

Minutes of the Virtual Village Board Meeting held on November 16, 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;  
Michael Phillips, Water/Wastewater Administrator; Michael Panella, Building Inspector;  
Christopher Burke, Fire Chief

**Public Comment on Agenda Items Only:** *No public comment was received.*

**Administrative Business:**

a. Acceptance of Minutes:

Motion was offered by Trustee Graziano, seconded by Trustee Giacomazza, to accept receipt of the minutes of the meeting held October 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 Burek, to approve Abstract 11 containing vouchers 210899 - 211025 and totaling \$1,226,004.43.

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

c. Fire Department Equipment Requests:

Motion was offered by Trustee Giacomazza, seconded by Trustee Burek, to approve Fire Department Equipment Request 2021-22 totaling approximately \$31,095 for the purchase of three hurst tools and two stability plates; Equipment Request 2021-23 totaling approximately \$1990.00 for the purchase of fire prevention education materials.

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

**Old Business:**

a. Discussion – Virtual vs. In-Person Meetings:

The Board discussed returning to in-person meeting since other entities/groups have been permitted to use Village Hall for in-person meetings. The Board informally agreed to hold the December 9 meeting virtual and then return to in-person meetings starting with the December 23 meeting. It was noted the Planning Board and Zoning Board can make their own decision about their meetings. Attorney Naughton added the Governor’s order currently expires mid-January. When it does, all meetings will be required to return to in-person.

**New Business:**

a. Discussion – Use of ARPA Funds:

b. Discussion – EFC WIIA Grant Submission:

Mayor Egan stated on May 10, 2021, the US Department of the Treasury announced the launch of the Coronavirus State and Local Fiscal Recovery Funds (SLFRF), or Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021 (ARPA) to provide \$350 billion in emergency funding for

eligible state, local, territorial, and Tribal governments. The State and Local Fiscal Recovery Funds have authorized delivery of \$1,473,403.00 to the Village of Woodbury, in two tranches, one year apart, of \$736,701.50 each, to support the immediate pandemic response, bring back jobs and lay the groundwork for a strong and equitable recovery. The Village received its first allocation of \$736,701.50 on May 25, 2021. Since then, the Board has been actively seeking grant funding to help with water and sewer projects in the Village. He has been working closely with the grant writers, engineers, water/sewer department and counsel on this effort. Part of the grant process is to provide matching funds from the village, which can come from the ARPA funds. Each of the two grants we are requesting have different matching requirements. The first grant request is that we want to conduct infrastructure improvements to the Consolidated Sewer Area via the installation of comminutors at Country Crossing, Pine Hill, and Hollet Pump Stations. The anticipated costs for all work associated with conducting these improvements may exceed \$724,996.80. The application is for \$181,249.20 in grant funding with a committed 75% grant match of \$543,747.60 from municipal contributions. The second grant request is for funding a new raw water transmission main from the Trout Brook Well. The application is for \$140,160 in grant funding with a committed 40% grant match of \$93,440 from municipal contributions. Attorney Naughton then provided a very detailed report about the conditions/requirements that come with accepting the ARPA funds and what spending options are allowed. She also explained the periodical finance reporting the Village is required to comply with to the government detailing the use the funds that have been spent or committed. The Board then discussed in detail the need to improve our water system by connecting a new raw water transmission main from the Trout Brook Well and to improve the sewer system by installing comminutors at the Country Crossing, Pine Hill, and Hollet Pump Stations. All agreed that committing ARPA funds to these projects is the appropriate way to spend the funds and Attorney Naughton agreed they are permitted to be spend as a match if the grant applications are successful. She also noted the Board has engaged the public by discussing their concern about the water system at various meetings and the public has two opportunities at each Village Board meeting to also stated their concerns. If the grants applications are not successful, a discussion will be held to prioritize the installation of the comminutors based on the greatest need.

Motion was offered by Trustee Graziano, seconded by Trustee Gomez, to adopt the following resolution for SEQR determination of significance for the Village of Woodbury improvements to Consolidated Sewer area project:

**WHEREAS**, the Village Board of the Village of Woodbury is conducting a SEQR Review of an Unlisted Action known as the Village of Woodbury Improvements to Consolidated Sewer Area Project,

**WHEREAS**, the project scope encompasses the installation of comminutors at Country Crossing, Pine Hill, and Hollet Pump Stations and would directly impact less than 5 acres of land; and

**WHEREAS**, the project involves the mitigation of operational difficulty by eliminating built-up coarse solids, thus reducing the risk of mechanical failure and overflow

**NOW THEREFORE BE IT**

**RESOLVED**, that pursuant to Part 617 of the SEQR Regulation, the Village Board of the Village of Woodbury hereby designates its intention to serve as the Lead Agency for the SEQR Review of this Unlisted Action; be it further

**RESOLVED**, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the proposed Unlisted Action will not have a significant effect on the environmental for the reasons enumerated in the attached Negative Declaration Form.

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

Motion was then offered by Trustee Giacomazza, seconded by Trustee Graziano, to adopt the following resolution authorizing the Village Mayor to apply for a grant to the New York State Environmental Facilities Corporation (EFC) under the New York State Water Infrastructure Improvement Act (WIIA) for comminutors:

**WHEREAS**, the Environmental Facilities Corporation is soliciting applications through the Water Infrastructure Improvement Act for clean and drinking water improvement projects; and

**WHEREAS**, the Village of Woodbury has an identifiable need to conduct infrastructure improvements to the Consolidated Sewer Area via the installation of comminutors at Country Crossing, Pine Hill, and Hollet Pump Stations; and

**WHEREAS**, it is anticipated that costs for all work associated with conducting these improvements may exceed \$724,996.80; and

**WHEREAS**, the Village of Woodbury is requesting \$181,249.20 in grant funding through the WIIA program with a committed 75% grant match of \$543,747.60 from municipal contributions; and

**THEREFORE, BE IT**

**RESOLVED**, the Village of Woodbury Village Board does hereby authorize the Village Mayor to submit an application to the Environmental Facilities Corporation through the Water Infrastructure Improvement Act Grant Program to fund necessary infrastructure improvements to the Pump Stations at Country Crossing, Pine Hill, and Hollet Avenue and to execute any formal agreements and associated documents with EFC as part of the funding agreement.

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

Motion was offered by Trustee Burek, seconded by Trustee Gomez, to adopt the following resolution for SEQR determination of significance for the Village of Woodbury improvements to Consolidated Water area project:

**WHEREAS**, the Village Board of the Village of Woodbury is conducting a SEQR Review of an Unlisted Action known as the Village of Woodbury Improvements to Consolidated Water Area Project,

**WHEREAS**, the project scope encompasses the need to connect a new water transmission main from the Trout Brook Well.

**NOW THEREFORE BE IT**

**RESOLVED**, that pursuant to Part 617 of the SEQR Regulation, the Village Board of the Village of Woodbury hereby designates its intention to serve as the Lead Agency for the SEQR Review of this Unlisted Action; be it further

**RESOLVED**, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the proposed Unlisted Action will not have a significant effect on the environmental for the reasons enumerated in the attached Negative Declaration Form.

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

Motion was then offered by Trustee Burek, seconded by Trustee Giacomazza, to adopt the following resolution authorizing the Village Mayor to apply for a grant to the New York State Environmental Facilities Corporation (EFC) under the New York State Water Infrastructure Improvement Act (WIIA) for Trout Brook Well:

**WHEREAS**, the Environmental Facilities Corporation is soliciting applications through the Water Infrastructure Improvement Act for clean and drinking water improvement projects; and

**WHEREAS**, the Village of Woodbury has an identifiable need to connect a new raw water transmission main from the Trout Brook Well; and

**WHEREAS**, it is anticipated that costs for all work associated with conducting these improvements may exceed \$233,600; and

**WHEREAS**, the Village of Woodbury is requesting \$140,160 in grant funding through the WIIA program with a committed 40% grant match of \$93,440 from municipal contributions; and

**THEREFORE, BE IT**

**RESOLVED**, the Village of Woodbury Village Board does hereby authorize the Village Mayor to submit an application to the Environmental Facilities Corporation through the Water Infrastructure Improvement Act Grant Program to fund the installation of a new water transmission main connecting Trout Brook Well to the existing Water Treatment Building and to execute any formal agreements and associated documents with EFC as part of the funding agreement.

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

c. Discussion/Resolution – Request Speed Limit Reduction on Trout Brook Road:

Motion was offered by Trustee Gomez, seconded by Trustee Giacomazza, to adopt the following resolution requesting a speed limit reduction for Trout Brook Road (CR34) pursuant to NYS Vehicle and Traffic Law, Article 37, Section 1622.1:

**RESOLVED** that a request of the Department of Transportation be made to lower the maximum speed limit at which vehicles may proceed on Trout Brook Road (County Road 34) from 55MPH to NYSDOT recommended limit; and be it further

**RESOLVED** that the Village Streets Superintendent submit a TE9 application for to the Orange County Superintendent of Public Works for consideration, together with a certified copy of this resolution; and be it further

**RESOLVED** that upon receipt of notice that the speed reduction has been established, the Village of Woodbury will provide, install and maintain signs in accordance with the Vehicle and Traffic Law and will conform to the Manual of Uniform Traffic Control Devices of the Department of Transportation.

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

d. Return of Building Permit Application Fees – Various Applications:

Mayor Egan noted correspondence was received from Inspector Panella regarding a request received from Superb Developers for the refund of six building permit fee applications that they are withdrawing. The total they paid for all six applications was \$20,800 and he recommends they be refunded less a \$4160 administrative fee to compensate for the time spent reviewing the applications. Motion was offered by Trustee Giacomazza, seconded by Trustee Burek, to approve the return of \$16,640 to Superb Developers for the cancelation of six building permit fees (\$20,800 less a \$4160 administrative fee).

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

e. Acceptance of Resignation – S Capriglione:

Motion was offered by Trustee Graziano, seconded by Trustee Giacomazza, to accept, with regrets, the resignation of Sandra Capriglione from the Planning Board effective November 30, 2021.

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

EXTRA ITEM – Schedule Meeting for ZB Interviews:

Motion was offered by Trustee Graziano, seconded by Trustee Burek, to schedule a special meeting to be held on December 9 at 6:30PM to interviewed individuals that submitted letters of interest to serve on the Zoning Board of Appeals.

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

f. Re-levy of 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:

212-2-6	24 Elmwood Dr HM	\$123.42
211-1-24	33 Birchwood Dr HM	\$19.29
202-1-47	4 Carrol Dr HM	\$25.60
237-1-118	8 Laurel Ct HM	\$105.98

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

EXTRA ITEM – Temporary Closure of Street - Tree Lighting Ceremony – Perrone Circle:

Motion was offered by Trustee Graziano, seconded by Trustee Burek, to temporary close Perrone Circle at the intersection of Valley Avenue/Smith Clove Road on November 27, 2021 for a tree lighting ceremony to be held. In addition, the additional insurance for this event is \$110.

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

**Public Comment:**

Joseph Zlata expressed his concerns about the Woodbury Junction/Villas permits that were approved to be refunded this evening and the effects it may have on the resolution conditions recently amended and approved by the Planning Board. He also congratulated those that won their re-election.

Teresa Luongo thanked the Board for approving the tree lighting event.

Sandy Capriglione thanked the Board for the opportunity to serve the community and thanked Planning Board Chairman Gerver for being an inspiration to her.

**Board Member/Department Comment**

Mayor Egan congratulated all the individuals that won their elections. He also thanked those that were unsuccessful in their re-election bids for their years of dedication to the community. He then reminded all that there is no parking on Village streets during inclement weather November 15 – April 15. He asked all to be respectful of their neighbors to allow for proper snow removal.

Trustee Graziano thanked all that voted for him and congratulated the other board members that were also re-elected. He also congratulated the individuals that won elections on the Town Board. He noted he looks forward to collaborating with everyone. He then thanked Mayor Egan for his years of dedicated service to the Village and wished him great success in his future endeavors. He also thanked Supervisor Palermo, Councilwoman Hernandez and Councilman Hunter for their service to the community. He noted it is now time to work together to make Woodbury the best it can be. He ended by wishing all a Happy Thanksgiving.

Trustee Gomez thanked Sandra Capriglione for her time serving the community. He congratulated the board members re-elected and those elected to the Town Board. He wished all a Happy Thanksgiving and he thanked all the Department Heads and employees.

Trustee Burek congratulated all that were recently elected and noted she looks forward to working with everyone. She also thanked those that have terms ending for serving the community. She also thanked Sandra Capriglione for her service to the community. She then provided an update on the Land Preservation Committee's efforts. Work began a little over a year ago and she is very proud that open space and natural resource preservation is finally be given the attention it deserves. The Village Planner will be working on finalizing the community preservation plan over the next few weeks. She acknowledged the dedication and commitment of the volunteers. She then wished everyone a Happy Thanksgiving.

Trustee Giacomazza thanked the Woodbury Fire Department for inviting him and the other Board members to attend their annual inspection dinner. He congratulated all that received awards for their accomplishments over the past year. He then thanked and acknowledged Sandra Capriglione for her years of service and dedication to the community. He then thanked all that voted for him to serve as the next Mayor, adding he is humbled by the support. He then wished all a Happy Thanksgiving.

Fire Chief Burke thanked the Board for all their support.

**Adjournment:**

With no further business to conduct or comments received, a motion was offered by Trustee Gomez, seconded by Trustee Giacomazza, to adjourn the meeting at 8:45PM.

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

Desiree Potvin, Village Clerk

**Attorney/Client Session with Village Attorney**