SEQRA;

NOW, THEREFORE, LET IT BE HEREBY

RESOLVED, that a public hearing shall be held virtually by the Village Board in order to receive comments and suggestions regarding the proposed local law and to review any potential adverse environmental impacts of the proposed local law, on February 25, 2021 at 7:30PM; and it is further

RESOLVED, that the office of the Village Clerk is authorized and directed to cause public notice of said hearing to be given as provided by law.

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

Mayor Egan noted the cap for FY2021/2022 is 1.31%.

c. Return of Restoration Bond – CV Property Management:

Mayor Egan stated this item will be table until a future meeting. The applicant needs to prove that the stormwater maintenance agreement has been filed with the County before the Village can approve this reduction.

d. Introductory Local Law 3 of 2021 – Property Maintenance:

Motion was offered by Trustee Giacomazza, seconded by Trustee Gomez, to introduce Introductory Local Law 3 of 2021 to amend Chapter 240 of the Village Code entitled “Property Maintenance” to update the law, which the Board finds to be reasonable and appropriate. This update is determined to be an exercise of the police powers of the Village to protect the public health safety and general welfare of its residents.

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

Motion was then offered by Trustee Graziano, seconded by Trustee Burek, to declare the Village of Woodbury Board of Trustees as Lead Agency under SEQRA for Introductory Local Law 3 of 2021.

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

Motion was offered by Trustee Giacomazza, seconded by Trustee Burek, to type Introductory Local Law 3 of 2021 as a Type I action under SEQRA.

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

Based on the full environmental assessment form reviewed by the Board, motion was offered by Trustee Graziano, seconded by Trustee Burek, to adopt a negative declaration for Introductory Local Law 3 of 2021.

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 on February 25, 2021 at 7:30PM to entertain public comments on Introductory Local Law 3 of 2021 entitled “Property Maintenance”.

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

e. Schedule Special Meeting for Interviews – Fire Recruitment Coordinator:

Motion was offered by Trustee Burek, seconded by Trustee Graziano, to schedule a special meeting to be held on February 22, 2021 at 6:30PM to interview individuals that applied for the grant funded “Fire Recruitment Coordinator” position. 15 minutes increments

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

f. Schedule Special Meeting for Interviews – Revitalization Committee:

Motion was offered by Trustee Burek, seconded by Trustee Giacomazza, to schedule a special meeting to be held on March 8 and March 15, 2021 at 6:30PM to interview individuals that applied for the newly formed Revitalization Committee. 15 minutes

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

Motion was then offered by Trustee Graziano, seconded by Trustee Burek, to solicit more letters from individuals interested in volunteering for this committee until 4PM on March 5, 2021.

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

NOES 0

EXTRA ITEM – Funding of Well Monitoring Consultant:

Mayor Egan noted in 2017 several municipalities decided to hire and share the cost of a consultant to monitor the groundwater and stream on the Woodbury Creek tributary of the Moodna Creek and to prepare periodic reports describing the influence of the Mountainville wells on the aquifer and Woodbury Creek. At this time the account that this work is being paid from needs to be replenished. Therefore, a motion was offered by Trustee Burek, seconded by Trustee Giacomazza, to adopt the following resolution:

WHEREAS, the Town of Cornwall, along with the Village of Cornwall-On-Hudson, the Town of Woodbury, and the Village of Woodbury, has entered into an agreement with Chazen Engineering for monitoring of the Woodbury Creek; and

WHEREAS, the said monitoring agreement expires in 2021; and

WHEREAS, the Town of Cornwall and the other involved municipalities wish to enter into an agreement to extend the monitoring program for one additional year;

NOW, THEREFORE, BE IT

RESOLVED that the Village of Woodbury Board of Trustees hereby authorizes the Village Clerk/Treasurer to expend \$5000, which represents the Village’s share, which will be used to pay for the monitoring of the Woodbury Creek, per the agreement signed by the Town of Cornwall, Lead Agent, with the Chazen Companies.

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

EXTRA ITEM – Request to Temporarily Close Smith Clove Road:

Mayor Egan stated a request was received from the “We Are Woodbury” (WAW) group to temporarily close Smith Clove Road on March 13 from Route 32 to Valley Avenue (Perrone Circle) for them to host a small St. Patrick’s Day parade. They would like Smith Clove Road closed from 1PM – 2PM and Perrone Circle closed from 1PM – 4PM. They plan to have Irish Step dancers perform and bagpipers play. Everyone will be wearing masks and social distancing. They are asking at this time if the Board would be inclined to approve this request before they sort out the rest of the details. He noted there are a few things WAW may need if the Board approves the temporary road closure: (1) a parade permit from the Woodbury Police Department; (2) the Village has a “block party” permit fee issued by the Building Department for \$100 – would this qualify; (3) there will be overtime costs incurred for highway personal to close the intersections and then reopen them after the event has ended, five hours is approximately \$213.60; (4) the intersection of Smith Clove Road and Route 32 would need to be closed by the police department since it is a state road – the Town may want to be reimbursed for costs incurred to do this. Trustee Giacomazza stated he is okay to approve this request and feels it will be great for Woodbury. He also feels we should vote to waive the fees. Trustee Graziano does not feel we should waive the fees that are paid by the taxpayers. He is also concerned about the gathering being held during this pandemic timeframe. Trustee Gomez stated he did have the tree lighting which turned out descent and if the number begin to climb again the event can be canceled. Trustee Graziano stated he is concerned about assuming liability of the event. We should be fully transparent and making sure we cover all the issues that relate to the application. Mayor Egan asked if WAW have funds to pay for these costs that would be incurred. Trustee Burek stated she believes they do and Trustee Gomez stated if they do not then they have time to raise funds needed. Attorney Naughton stated you should also require insurance from the group since they are using Village streets and that you need to be sure that you are not doing something that would constitute an unconstitutional gift. Trustee Graziano

stated it appears we all are in favor of the idea and it will give the group time to get all their administrative issues in order to see if they can have it.

V. Public Comment

Kate Luciani stated the WAW group does have money in their account but she would need to discuss it with her group before she can commit to the expenditures.

VI. Board Member/Department Comment

Mayor Egan stated he would like to take a moment to discuss the pandemic. It has been almost a year and he know that everyone is getting “COVID fatigue” – mask compliance is slipping and people are going out more with social distancing becoming less important. He stressed this is not the time to be complacent and we need to be strong in protecting ourselves and others. He knows that vaccines are hard to come by unless you are in one of the early phases but emphasized that more vaccines will be coming online soon. He urged all to stay patient and vigilant – continue to wear masks and wash hands.

Trustee Graziano thanked everyone for attending this evening. He noted that participation in government is one of the most precious rights this country affords us and it is something that none of us should ever take for granted. He is not suggesting that everyone run for political office but he does feel that everyone should participate at some level – whether it be attending meetings, asking questions or just listening. An informed and educated community becomes a strong and successful community. He then acknowledged the employees of the Highway and Water/Sewer departments for the hard work they have been doing during the endless battles with the snow. As the Mayor mentioned, he also urged all to continue to be vigilant with mask wearing and social distancing.

Trustee Gomez also thanked all for attending the meeting this evening. He also thanked the Highway Department for the great job they did keeping the roads clear during the recent storm. He asked all to keep an eye on their neighbors and the elderly during significant weather to make sure they are safe and that access to their homes are clear – choose kindness and say thank you. He also acknowledged the volunteers of the Fire Department and Ambulance for providing great service to the community.

Trustee Burek also thanked all that attending the meeting this evening. Comments were made this evening about how tired everyone is of COVID and people letting their guard down. You need to look for things that bring joy to your life. She always tells her children that regardless of the circumstances you need to choose kindness over negativity. She then thanked the WAW group for putting smiles on faces in Woodbury. Their recent efforts included leaving valentines and candies for people to find in various businesses which makes her smile. She is grateful for them setting an example of what it looks like to be kind and to give without exception of receiving anything in return.

Trustee Giacomazza also thanked all for attending the meeting this evening. He noted the job of a village trustee is not an easy one, especially when you try to push an agenda you promised during your election. An agenda of accomplishment of making sure that promises made are promises kept. He is thankful that when we have been faced with two plus straight days of snow our residents can safely travel our roads so he took a moment to thank and acknowledge the Highway Department. He also thanked the Water/Sewer Department, Fire Department and Ambulance crews. He also noted this is a very stressful time of year for graduates – adding that he has been very busy visiting colleges online and

helping to fill out applications. He is hoping the next chapter of their lives will be everything they hope for. To all future graduates he urged them to stay strong and life will return to normal.

Clerk Potvin stated several months ago she scheduled a meeting that she and Trustee Giacomazza to attended to meet/interview a company to be a grant writer for the Village. The Village Board then approved to contract with Millenium Stratergies. Not to long after that we were awarded a \$160K grant for fire recruitment efforts. She announced the grant writers have informed her that the Village was awarded a grant in the amount of \$2308 which was for reimbursement of COVID expenses incurred by the Fire Department. The Village Departments Heads and some Board members held a meeting yesterday with the grant writers and plans have been made to apply for several grants that we will hopefully be successful in obtaining to help offset costs to the taxpayers for projects, purchases and improvements that are needed in our various departments. She then thanked WAW for the valentine left on her car this afternoon.

Chief Prozzillo stated tomorrow is the grant deadline for a new tanker truck and he is hopefully it will be successful. He noted the Fire Department is still operating with COVID precautions and that all training is being offered to the members online. All trucks have been repaired and are in service. He asked that all residents clear around fire hydrants if there is one located on or near their property.

VII. Adjournment

With no further business to discuss or comments received, a motion was offered by Trustee Gomez, seconded by Trustee Graziano, to adjourn the meeting at 8:30PM.

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

Desiree Potvin, Village Clerk

Attorney/Client Session with Village Attorney

LOCAL LAW 3 OF 2021

A LOCAL LAW AMENDING CHAPTER 283 (“TOWING”) OF THE CODE OF THE VILLAGE OF WOODBURY TO ESTABLISH REGULATIONS FOR HEAVY DUTY TOWING

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

SECTION 1. PURPOSE

The Board of Trustees of the Village of Woodbury finds that it is reasonable and appropriate to update and amend Chapter 283 (“Towing”) of the Village of Woodbury Code to provide regulations for heavy duty towing. This local law is determined to be an exercise of the police powers of the Village to protect the public health safety and general welfare of its residents.

SECTION 2. CHAPTER 283 (“TOWING”).

Section 283-2 (“Definitions”) is hereby modified to include the following definitions:

GVWR The Gross Vehicle Weight Rating of a tow truck, consisting of the weight of the tow truck plus the heaviest load that it is designed to carry.

HEAVY DUTY TOWING The towing of vehicles that require special equipment or weigh in excess of 10,000 pounds or extend more than 22 feet in length and require a Class A or B commercial driver’s license to operate.

LIGHT/MEDIUM TOWING The towing of vehicles that weigh less than or equal to 10,000 pounds and do not extend more than 22 feet in length. Light/medium towing is for vehicles designed to tow or transport automobiles, pickup trucks, small vans, medium-size trucks, buses and recreational vehicles, as well as smaller vehicles.

Section 283-4(A) is hereby repealed and replaced with the following:

A. It shall be unlawful for any person to engage in the business of towing (including the use of a wrecker) within the Village of Woodbury unless a light/medium towing license or heavy duty towing license shall have first been obtained from the Village. The Village Clerk's office shall be responsible for the issuance of such licenses.

Section 283-5(A)(2) is hereby amended to include the following language at the end of the paragraph: “, and the license requested (light/medium towing or heavy duty towing).”

Section 28304(B)(2) is hereby repealed, and subdivisions (3), (4) and (5) shall be renumbered to (2), (3) and (4) respectfully.

Section 283-7(E) is hereby repealed and replaced with the following:

E. The fees for a light/medium towing license and a heavy duty towing license are provided in the Village's fee schedule, which is reviewed by the Board of Trustees annually as part of their

organization meeting, and may be modified at that time, or at any other time, by a resolution of the Board of Trustees.

The first sentence of Section 283-8 is hereby repealed and replaced with the following:

Upon the approval of the Board of Trustees, with the recommendation of the Chief of Police, the Village Clerk shall issue a light/medium towing license or heavy duty towing license to the applicant, a copy of which must be kept in all towing vehicles while conducting operations under the license.

Section 283-9(B) is hereby repealed and replaced with the following:

B. The owner shall also display or cause to be displayed the light/medium towing license or heavy duty towing license in a location easily observed from the rear of the tow vehicle.

A new Section 283-13(B) is hereby created as follows:

B. Heavy-duty tow trucks: In addition to the items (1) through (6) required for wreckers/flatbed tow trucks, the following additional equipment is required: a vehicle with a GVWR of thirty-three thousand (33,000) pounds or greater and the capability of lifting loads of twenty-two (22) tons or greater; a set of twenty-ton recovery straps; one set of portable torches; one power chain saw; one power metal-blade saw.

Section 283-14(A) is hereby amended to include the phrase “directly or indirectly” after “No licensee may charge....”

Section 283-14(E)(1)(j) is hereby created as follows:

(j) All vehicles requiring heavy duty towing due to the weight or length of the vehicle, special towing equipment needed, or as otherwise directed by a Police officer: Four Hundred (\$400) Dollars per hour, from time of leaving place of towing business to time of return thereto, excluding Police directed waiting time.

A new Section 283-15(E) is hereby created as follows:

E. The Woodbury Police Department shall keep two separate and independent tow lists. The first list, which shall be known as the “light/medium tow list,” shall be for all light/medium towing as defined in § 283-2 above. The second list, which shall be known as the “heavy duty tow list,” shall be for all heavy duty towing, as defined in § 283-2 above.

SECTION 3. SUPERSADING 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 are hereby superseded by this Local Law pursuant to New York Municipal Home Rule Law and the common law.

SECTION 4. 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 5 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.