

Minutes of the Village Board Meeting held on October 27, 2022 at 7:30PM

- Present: Andrew Giacomazza, Mayor  
Tara Burek, Susan Ciriello, Victor Ferrarelli 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; James Skoufis, Senator

Mayor Giacomazza presented to Senator Skoufis a plaque in recognition of his commitment to the residents of Woodbury and his financial support through legislative grants. Senator Skoufis stated he is humbled by the recognition, and stressed part of his job is to support the municipalities in his Legislative District when he can.

**Update – Water Well Exploration:**

William Canavan, HydroEnvironmental Solutions, provided an update on the well exploration project. He provided some history of what has been accomplished to date and noted Well TW12 is pumping at 550gpm without effecting well TW11. Testing is being done and the draft report should be out soon. Once received and reviewed with the Village engineers, plans will be sent to the NYSDOH for approvals and permits. He believes this is good news for the Village’s future water supply. He also feels there is probably room for another well at this location. He confirmed that costs are still on budget. Trustee Graziano stated the supply is equivalent to just over one million gallons per day. Superintendent Phillips stated the filters will be designed to handle a much higher outage so that it will be able to grow as needed. Mr. Canavan stated everyone that has been working on this project has been great to work with.

**Public Comment on Agenda Items Only:** *No public comments were received.*

**Administrative Business:**

a. Acceptance of Minutes:

Motion was offered by Trustee Ciriello, seconded by Trustee Ferrarelli, to accept receipt of the minutes of the meeting held October 13, 2022.

<b>ADOPTED</b>	AYES	4	Giacomazza, Burek, Ciriello, Ferrarelli
	ABSTAIN	1	Graziano

b. Approval of Abstract:

Motion was offered by Trustee Graziano, seconded by Trustee Ferrarelli, to approve Abstract 9 containing vouchers 220801 – 220953 and totaling \$703,393.03.

<b>ADOPTED</b>	AYES	5	Giacomazza, Burek, Ciriello, Ferrarelli, Graziano
	NOES	0	

c. Change November Meeting Schedule – Combine November 10 and 24 to November 15:

Motion was offered by Trustee Burek, seconded by Trustee Ciriello, to cancel the November 10 meeting (Veteran’s Day) and the November 24 meeting (Thanksgiving), combining them into one meeting to be held on November 15 at 7:30PM.

<b>ADOPTED</b>	AYES	5	Giacomazza, Burek, Ciriello, Ferrarelli, Graziano
	NOES	0	

**Old Business:**

a. Approve Change Orders – New LED Lamps-Fixture Retrofit:

Motion was offered by Trustee Graziano, seconded by Trustee Burek, to approve Change Order 1 for the “New LED Lamps-Fixture Retrofit” project totaling \$841.90 for additional materials/hardware needed to add more rooms to the proposal at all three locations.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

Motion was then offered by Trustee Burek, seconded by Trustee Ciriello, to approve Change Order 2 for the “New LED Lamps-Fixture Retrofit” project totaling \$2500 to remove and replace the dimmer switches and wires in the Ready Room and Meeting Room.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

b. Schedule Public Hearing – Harriman Common Moratorium Waiver Request

Mayor Giacomazza stated this item is tabled to the next meeting as the applicant has not posted the required escrow for this application.

**New Business:**

a. Introductory Local Law 9 of 2022 – Towing:

Motion was offered by Trustee Ciriello, seconded by Trustee Burek, to introduce Introductory Local Law 9 of 2022 which would amend Chapter 283 entitled “Towing” to provide additional exemptions to the requirement for license to tow within the Village.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

Mayor Giacomazza stated no SEQRA actions are required for this issue per Attorney Naughton.

Motion was then offered by Trustee Graziano, seconded by Trustee Burek, to refer Introductory Local Law 9 of 2022 to the Woodbury Police Department for comments.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

Motion was then offered by Trustee Ciriello, seconded by Mayor Giacomazza, to schedule a public hearing to entertain public comments on Introductory Local Law 9 of 2022 to be held on November 15, 2022 at 7:30PM.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

b. Approve Proposal – Replacement of Doors:

Mayor Giacomazza stated this item until additional quotes can be obtained pursuant to the procurement policy. Downstairs double doors to enter the firehouse have needed to be replaced for some time but additional quotes are needed before the project can be awarded.

c. Approve Proposal – Replace Existing Domestic Water Double Check Backflow Preventer:

Motion was offered by Trustee Graziano, seconded by Trustee Burek, to authorize the Mayor to sign the proposal from United totaling \$10,444 for the replacement of the existing domestic water double check backflow preventor at the Village Hall.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

d. SEQRA Action – Ridge Road Bridge Repairs:

Motion was offered by Trustee Graziano, seconded by Trustee Burek, to declare the Village Board interest to be Lead Agency under SEQRA for the “Ridge Road Bridge Replacement” project.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

Motion was then offered by Trustee Burek, seconded by Trustee Ciriello, to declare the “Ridge Road Bridge Replacement” project as an unlisted action under SEQRA and to authorize Attorney Naughton to circulate the notice of intent as required.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

Mayor Giacomazza then provided an update on this project. Earlier this week he declared an emergency for procurement purposes and signed a letter of intent with a company that will be installing a temporary bridge, which the Board thought would be the best solution for the time being. It is anticipated the temporary bridge will be delivered by Thanksgiving and then installed afterwards. He acknowledged all the work that was done by Superintendent Weyant on this issue. The tentative timeline is to have the entire project completed by late Spring 2023. When the permanent bridge structure is being installed the road will again need to be closed for a short period of time. The Town and the Village will be sharing this cost evenly until FEMA reimbursement is determined.

EXTRA ITEM – Price Lock for Electric Supply:

M&R Energy Resources Corporation, the Villages energy supply consultants, have reached out regarding our lock-in price for electrical supply, which expires in November. The rate we currently are paying is \$0.05710 per kWh. The bids received are significantly higher, with the recommended bid being \$0.11388 for 12-months from our current supplier, Constellation. Motion was offered by Trustee Graziano, seconded by Trustee Burek, to authorize the Mayor to sign the contract prepared by M&R Energy for the electrical energy supply from Constellation.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

**Public Comment:**

The following individuals spoke about Seth Pulver and Rushmore Estates: Lynn Sear (twice), Beth Erickson(?), Karen Fry, Seth Pulver, Mary Ratkowski, Russell Cohen, Jimmy Ng and George Lithco. *(All comments can be viewed online on the YouTube® page “Woodbury Orange County, NY”).* Trustee Burek stated the Board will be discussing this issue at its November 15 meeting. This will give the Board time to review all the public comments and the documents submitted by the applicant’s attorney.

Richard Cataggio asked if there will be a weight restriction on the temporary bridge and if so, will signage be posted. Superintendent Weyant stated the heaviest weight will be equivalent to the Village vehicles and signage will be erected. Mr. Cataggio then invited the Village Board to the Highland Lake Estates Board meeting on December 5.

Maria Hunter stated she cannot make comments on some issues because her business has been threatened. Halloween night the Chamber will be holding their annual Trunk or Treat at the Central Valley Elementary School parking lot 6PM – 8PM.

John Keller spoke about the low railroad bridges (Estrada, Smith Clove and Pine Hill). Twice today there were three tractor-trailers that needed to do a U-turn on Smith Clove Road. Superintendent Weyant stated those bridges are owned by the MTA. Mr. Keller asked what can be done to get signage on Route 32 and all the other routes so the tractor-trailer drivers have prior notice that there is a height restriction. Superintendent Weyant noted there are signs erected already, which MTA is responsible for doing so and which are ignored. He will reach out to the MTA tomorrow about the issue. Richard Cataggio stated he also works for MTA and he will work with Superintendent Weyant on this issue.

Beverly Salvara (?) spoke about her concerns with Ridge Road being closed and the time it will take for emergency services to respond. He asked the temporary bridge installation to be expedited.

**Board Member/Department Comment:**

Trustee Graziano urged all to vote next month. He thanked Senator Skoufis for what he has done for Woodbury. He stated he understands the frustrations and explained that things take a long time to get done. He does not like that government moves slow due to all the “red tape” put in place by the State laws. He is trying to move things quicker as best he can. The bridge is getting done as quick as possible while complying with the many state agencies that are required to be involved. He believes we have a good solution going forward and he sees both sides of the argument. He thanked all for attending the meeting tonight and speaking their opinions, which is what government should be about. He wishes this level of participation occurred at every meeting. He respects everyone’s opinion, whether he agrees or disagrees.

Trustee Ferrarelli thanked all that attended and participated this evening. He is looking forward for the discussion the Board will be having at the November 15 meeting.

Trustee Ciriello thanked all for attending. She appreciates hearing everyone’s insight. She then urged all to vote. She also asked all to drive carefully on Halloween night while the trick-or-treaters are out and about.

Trustee Burek stated the Board does not want the topic of Rushmore Estates to be contentious. Every comment is taken to heart and research will be conducted before decisions are made. She stressed nothing is taken lightly, and that no rash decision will be made. Regardless of what happens, the Board members are all decent human beings. Regarding comments made on social media – she urged all the “think before you post” as Board members are human too.

**Adjournment:**

With no further business to discuss or comments received, a motion was offered by Trustee Ferrarelli, seconded by Trustee Graziano, to adjourn the meeting at 9:05PM.

**ADOPTED**      AYES    5            Giacomazza, Burek, Ciriello, Ferrarelli, Graziano  
                     NOES    0

Desiree Potvin, Village Clerk

**Attorney/Client Session with Village Attorney**