

Minutes of the Village Board Meeting held on December 8, 2022 at 7:30PM

Present: Andrew Giacomazza, Mayor
Tara Burek, Susan Ciriello and Christopher Graziano, Trustees
Victor Ferrarelli, Trustee (virtual)

Absent: None

Also Present: Kelly Naughton, Attorney for the Village; Robert Weyant, Village Streets Superintendent;
Michael Panella, Building Inspector

Public Hearing(s):

a. Introductory Local Law 10 of 2022 – Zoning - Event Venues:

A public hearing was held to entertain public comments on Introductory Local Law 10 of 2022 to amend Chapter 310 (“Zoning”) of the Village Code to allow event venues as a special permit use. The public notice was printed in the Times Herald Record on December 1, 2022 and the following comments were received:

Mayor Giacomazza stated a response was received from the Orange County Planning Department as part of the required GML review. Their response states they have “found no evidence that significant intermunicipal or countywide impacts would result from its approval” and that they have “no advisory comments”. Last night the Planning Board met and reviewed the introductory local law. He asked Attorney Naughton if the suggestions/changes would it be considered substantive, requiring a new public hearing and she stated it would not.

George Lithco stated he spoke with Attorney Naughton about the proposed local law this afternoon and he has submitted a letter for the Boards consideration. He then asked how the Board plans to act on SEQRA regarding this issue and if the Board will have further conversation after the hearing.

Motion was then offered by Trustee Ciriello, seconded by Trustee Burek, to close the public hearing and accept written comments until December 16, 2022.

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

Attorney Naughton stated she will be revising to the law and will also be providing a report with the Planning Board’s review/discussion. She suggested the Board not take any SEQRA action at this time.

b. Moratorium Waiver Request – 19 Seven Springs Road:

A public hearing was held to entertain public comments on a request for relief from Local Law 5 of 2022 (which continued a moratorium on the issuance of certain permits, certificates of occupancy and approvals) for the property located at 19 Seven Springs Road. The public notice was printed in the Times Herald Record on December 1, 2022 and the following comments were received:

Larry Hartmann, representing the applicant, provided background and timeline on this project, which started approximately two years ago. Earlier this year they applied for a waiver, but they were denied. Since then, additional exemptions were added to the process and he believes the property falls under the exemption as the property has an existing, private well and it is an existing, single-family home that is applying to be enlarged.

With no further comments received, a motion was offered by Trustee Graziano, seconded by Trustee Burek, to close the public hearing.

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

Motion was then offered by Trustee Ciriello, seconded by Trustee Burek, to grant the waiver request for 19 Seven Springs Road.

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

Public Comment on Agenda Items Only

Roger Conner spoke about the Altice application before the Board this evening. Mr. Conner stated Altice will be conducting a multi-million-dollar infrastructure upgrade to complete fiberoptics so it will be ready to meet the evolving broadband needs of residents and businesses. The technology and system architecture requires the placement of ground mounted cabinets, known as “Remote Optical Line Termination” points (ROLT). The cabinets are self-contained and do not emit radio waves. Placement of the cabinets is based on design/engineering and are subject to the number of homes per mile density. As such, they would like to install four cabinets in the Village right-of-way – one on Estrada Road (cross street Nazzero Court), Ridge Road (cross street Seven Springs Road), Quaker Road (cross street Route 32) and Milval Lane (cross street Seven Springs Road). Superintendent Weyant has met with Altice’s contractor and a site inspection was conducted. Altice also has an application before the Planning Board for the cabinet installation. At this time, they are asked the Village Board for permission to be able to place the cabinets in the right-of-way.

Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Trustee Graziano, seconded by Trustee Ciriello, to accept receipt of the minutes of the meeting held November 15, 2022.

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

b. Approval of Abstract:

Motion was offered by Trustee Ciriello, seconded by Trustee Burek, to approve Abstract 11, containing vouchers 221105 – 221276 and totaling \$743,545.05.

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

c. Fire Department Equipment Request(s):

Motion was offered by Trustee Burek, seconded by Trustee Ciriello, to approve Fire Department Equipment Request 2022-32 totaling approximately \$590 for the purchase of two batteries for the saw and to purchase one saw.

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

Old Business:

a. SEQRA Actions – DASNY Legislative Grant – CV Firehouse Purchase:

Mayor Giacomazza noted SEQRA action is required to be conducted in relation to the \$250,000 grant the Village was awarded by Senator Skoufis for the acquisition of the Central Valley Firehouse. Motion was offered by Trustee Graziano, seconded by Trustee Ciriello, to declare the Village of Woodbury Board of Trustees as Lead Agency for the DASNY project known as “Purchase of Central Valley Firehouse”.

ADOPTED AYES 5 Giacomazza, Burek, Ciriello, Ferrarelli, Graziano

NOES 0

Motion was then offered by Trustee Burek, seconded by Trustee Graziano, to type this project as an Unlisted Action under SEQRA.

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

New Business:

a. Addition to Electrical Inspector List – SAS Electrical Inspection Company:

Motion was offered by Trustee Graziano, seconded by Trustee Burek, to add SAS Electrical Inspection Company to the list of approved electrical inspectors for Woodbury, as recommended by Building Inspector Panella.

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

b. Request to Access ROW – Altice Fire Cabinets:

Motion was offered by Trustee Graziano, seconded by Trustee Burek, to approve the placement of four cabinets in the Village right-of-way by Altice for their fiber network system.

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

c. Schedule Public Hearing – Moratorium Waiver Request – 152 Seven Springs Road:

Motion was offered by Trustee Graziano, seconded by Trustee Ciriello, to schedule a public hearing to be held on December 20, 2022 at 7:30PM to entertain public comments on the application whereby the property owner of 152 Seven Springs Road is alleging that it suffers unnecessary or extraordinary hardship from the moratorium.

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

d. Authorize Clerk to Sign – LOSAP Plan Amendment:

Motion was offered by Trustee Graziano, seconded by Trustee Burek, to authorize the Village Clerk, as Plan Administer, to sign the amendment to the LOSAP Plan increase the benefit from \$20/year active to \$30/year active beginning January 1, 2023.

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

e. Discussion – Gonzaga Park and Municipal Boundary Lines:

A few months ago, Senator Skoufis reached out to the Board about a small parcel of land that possible represents a channel to annexation for Blooming Grove. Earlier this month, Mayor Giacomazza and Trustee Ferrarelli met with Senator Skoufis to discuss the issue further. This potential annexation would remove the shared boundary between Palm Tree/Kiryas Joel and Blooming Grove/South Blooming Grove, thus creating a buffer and cutting off any channel to annexation. Woodbury would realize marginal benefit with the additional parkland and associated property taxes paid by the County. Motion was offered by Trustee Ciriello, seconded by Trustee Graziano, to authorize the Village Clerk to send a letter to the County Legislature in favor of proceeding forward with this land transfer.

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

Public Comment:

Beverly Silvara stated, since Highland Lake Estates falls outside the parameters of Town/Village rules in terms of road safety, would the local law recently adopted apply to shuls (referring to Local Law 4 of 2022 – KnoxBoxes – adopted June 9, 2022). Mayor Giacomazza stated the law applies to all commercial properties and multi-family homes. Ms. Silvara asked about the number of individuals that gather at one location and Mayor Giacomazza stated the law has nothing to do with gathering. He explained it relates to Emergency Services being able to access a property that has multiple egress points requiring a key, not a home with a main entry door. Trustee Burek added, and Attorney Naughton confirmed, at the request of the Building Department, Fire Marshal or Chief of the Woodbury Fire Department based on a particularized need to access a building for safety purposes one can be required.

Board Member/Department Comment:

Trustee Graziano thanked all for attending the meeting. He stated he is very proud to work with the people on the Board and in the Village. He is proud of everything that has been able to be accomplished. He hopes 2023 will calm down all health concerns and a sense of normal can return. He then wished everyone a safe and health holiday season.

Mayor Giacomazza stated he hopes everyone enjoyed their Thanksgiving and thanked all for attending the meeting tonight.

Adjournment:

With no further business to discuss or comments received, a motion was offered by Trustee Burek, seconded by Trustee Graziano, to adjourn the meeting at 8:10PM.

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

Desiree Potvin, Village Clerk