

Minutes of the Village Board Meeting held on January 26, 2023 at 7:30PM

Present: Andrew Giacomazza, Mayor  
Tara Burek, Susan Ciriello, Victor Ferrarelli and Christopher Graziano  
Absent: None  
Also Present: Kelly Naughton, Attorney for the Village; Robert Weyant, Village Streets Superintendent;  
Michael Phillips, Water/Wastewater Administrator; Jason Braghirol, Assistant  
Water/Wastewater Administrator; Michael Panella, Building Inspector

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

**Administrative Business:**

a. Acceptance of Minutes:

Motion was offered by Trustee Burek, seconded by Trustee Ferrarelli, to accept receipt of the minutes of the meeting held on January 12, 2023.

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

b. Approval of Abstract:

Motion was offered by Trustee Ciriello, seconded by Trustee Graziano, to approve Abstract 14 containing vouchers 221472 – 221526 and totaling \$1,149,831.80.

**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 2023-01 totaling approximately \$3080.75 for the purchase of two REX TOOLS, EMI finger ring cutter, four EMS replacement blades, four boxes of coverall in various sizes, gas calibration mix and various adaptors.

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

d. Discussion/Change to Meeting Schedule in February:

Mayor Giacomazza this was determined to not be necessary so no action will be taken.

e. Update to Fire Department Membership:

Motion was offered by Trustee Burek, seconded by Trustee Ferrarelli, to change the status of the following individuals from “active” to “inactive” at the request of Chief Burke: Kieran Hagan, Kenneth Hand, Francis Corsello, John Hand III, Zachary Egan, Matthew Heady, Nicole Theiss, Christopher Reilly, Kevin McSherry, James Rosaschi, Nicholas Dohman, Edward Smith and Eric Luding.

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

f. Resolution – Relevy of Previously Exempt Properties:

Motion was offered by Trustee Graziano, seconded by Trustee Burek, 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 FY2023/2024 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:

236-2-14	10 Regina Drive	\$118.24
244-1-1.66	1101 Evergreen Court	\$88.15
244-1-1.110	1702 Rosewood Court	\$28.27
201-1-18	12 Trout Brook Road	\$18.67

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

**Old Business:**

a. Schedule Special Meeting – Interviews for ZBA

Motion was offered by Trustee Ciriello, seconded by Trustee Ferrarelli, to schedule a special meeting to be held on February 9, 2023 at 6:30PM to conduct interviews of individuals that submitted letters of interest to volunteer on the Zoning Board of Appeals.

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

b. Reschedule Public Hearing – Introductory Local Law 1 of 2023 Short Term Rentals – 3/9/2023:

Motion was offered by Trustee Ciriello, seconded by Trustee Burek, to change the date of the public hearing on Introductory Local Law 1 of 2023 to now be held on March 9, 2023 at 7:30PM.

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

c. Discussion – PB Suggested Amendments to Introductory Local Law 10 of 2022 Event Venues:

The Board reviewed with Attorney Naughton the comments/suggestions received from the Planning Board and Building Inspector Panella. The Board agreed the suggestions were reasonable and they should be incorporated into the law. Attorney Naughton will revise the law for the Board’s consideration at a future meeting. The discussion can be seen/heard here:

<https://www.youtube.com/@woodburyorangecountyny6836>

d. Resolution – Moratorium Additional Exemption:

Motion was offered by Trustee Graziano, seconded by Trustee Ferrarelli, to adopt the following resolution amending the promulgated regulations relative to the hardship waiver process adopted in accordance with Local Law 5 of 2022 (continuing the moratorium on certain permits, certificates of occupancy and approvals):

**WHEREAS**, the Village of Woodbury adopted Local Law No. 5 of 2022 entitled “A Local Law Continuing the Moratorium on Certain Permits, Certificates of Occupancy and Approvals” (the “Moratorium”), after having received reports that the Village’s water supply is at a critical juncture; and

**WHEREAS**, the purpose of the Moratorium is to protect the public health, safety and welfare of the residents of the Village and to maintain the status quo of residential and nonresidential development in the Village; and

**WHEREAS**, on July 14, 2022, the Board of Trustees adopted a resolution promulgating regulation establishing a hardship waiver process to the Moratorium, which moratorium has been extended for a period of six (6) additional months; and

**WHEREAS**, the Board of Trustees finds it necessary to further amend those regulations to account for properties served by municipal water connections from the Village of Harriman or the Village of Kiryas Joel and private wells, as well as certain properties that are proposing modifications and/or additions that will result in only minor increases to water usage, as determined below.

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Woodbury Board of Trustees hereby determines that the waiver process is hereby amended to repeal Subsection E and replace it with the following language:

E. Exemptions.

- 1) Should any owner of property affected by Local Law No. 5 of 2022 seeking to construct, or having already constructed, a single-family dwelling located outside of the Consolidated Water Area, be served by a private well for use as potable water, said property owner shall be permitted to provide proof of such connection to the Building Department, Water Department and Village Clerk, which may be referred to the Village Engineer. Upon a determination that the information provided is accurate, said property shall be eligible for a hardship waiver, the fee and the public hearing for which may be waived by the Board of Trustees.
- 2) Should any owner of property affected by Local Law No. 5 of 2022 seeking to construct, or having already constructed, a building or structure located outside of the Consolidated Water Area, be served by a municipal water connection from the Village of Harriman or the Village of Kiryas Joel or other private water company, said property owner shall be permitted to provide proof of such connection to the Building Department, Water Department and Village Clerk, which may be referred to the Village Engineer. Upon a determination that the information provided is accurate, said property shall be eligible for a hardship waiver, the fee and the public hearing for which may be waived by the Board of Trustees.
- 3) Applications to the Planning Board, Zoning Board and/or Building Department for ARB, site plan, special permit and building permit approval, as necessary, for a “dwelling unit for additional family member” pursuant to Village Code § 310-35 shall be permitted to proceed as being exempt from the moratorium.
- 4) Applications to the Planning Board, Zoning Board and/or Building Department for ARB, site plan, special permit and building permit approval, as necessary for any new building construction, renovation or expansion of an existing building, or change of use or intensity of use that would result in an increase in water usage less than or equal to 220 GPD. A property shall not be permitted to receive more than one waiver pursuant to this provision (i.e., which would be result exceeding the 220 GPD limitation by compounding requests).

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

**New Business:**

- a. Introductory Local Law 2 of 2023 – Tax Cap Override:

Motion was offered by Trustee Graziano, seconded by Trustee Ciriello, to introduce Introductory Local Law 2 of 2023 entitled "Tax Cap Override" to override the tax levy limit for FY2023-2024 established in General Municipal Law Section 3-c, if necessary.

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

Motion was offered by Trustee Ciriello, seconded by Trustee Burek, to schedule a public hearing to be held on February 9, 2023 at 7:30PM to entertain public comments on Introductory Local Law 2 of 2023 entitled "Tax Cap Override".

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

b. Schedule Public Hearing – Moratorium Waiver Request – 16 Country Hollow:

Motion was offered by Trustee Ferrarelli, seconded by Trustee Ciriello, to schedule a public hearing to be held on February 9, 2023 at 7:30PM to entertain public comments on a petition received from Shie Klein requesting a waiver of Local Law 5 of 2022 (Building Moratorium)

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

c. Authorize Advertising for Bids – Building Department Office Building (fka Osweiler):

Motion was offered by Trustee Graziano, seconded by Trustee Ciriello, to authorize the advertising for bids for the remodeling and improvements of the office building located at 19 Adams Street for the Building Department.

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

d. Trout Brook Well No. 12 Project:

Motion was offered by Trustee Burek, seconded by Mayor Giacomazza, to declare the Village of Woodbury Board of Trustees as Lead Agency, under SEQRA, for the project known as "New Water Supply Well and Transmission Main (aka Trout Brook Well 12)".

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

Motion was then offered by Trustee Graziano, seconded by Trustee Ferrarelli, to type this project as unlisted under SEQRA.

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

Motion was then offered by Trustee Ciriello, seconded by Trustee Burek, to authorize H2M architects + engineers, as the engineers for the Village, to make submissions to the NYSDEC, NYSDOH and OCDOH, as necessary.

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

Motion was then offered by Trustee Graziano, seconded by Trustee Burek, to approve the submission of Regulatory Permitting Applications.

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

e. Completion of SEQRA Actions for Trout Brook Well No. 11:

Motion was offered by Trustee Burek, seconded by Trustee Ferrarelli, to assume Lead Agency, as no objections have been received.

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

Motion was then offered by Trustee Burek, seconded by Mayor Giacomazza, to issue a negative declaration.

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

f. Advertise for Bids – Water/Sewer Vehicle:

Motion was offered by Trustee Graziano, seconded by Trustee Ciriello, to authorize the Village Clerk to advertise for bids for the purchase of a 2023 Silverado 1500 Crew 4WD Short Bed for the Water/Sewer Department.

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

**Public Comment:**

The following individuals spoke during public comment: Lisa Hintze (Climate Smart Community Task Force) and Jimmy Ng. Comments can be seen/heard on the following website:

<https://www.youtube.com/@woodburyorangecountyny6836>

**Board Member/Department Comment:**

The Board members collectively thanked all for attending the meeting this evening. Comments can be seen/heard on the following website:

<https://www.youtube.com/@woodburyorangecountyny6836>

**Adjournment:**

With no further comments received or business to discuss, a motion was offered by Trustee Graziano, seconded by Trustee Ferrarelli, to adjourn the meeting at 8:13PM.

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

Desiree Potvin, Village Clerk