

Minutes of the Village Board Meeting held at Town Hall on November 21, 2017 at 7PM

Present: Michael Queenan, Mayor
Neil Crouse, Timothy Egan, Thomas Flood and Anthony Mickolajczyk, Trustees
Absent: None
Also Present: Jessica McClennan, Deputy Village Clerk; Michael Phillips, Water/Sewer Administrator;
Sandra Capriglione and Maria Hunter, Planning Board

I. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Trustee Flood, seconded by Trustee Egan, to accept the minutes of the meeting held November 9, 2017.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Mickolajczyk
NOES 0

b. Approval of Abstract:

Motion was offered by Trustee Crouse, seconded by Trustee Mickolajczyk, to approve Abstract 12 containing vouchers 171046 - 171133 and totaling \$767,541.65.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Mickolajczyk
NOES 0

c. Fire Department Equipment Requests:

Motion was offered by Trustee Mickolajczyk, seconded by Trustee Egan, to approve Fire Department Equipment Request 2017-22 totaling approximately \$4986.45 for the purchase of nozzle equipment for E521, 2017-23 totaling approximately \$932.29 to purchase forcible entry equipment and elbow replacements.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Mickolajczyk
NOES 0

II. Old Business:

a. Zone Change Request – Lakeside Affiliates/Highland Mills Center Group:

Highland Mills Center Group LLC and Lakeside Affiliates LLC have petitioned for the creation of a Senior Housing Overlay District for their property located at Section 218, Block 2, Lot 7. The Village Board has had documentation on this request since July 2017 and the applicant is looking for direction on how to proceed. If the Board opts to move forward with the request, then a joint public hearing with the Planning Board will need to be schedule, which Clerk Potvin will organize. Trustee Egan stated he has reviewed the documentation submitted several times and he is not convinced that this is something that is needed right now. The market analysis provided, at his request, is outdated and contains some inaccuracies. He questions the validity of the data contained in the documents. Trustee Flood stated he is not in favor of this application. Trustee Mickolajczyk stated he has also reviewed the documents submitted and believes the analysis is leaned very heavily on a survey done many years ago. He would like to see the analysis done with current data to substantiate this request before entertaining it further. Trustee Crouse stated he believes senior housing is needed but is not sure if this is the correct proposal. Mayor Queenan stated he also believes there is a need for senior housing which is why the Village Code provides for an overlay district. He does not know at this time if this is the correct project for it or not. Mayor Queenan summarized that at this point the Board has chosen not to entertain this application and all agree to not proceed at this time. He will notify the applicant and ask if they wish to provide additional, updated documentation.

b. Auction Results – Surplus Equipment:

Clerk Potvin noted the auction closed on November 20 and the following were the high bids received: 2010 Ford Explorer \$7000.00, 1996 Ford E-350 \$5200.00, 2010 Chevy Tahoe \$8800.00. It was noted the 1994 Pierce Fire Truck had the auction close date extended due to low bidding. The office furniture and the fire foam will be auctioned again due to low or no bidding also. These items will be on the next agenda. Motion was offered by Trustee Egan, seconded by Trustee Mickolajczyk, to accept the highest successful bidder for the sale of the items listed above.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Mickolajczyk
 NOES 0

Trustee Egan noted he did some market research for the vehicles that were put out to auction. While the price on the Tahoe came in lower than the fair market value he feels the amount received is appropriate for the usage the vehicle experienced.

III. New Business:

a. Resolution – New York Paid Family Leave:

Motion was offered by Trustee Flood, seconded by Trustee Egan, to adopt the following resolution opting out of the New York Paid Family Leave:

WHEREAS, New York Paid Family Leave is an employee paid benefit that will mandate up to 12 weeks of job-protected paid leave to address family related issues; and

WHEREAS, these family related issues including bonding with a newborn, adopted or foster care child during the first twelve months after birth or placement, caring for a seriously ill family member or addressing important needs related to a family member's military service; and

WHEREAS, in order for an employee to be eligible for this program they must work at least 20 hours a week for at least 26 consecutive weeks or work less than 20 hours a week for at least 175 days; and

WHEREAS, as a public employer the Village of Woodbury has the option to either opt in or opt out of this program; and

WHEREAS, if the Village of Woodbury decides to opt into the Paid Family Leave program it is required to submit an application and plan to the New York State Workers' Compensation Board, along with providing notice to its employees at least 90 days before collecting employee contributions through payroll deductions (0.126%); and

WHEREAS, any collective bargaining units may negotiate with the Village of Woodbury to offer Paid Family Leave benefits if their membership wishes to participate in this program.

NOW, THEREFORE, BE IT

RESOLVED that the Village of Woodbury hereby elects to not participate in the New York Paid Family Leave program at this time; and be it further

RESOLVED that the Village Clerk is hereby directed to send a certified copy of this resolution to the Workers' Compensation Board and the Disability Insurance Carrier; and be it further

RESOLVED that the Village Mayor is hereby directed to notify each employee of the Village's decision to not opt into this program at this time.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Mickolajczyk
 NOES 0

IV. Public Comment:

Matt Higgins congratulated those that were re-elected. He noted the Board spent a lot of time and effort on the Senior Housing Zoning Law and he is sure he is not the only one that is concerned about this application becoming Section 8 housing. He would like to see written into the law that

Section 8 would not be permitted. He also feels the project should be phased to see if it would be sellable. He also feels that it would require a traffic single on Route 32 which he is not in favor of. He asked that these issues be considered should the project move forward. He then asked if the Village Board has read the recent DEC rock quarry permit renewal. It mentions that there will be 10x the volume and there was a misfiled air quality permit which he does not understand and they have a lot of new equipment. The site is completely rebuilt to accommodate the increased volume. He asked if anyone has spoken to the new owner about his plans. He also stated they use an electrical generator that he hears humming when he is inside and outside of his house. Other people complain about the noise over there. Regarding the hours of operation on Saturday they do maintenance at 5:45AM and he can hear the backup generators. He hopes the Village Board can do something and look into this. The permit was up for renewal on Sunday and no one can see the renewal for the permit and he hopes the Village Board has read the document. There is no way for the public to comment and a SEQRA was done two years ago. He asked if anyone has spoken to the new owner. Mayor Queenan reminded Mr. Higgins that the permitting is done by the DEC mining division and that is where he should be seeking the answers to the questions he has. He did meet the owner but did not ask him about his plans. Mr. Higgins asked if the hours of operation are different then what the village has. Trustee Mickolajczyk stated he believes the special permit from the Planning Board states the hours of operation they were permitted. If they are in violation of the hours of operation then Mr. Higgins should file a complaint with the Building Department. Mr. Higgins stated he does not feel that he should have to file a complaint since he is bringing it to the Village Boards attention. He then wished everyone a Happy Easter¹.

Christopher Gerver asked if the market analysis report was available to the public and he was instructed it could be requested through FOIL. He asked the Board to be more proactive and do a better job of notifying the residents when there is a change in meeting dates. He then noted his concern about the I87 overpass on Smith Clove Road and the fact that it is hit frequently by oversized vehicles. He suggested signage be erected on Route 32 so motorists are aware of the height restriction prior to turning onto Smith Clove Road. Mayor Queenan stated he will look into both issues.

Rey Hernandez congratulated the Board members that were reelected. He concurs with comments made by Mr. Higgins that Section 8 should be prohibited in Woodbury as it will affect the quality of life. If the senior housing project were to move forward he would like the Board to make sure that only seniors are allowed to move into the development. No families should be permitted to have children living there. Trustee Mickolajczyk noted the Village law is very specific and only permits an individual under the age of 55 to live there for two specific reasons - the child is disabled or the senior needs a caretaker.

V. Board Member/Department Comment:

The Board wished all a Happy Thanksgiving and reminded motorist to avoid the southern end of town during the shopping weekend. All were also asked to drive carefully and obey speed limits.

Trustee Crouse stated he attended the Orange County Transportation Council meeting today to try to obtain information on plan changes of the Route 6/32/17 Interchange. The NYSDOT was not present but did telephone in. They stated the Governor will be having a media release after the holiday and no information is available until then. A reporter from the Times Herald Record was at the meeting and she stated her usual sources with the NYSDOT have not been returning her calls. They were told bids are being released based on a design and bidders are finding it difficult to meet the timeframes

¹ Not a typo

imposed. The design proposed has been used in other states and it is less expensive and faster to build but they did not speak to the quality of it. Trustee Egan stated he will not comment on the issue but he is not happy about it.

VI. Adjournment:

With no further comments received or business to discuss, motion was offered by Trustee Flood, seconded by Trustee Egan, to adjourn the meeting at 7:30PM.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Mickolajczyk
 NOES 0

Desiree Potvin, Village Clerk