

Minutes of the Village Board Meeting held on August 12, 2021 at 7:30PM

Present: Timothy Egan, Mayor
Tara Burek, Andrew Giacomazza and Jesus Gomez, Trustees
Absent: Christopher Graziano, Trustees
Also Present: Kelly Naughton, Attorney for the Village; Michael Panella, Building Inspector; Michael Phillips, Water/Wastewater Administrator; Robert Weyant, Village Streets Superintendent

Public Hearings:

a. Cablevision Franchise Agreement – Continued:

A public hearing was continued from the July 8 meeting to entertain public comment on a proposed non-exclusive television franchise agreement between the Village and Cablevision of Wappingers Falls, Inc., a wholly owned subsidiary of Altice USA, Inc. No additional comments were received.

Mayor Egan stated the hearing will need to be continued as the application is still before the Department of Public Service and cannot be closed until they provide further guidance. Motion was then offered by Trustee Giacomazza, seconded by Trustee Burek, to continue the hearing to the September 23, 2021 meeting.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
NOES 0

Violation Hearings Pursuant to Property Maintenance Law Section 240-9(C)

No hearings were scheduled for this meeting.

Public Comment on Agenda Items Only

Matthew Higgins stated the Mayor does not have the authority to issue orders (comment regarding the requirement to wear face masks in the meeting room). He submitted a letter to the Village Board regarding the Pulver Fill application and he then read the letter submitted.

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 July 22, 2021.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
NOES 0

b. Approval of Abstract:

Motion was offered by Trustee Gomez, seconded by Trustee Burek, to approve Abstract 5 containing vouchers 210322 – 210413 and totaling \$130,406.43.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
NOES 0

c. Acceptance of Resignation – R Anzalone:

Motion was offered by Trustee Giacomazza, seconded by Trustee Burek, to accept, with regrets, the resignation of Robert Anzalone from the Planning Board effective immediately.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez

NOES 0

d. Advertise for Vacancy:

Motion was offered by Trustee Gomez, seconded by Trustee Burek, to advertise for the letters of interest for individuals interested in volunteering to serve on the Planning Board.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
NOES 0

e. Relevy Previously Exempt Properties:

Motion was offered by Trustee Gomez, seconded by Trustee Giacomazza, to adopt the following resolution to re-levy a prorated tax amount due on property(ies) located at various locations that was/were previously eligible for an exemption:

WHEREAS, the owner(s) of property was/were eligible for an exemption on property taxes and upon the sale/death this exemption must be removed; and

WHEREAS, notification was received by the Village Clerk from the Woodbury Assessor that prorated amount(s) need to be re-levied onto the FY2022/2023 taxes for this/these property(ies).

NOW THEREFORE, BE IT

RESOLVED that the Village Board directs the Village Clerk, Village Tax Collector and any other Village official, employee or agent of the Village to take any and all necessary actions to levy and collect the following amounts on the following affected land(s) in the same manner as all other Village Charges and to take any necessary actions to execute and record a lien upon such land:

226-1-61.1	297 Estrada Rd CV	\$405.27
211-1-61	5 Pleasant Dr HM	\$36.44
204-1-14.13	48 DePalma Dr HM	\$36.55

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
NOES 0

Old Business:

a. Resolution – Speed Reduction Request to NYSDOT on Route 32:

Motion was offered by Trustee Burek, seconded by Trustee Gomez, requesting the Department of Transportation conduct a speed limit study on Route 32 and lower the speed limit to thirty miles per hour (30MPH):

WHEREAS, the Village of Woodbury has been exposed to an excessive volume of traffic due to tremendous growth in the area; and

WHEREAS, New York State Route 32 traverses the Village of Woodbury with inconsistent speed limits, ranging from 55mph to 45mph to 30 mph to 40 mph to 30 mph to 40 mph to 55mph; and

WHEREAS, the Village of Woodbury Board of Trustees has received requests for the speed limit to be lowered, and there is public support for the State to do so; and

WHEREAS, the Village of Woodbury Board of Trustees suggests reducing the speed limit to thirty (30) from Woodbury Common to Ridge Road – a distance of approximately 2.75 miles.

NOW, THEREFORE, BE IT

RESOLVED, that the Village of Woodbury Board of Trustees hereby requests that the New York State Department of Transportation conduct a speed study on that portion of New York State Route 32 that traverses the Village from Woodbury Common to Ridge Road, and further requests that the Department lower the speed limit along that portion of New York State Route 32 to thirty (30) miles per hour; and be it further

RESOLVED, that the Village Clerk is hereby authorized to forward a copy of this Resolution to the New York State Department of Transportation; and be it further

RESOLVED, that the Village Clerk is hereby authorized to complete and submit the TE-9 application to the Orange County Department of Public Works.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
 NOES 0

b. Discussion – Fill Permit Request – Pulver:

Mayor Egan stated correspondence has been received from Justin Kimple, attorney for the applicant, that included a revised grading plan and section of fill area with an environmental assessment form for the fill permit application. The letter states further that the application is not connected in any way to the winery application nor is it for timber harvesting. The applicant submitted a letter stating it is to beautify his property for his family’s enjoyment. He also ensured that more of the severely sloped property is usable. He does not have a specific purpose at this time for the usage of the property other than beautifying and cultivating of the native trees, plants and flowers. Mayor Egan stated he would like this discussion tabled until the next meeting when a full Board is present and the applicant has representation present.

c. Update – Annexation Petition – Brach:

Mayor Egan noted the public hearing that was scheduled for August 31, 2021 on the petition of annexation submitted has been canceled due to the fact that all four involved municipalities could not agree on a date (the Town and Village of Woodbury agreed to August 31, the Village of Kiryas Joel and Town of Palm Tree did not). He asked Attorney Naughton to explain the next steps and she stated she has spoken to all attorneys involved. The next step is SEQRA and reminded the Board they declared their intent to serve as Lead Agency at the last meeting. She believes it is likely someone will object to that declaration and, if/when that happens, the NYSDEC will then make the decision of who will serve in that capacity. Mayor Egan noted all involved did not think the hearing would have been able to be held on August 31 but the Board wanted to kickstart the process based on the procedure dictated by law,

d. Acceptance of Bids – FY2020 OCCD Grant – Hydrant Replacement:

Clerk Potvin stated a bid opening was held on August 4, 2021 at 2PM and the notice for the bid was published in the Times Herald Record on July 3, 2021. The following bids were received:

Nanninni & Callahan Excavating, Inc.	\$59,399.97 (amended due to defect)
Boyce Excavating Co., Inc.	\$84,850.00

The bids have been reviewed for legal sufficiency by Attorney Brian Nugent and he has opined that the defect could be waived. Engineer Barber has noted that this work is through the Orange County Community Development Grant program FY2020 which the Village was awarded \$50,000. The Department had recently sent correspondence advising that additional funding, up to \$125,000, is available to cover the costs of this project. They are working with Superintendent Phillips to identify whether additional hydrants within the eligible low-to-moderate income area should be added to the scope of work. Motion was then offered by Trustee Giacomazza, seconded by Trustee Burek, to award the bid to Nanninni & Callahan for the replacement of hydrants at a cost of \$59,399.97.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
 NOES 0

e. Schedule Worksession to Discuss Interpretation of ARB Law (LL1 of 2021):

Mayor Egan stated the Board would like to hold a worksession with the Building Inspectors, Attorney Naughton and Planning Board Chairman Gerver to discuss the recently adopted ARB law and some interpretation issues that exist. Since the annexation public hearing has been canceled, he suggested the worksession be held in its place, on August 31, 2021 at 7:30PM. Motion was offered by Trustee Giacomazza, seconded by Trustee Gomez, to schedule a worksession meeting to be held on August 31, 2021 at 7:30PM.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
 NOES 0

New Business:

a. Introduce Local Law 10 - “No Parking” – 230 Schunnemunk Road:

Motion was offered by Trustee Gomez, seconded by Trustee Giacomazza, to introduce Introductory Local Law 10 of 2021 which would amend Chapter 227 (Parking, Prohibited) of the Village Code restricting parking along a portion of Schunnemunk Road.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
 NOES 0

Motion was then offered by Trustee Giacomazza, seconded by Trustee Burek, to schedule a public hearing to be held on September 9, 2021 to entertain public comment on Introductory Local Law 10 of 2021.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
 NOES 0

b. Discussion – RFP for Property Maintenance Law Enforcement:

Motion was offered by Trustee Burek, seconded by Trustee Gomez, to authorize Clerk Potvin to advertise for general mowing and lawn/yard services in connection with the enforcement of the Property Maintenance Code provisions.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
 NOES 0

Public Comment:

Laurie Tautel, 14th District County Legislator, provided an update regarding the county sewer system and monitors. She also noted the County Executive and Health Commissioner jointly are strongly advising all individuals, regardless of vaccination status, wear facemasks while indoors. There have been significant increases in COVID cases during the past month and she urged all to do our part to eradicate the virus.

Jennifer Garguilo stated she participated in the “Kickball for a Cause” event held this past weekend at which \$1000 was raised for some local organizations. She urged all to be kind to each other.

A resident (unable to hear her name) spoke about a hearing she thought was to be held this evening but she was referring to a hearing held the night before by the Zoning Board.

Matthew Higgin stated his opinion about wearing facemasks.

Board Member/Department Comment:

Mayor Egan stated COVID cases in the region have been climbing again. As a precaution, in the interests of safety and public health, on Monday he reinstated a mask mandate in village buildings.

Orange County is second only to Westchester in the number of new cases in recent weeks. He noted this pandemic is not over, but through diligent behavior on all our parts we can get through this with a minimum of disruption, as long as we continue to follow simple guidelines like getting vaccinated, using masks, washing your hands and social distancing. He then stated water supply continues to remain stable. The tanks are remaining full and our wells are keeping up with demand. Our engineers, hydrogeologist and water department continue to work toward improving the supply side. As more information develops, he will continue to update the public.

Trustee Gomez urged all to stay hydrated and check on neighbors during this heatwave. He also asked all to be kind to each other and get vaccinated if you choose too. He noted each person’s choices should not affect others. He urged all to respect the points of view of others.

Trustee Burek thanked all for attending the meeting this evening. She noted the summer is winding down and her favorite time of year is approaching – back to school shopping. She urged all to have faith in the leaders in the school’s district as they evaluate and decide how school will look this year. She has faith they make the school experience as normal as possible.

Trustee Giacomazza thanked all that reached out to him while he recovers from the injury he sustained while participating at the Kickball for a Cause event held this past weekend. He congratulated Superintendent Weyant on his recent nuptials.

Inspector Panella thanked the Board for the opportunity to serve Woodbury and he looks forward to working with the other departments.

Adjournment:

With no further business to discuss or comments received, a motion was offered by Trustee Burek, seconded by Trustee Gomez, to adjourn the meeting at 8:05PM.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
 NOES 0

Desiree Potvin, Village Clerk