

Minutes of the Village Board Meeting held at Town Hall on July 26, 2018 at 7PM

Present: Michael Queenan, Mayor
Timothy Egan, Thomas Flood and Anthony Mickolajczyk, Trustees
Absent: Neil Crouse, Trustee
Also Present: Kelly Naughton, Attorney for the Village; Dennis Lindsay and Tomas Matias, Engineer for the Village; John Collins, Traffic Consultant; Michael Phillips, Water/Sewer Administrator; Jessica McClennan, Deputy Village Clerk; Sandra Capriglione and Maria Hunter, Planning Board; Robert Hunter, Town Council

I. Public Hearing:

a. Introductory Local Law 5 – Zone Change – Senior Housing:

A public hearing was held on Introductory Local Law 5 which would change the zoning designation of specific properties located along NYS Route 32 from Limited Commercial (LC) and Residential Two-Acre (R2A) to Senior Housing (SH) and to amend the zoning map to reflect this change. The properties to be changed are known on the Woodbury Tax Map as Section 218, Block 2, Lots 7, 9, 10 11 and 13. The public notice was printed in the Times Herald Record on July 11, 2018 and the following comments were received:

Mayor Queenan noted at the last meeting this was discussed a concern regarding the effect to the Hollett Pump station was raised. Engineer Lindsay noted the facility was built in 1982 and overflow instances began in the late 1990s/early 2000s. In 2006 the Department of Environmental Conservation issued a consent order which the Village has been actively responding too with a very aggressive I&I program. A 12" line was run next to the existing 8" line which increased capacity to about 780gpm. The system, at high-peak, wet weather is estimated at 754gpm. He feels that there is about 8000 feet of the system left to be inspected as part of the I&I project. There is also a list of items that were discovered in the lines already inspected that need to be addressed (some in the public system, some private).

Mayor Queenan stated another concern addressed at the last meeting was traffic. Mr. Collins stated he has reviewed the traffic plan for the application before the Planning Board and conducted an analysis. There are about 600 cars that travel north on Route 32 at peak time, of which about 120 turn left onto Timber Trail. He believes there is a valid need for a left turning lane at this location, but the NYSDOT is the entity that will need to make that decision and ruling. He added it will be difficult for individuals to make a left turn out of the proposed development.

Mayor Queenan noted these two issues raised this evening are normally handled when the application is before the Planning Board but he felt it was important for the Board to hear them when making its decision on the proposed local law.

Written comments on the proposed local law were received from Robin Crouse and are printed at the end of these meeting minutes.

With no further comments received, a motion was offered by Trustee Flood, seconded by Trustee Egan, to close the public hearing and to accept written comments until close of business on August 3, 2018.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
 NOES 0

Mayor Queenan noted the escrow account for the application is currently insufficient so no further action will be taken by the Board at this time until replenishment is received. The applicant's attorney asked for permission to speak to the Village consultants to see if there is anything that can be done to resolve the issues discussed this evening. The Board agreed the applicant can do so once the escrow is replenished.

II. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Trustee Egan, seconded by Trustee Flood, to accept receipt of the minutes of the meeting held July 12, 2018.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
 NOES 0

b. Approval of Abstract:

Motion was offered by Trustee Mickolajczyk, seconded by Trustee Flood, to approve Abstract 4 containing vouchers 180300 - 180380 and totaling \$228,310.89.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
 NOES 0

c. Fire Department Membership:

Motion was offered by Trustee Egan, seconded by Trustee Mickolajczyk, to change the status of Christopher Jones from "active" to "inactive" effective immediately as requested by Highland Mills Captain Daniel Ward.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
 NOES 0

d. Fire Department Equipment Requests:

Motion was offered by Trustee Egan, seconded by Trustee Flood, to approve Fire Department Equipment Request 2018-21 totaling approximately \$3703 for the purchase of a multifunctional printer with maintenance and 2018-22 totaling approximately \$6464.80 for the purchase of SCBA Face Masks and equipment for officers/chiefs.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
 NOES 0

III. Old Business:

a. Receipt/Acceptance of Bids – PreFab Building for Water/Sewer Department:

A bid opening was held on July 17, 2018 for construction of a prefabricated metal storage building for the Water/Sewer Department. The public notice was printed in the Times Herald Record on June 22, 2018 and the following bids were received:

Contract #1 - General Construction

Cyperco Industries, Neptune, NJ	\$568,250.00
Barone Construction Group, Highland, NY	\$597,425.00
Verdi Construction Company, Bethel, CT	\$603,158.50 (<i>contained mathematical errors</i>)

Contract #2 - HVAC Work

MDS HVAC-R, Walden, NY	\$108,000.00
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Contract #3 - Electrical Work

Harry Rotolo & Son, Middletown, NY	\$45,989.00
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Correspondence has been received from the Village Engineer stating he believes competitive proposals were received for Contract 1 and 3 and that both entities have the capabilities to perform the work. Regarding Contract 2, the Village Engineer believes the bid received does not reflect a competitive cost for the scope of work, which he estimates to be between \$20,000 and \$30,000, and recommends rejecting the bid received.

Motion was offered by Trustee Egan, seconded by Trustee Mickolajczyk, to accept the bids received for the prefabricated metal storage building for the Water/Sewer Department as follows:

Contract #1 - GC - Cyperco Industries - \$568,250.00

Contract #3 - Electric - Harry Rotolo & Son - \$45,989.00

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
 NOES 0

Motion was then offered by Trustee Egan, seconded by Trustee Mickolajczyk, to reject the bid received for Contract #2 - HVAC from MDS HVAC-R as it does not reflect a competitive cost for the scope of work.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
 NOES 0

IV. New Business:

EXTRA ITEM - FBG/Harriman Business Park Annexation Petition:

A petition was filed in the Village on July 2, 2018 entitled "Petition for the Annexation of Territory from the Town of Monroe to the Village of Woodbury, Orange County, New York". The Petition is requesting the following parcels of lands to be annexed into the Village of Woodbury from the Town of Monroe: Monroe Tax Map Section 2, Block 1, Lots 13.1, 30, 31.1, 31.2, 31.31, 31.4, 32, 34.2, 38 and 39. There are no residents in the territory proposed to be annexed. There are asserted to be existing buildings, structures and other improvements within the territory, all as permitted by various approvals granted by the Monroe Planning Board. According to the Petition and accompanying SEQRA material, the proposed action is classified as an Unlisted Action under SEQRA since the territory is less than 100 contiguous acres and no development is proposed as part of this Petition. Mayor Queenan noted he has had numerous conversations with legal counsel for the Village as well as with the Town of Monroe Supervisor Anthony Cordone. Based on these discussions the Village Board has no objection to the Monroe Town Board acting as the Lead Agency for this Petition and that the Joint Public Hearing required by provisions of the General Municipal Law for this Petition be held on September 10, 2018 at the Monroe Senior Center at 7PM. Since the September 13 Village Board meeting is the same date as the New York State Primary Election this year, this September 10 meeting will replace the Village's normally scheduled meeting.

Motion was offered by Trustee Egan, seconded by Trustee Mickolajczyk, to affirm that the Village of Woodbury Board of Trustees after reviewing the EAF submitted with the Petition has no objection to the Monroe Town Board declaring itself as Lead Agency for the Petition for annexation received from Richard Birdoff, on behalf of FBG Shop Center and its affiliates (Harriman Business Park) and that the Village of Woodbury Board of Trustees has relied upon the information contained on the EAF submitted with the Petition and directs Special Counsel for the Village to file all lawfully required SEQRA and other notifications consistent with this Motion.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
 NOES 0

Motion was then offered by Trustee Mickolajczyk, seconded by Trustee Flood, to authorize the Notice of Publication for said Joint Public Hearing as required by law and the Village Board's joint participation with the Town of Monroe in a Joint Public Hearing with the Town of Monroe Town Board to be held at 7PM on September 10, 2018 at the Monroe Senior Center located at 101 Mine Road, Monroe, to discuss and entertain public comment on the application for annexation received from Richard Birdoff, on behalf of FBG Shop Center and its affiliates (Harriman Business Park) and to take all other actions as required by law at that time.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
 NOES 0

IV. Public Comment: *There was no public comment received.*

V. Board Member/Department Comments:

Trustee Flood noted the new water tower on Wegant Hill is moving along. He does not recall hearing any complaints about the work being done and thanked the neighbors for being patient during the deconstruction and new construction.

Trustee Egan thanked the Water Department for their dedication during the recent water main breaks that occurred this past weekend and week.

VI. Adjournment:

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

ADOPTED	AYES	4	Queenan, Egan, Flood, Mickolajczyk
	NOES	0	

Desiree Potvin, Village Clerk

RECEIVED
JUL 24 2018
VILLAGE OF WOODBURY

July 24, 2018
3 Spring Lake Road
Highland Mills, NY 10930

Mayor Michael Queenan
Village Trustees
Village of Woodbury Village Hall
455 Route 32
Highland Mills, NY 10930

Re: Highland Mills Center Group
Senior Housing Zone Change
Public Hearing - July 26, 2018
Hand Delivered

Dear Mayor Queenan and Village Trustees,

As I cannot attend the public hearing for the Senior Housing Zone Change request on July 26, 2018, I am respectfully requesting that this letter and attachment be made part of the public record.

I am not in favor of the zone change proposed for several reasons. I do recognize that the following issues overlap with Planning Board review, but I feel they are germane to the zone change request as well. I respectfully disagree with the Planning Board's decision to issue a Negative Declaration under SEQR review.

- 1) Water/Sewer impacts - There are both State and Federal wetlands on or near the proposed development along with close proximity to the recharge area of our aquifer.
 - a. What impact with this project have on our water supply along with neighboring wells?
 - b. What impact with this project have on the sewer system? Can it handle the addition of 84 housing units?
- 2) Traffic impacts - The project proposes two access points for ingress/egress - Ford Avenue and Route 32. Currently, the Trailer Park uses Ford Avenue EXCLUSIVELY to enter and exit the Park. Timber Ridge is directly across Route 32 from the proposed site. Those residents derive access from Route 32, and a secondary access on Ridge Road. A majority of the traffic uses Route 32. In addition, the Highland Mills Post Office's SOLE access is Route 32 (directly across from Ford Avenue). How will the traffic be mitigated with the addition of 84 units spilling out into an already busy area? The Comprehensive Plan recommends reducing the traffic on Route 32, not adding to it, wherever possible.
- 3) Taxation impact - The project proposes 84 rental units for seniors.

The property will be taxed as an apartment complex on the market value of the property. If, however, the developer applies for and receives designation for subsidized housing, the tax impact will change. It would be up to the government to decide according to the degree of subsidy.

4) Housing impact - Woodbury already has a variety of housing types where many seniors already reside.

Trailer Park	74
Timber Ridge	118 (Phase 1)
	132 (Phase 2)
	121 (Phase 3)
	82 (Phase 4)
Total	453 Units
Woodbury Heights (Condos)	28 Townhouses
	88 Duplexes
	116 Total
(These derive sole access to and from Route 32)	
Woodbury Gardens (All Rental Units)	2 Studio
	58 1 bedroom
	27 2 bedroom
	87 Total

In 1986, a survey was circulated throughout the Town to determine the needs/desires of our seniors (see attached). I am suggesting that a similar survey be done today, to determine the current and proposed future needs of our seniors.

While I am not opposed to Senior Housing per the definition in our zoning code, I feel that the current proposal before the Board is not good planning for the reasons stated above. It is also not clear that Senior Housing is actually needed with our extensive housing stock that already exists. The above information was obtained from the Assessor's Office. I am, therefore, suggesting that you NOT re-zone this area or any others until the actual needs of our Seniors are officially determined through a survey or other means.

Thank you for your consideration of this matter.

Sincerely yours,
Robin Crouse
Robin Crouse

Dear Senior Citizens of Woodbury:

Housing for senior citizens is one of the important issues that the Planning Board wants to address in the Master Plan.

The Board is in the process of refining its preliminary plan. As part of this process we would appreciate some guidance from the Town's senior citizens regarding this matter since you know best what the needs are.

Several options are being considered. Please indicate which of the ~~two~~ you favor the most and which you favor least. Number your selections 1 through 4, with 1 being the most desirable.

I. Options

- a. Small developments of 10-100 townhouses or apartments near the center of Central Valley and Highland Mills that would be available only to senior citizens.
- b. Small developments as in 'a' above where a portion of the units, say 20-25 percent, would be available to seniors, regardless of income.
- c. Either 'a' or 'b' with a provision that some or all units will be available to senior citizens with limited income.
- d. Promote use of accessory apartments in single family homes, provided that one of the two units is occupied by seniors. This idea is designed to allow people to stay in their home and be able to maintain it or to provide smaller, less costly units that are not separated from the nearby community.
- e. Sharing a home or apartment with another senior citizen.
- f. Other (explain your idea)

II. Background

- a. Your age
- b. Number of persons in your household: 1
2
3 or more
- c. Do you now own or rent your home: Own
Rent
- d. If you own your home, would you sell your home to move into a smaller, attractive dwelling? Yes
No
- e. How long have you lived in Woodbury? Years

Any other thoughts that you have on the matter of housing or the Master Plan would be appreciated.

Thank you very much.

Sincerely,
Howard Lange
Howard Lange
Chairman

Please turn in your completed survey to at the Senior Center by , 1986.