

Minutes of the Village Board Meeting held on July 25, 2019 at 7PM

Present: Michael Queenan, Mayor  
Timothy Egan, Thomas Flood, Andrew Giacomazza and Jesus Gomez, Trustees  
Absent: None  
Also Present: Sandra Capriglione, Planning Board

**I. Administrative Business:**

a. Acceptance of Minutes:

Motion was offered by Trustee Flood, seconded by Trustee Giacomazza, to accept receipt of the minutes of the meeting held July 11, 2019.

**ADOPTED** AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez  
NOES 0

b. Approval of Abstract:

Motion was offered by Trustee Egan, seconded by Trustee Flood, to approve Abstract 4 containing vouchers 190266 – 190316 totaling \$266,939.68.

**ADOPTED** AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez  
NOES 0

c. Fire Department Equipment Request:

Motion was offered by Trustee Egan, seconded by Trustee Giacomazza, to approve Fire Department Equipment Request 2019-08 totaling approximately \$6894.82 for the purchase of a thermal imaging camera for Truck 503.

**ADOPTED** AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez  
NOES 0

d. Appointment of Fire Police – C Knuth:

Motion was offered by Trustee Egan, seconded by Trustee Giacomazza, to appoint Charles Knuth to the position of Fire Police effective June 1, 2019.

**ADOPTED** AYES 5 Queenan, Egan, Flood, Giacomazza, Gomez  
NOES 0

*This is a reappointment since the Oath of Office was not administered within the parameters of law.*

**II. Old Business:**

a. Hire Appraiser – Eminent Domain – Neimand Property:

Mayor Queenan noted that eminent domain law requires a municipality that is seeking to acquire property from condemnation purposes must in good faith attempt to do so without resort to a formal process of condemnation. Attorney Lynch has had multiple communications with the attorney for the property owners and they will not agree to a joint appraisal. Given the resistance by the property owner, the next step in the process is to employ an expert to appraise the property so as to permit the Village to comply with the provisions of Eminent Domain Procedure Law for a pre-litigation offer to acquire the property. The Village must employ an expert who is a member of the appraisal institute and otherwise qualified to testify in Supreme Court during a condemnation trial. The expert must prepare a preliminary appraisal report as well. Attorney Lynch is recommending the Village Board engage the services of Robert Morin, MAI, SRA of Greystone Valuation Group to conduct an appraisal and prepare/submit said report at cost to not exceed \$15,000. Motion was offered by Trustee Giacomazza, seconded by Trustee Egan, to approve this recommendation.

**ADOPTED**      AYES    5            Queenan, Egan, Flood, Giacomazza, Gomez  
                     NOES    0

**EXTRA ITEM – HVAC Work at Water/Sewer Garage:**

Mayor Queenan stated the Village had previously let out bids for the installation of HVAC in the new Water/Sewer garage and bid received was extremely high. It was decided then to wait until the building was constructed to solicit quotes again. This was done recently, and four contractors were contacted but only one responded. Therefore, it is recommended the work be awarded to the one bidder so it can be completed. Motion was offered by Trustee Giacomazza, seconded by Trustee Gomez, to award the HVAC contract for the new Water/Sewer garage to Mike Lennon at a cost of \$18,200.

**ADOPTED**      AYES    5            Queenan, Egan, Flood, Giacomazza, Gomez  
                     NOES    0

**III. New Business:**

**a. SEQRA Notification – AECOM – NYPA Communications Backbone Execution Plan:**

Correspondence was received from AECOM regarding the project known as “NYPA (New York Power Authority) Communications Backbone Execution Plan for Western to Central/Southern New York”. The NYPA has developed this project to protect the security of its telecommunication systems. The project will create robust statewide, multipatch interconnections between NYPA’s major facilities. Due to the statewide scope of the project, NYPA has classified it as a SEQRA type 1 action. The Village has been identified as a potential involved or interested agency. The Board agreed NYPA should be lead agent for this project but would like to be an interested agency and remain informed as the project proceeds. Motion was offered by Trustee Flood, seconded by Trustee Giacomazza, to authorize the Village Clerk to respond accordingly.

**ADOPTED**      AYES    5            Queenan, Egan, Flood, Giacomazza, Gomez  
                     NOES    0

**b. Change Order #1 – Weygant Hill Water Storage Tank:**

Motion was offered by Trustee Egan, seconded by Trustee Giacomazza, to approve Change Order #1 for the Weygant Hill Water Storage Tank project totaling a reduction of \$24,297.36 for the following reasons: (1) additional coupling was required for the tie-in of the water main to the tank resulting in an increase of \$859.42; (2) a water leak in the area of the project was discovered to be an abandoned water service resulting in an increase of \$2,224.47; (3) a testing allowance was provided before the start of work and actual field conditions required different quantities of materials than those estimated prior to the work beginning resulting in a decrease of \$27,381.25.

**ADOPTED**      AYES    5            Queenan, Egan, Flood, Giacomazza, Gomez  
                     NOES    0

**c. Liquor License Notification – Parm Woodbury LLC:**

Notice was received on July 18, 2019 that Parm Woodbury LLC located at 448 Dune Road, Central Valley, is applying for a liquor license from the NYS Division of Alcoholic Beverage Control State Liquor Authority. Mayor Queenan stated a letter was sent to the Police Department to determine if there is any reason why the Village should object to this application being approved and no response has been received yet. Village Clerk Potvin was instructed to send a letter to the State Liquor Authority indicating the Village Board has no objection to the application after receiving a response from the Police Department if they indicate that there is no reason the permit should be denied.

d. Hold Harmless Agreement – Watermain Under Railroad Trestle – Laura Lane:

The owner of 8 Laura Lane Realty is seeking permission from the Norfolk Southern Railway Company to install a watermain under the railroad trestle on Laura Lane per the Planning Board’s site plan approval. Since the Village will be the eventual owners of the line, the Village needs to sign an agreement with both parties. The agreement has been reviewed by Village counsel and is ready to proceed. Motion was offered by Trustee Egan, seconded by Trustee Giacomazza, to authorize the Mayor to sign an agreement with Norfolk Southern Railway Company and 8 Laura Lane Realty LLC regarding the construction of a watermain under the railroad trestle.

**ADOPTED**      AYES    5            Queenan, Egan, Flood, Giacomazza, Gomez  
                     NOES    0

**IV. Public Comment:**

Prior to opening the meeting up to public comment, Mayor Queenan stated he wanted to clarify some issues that have been circulating social media recently:

1. Reporting Issues on Facebook – He noted he has been informed that residents are making posts on Facebook and then others are commenting that the Village does not respond. He noted that if residents are experiencing issues or would like to obtain answers/comments from the Village, they should either call him, the department relating to the issue or come to a Board meeting to discuss during public comment. He was told that recently a resident complained about dirty water, but that resident never called the water department for the issue to be investigated. During the past week the Water Department received only one telephone call and it was from a home on Highland Wood Blvd regarding discolored water during the time when the Route 32 improvements were relocated the waterline. The Village used many resources to notify the public about this possible disruption (Facebook, the Village website and CodeRed). He noted that during the work the Water Department was able to keep the water running by bypassing the disconnection in the work zone by connecting hoses between fire hydrants on either side of the work zone. If they had not done this, there would have been no water to the affected area. Regarding the flushing of the hydrants, he wanted to make it clear that doing this work flushes the water system and does not do anything to the hydrants themselves.
2. Purchase of Building on Park Avenue – He has been informed there has been a lot of misinformation on social media sites regarding the timeline that occurred leading up to the purchase of the building on Park Avenue. He noted on three separate occasions he had looked into purchasing that building. The first was for Water/Sewer garage but since we already bonded, we were unable to use it for that purpose. The second was for it to be used for the Building Department/Village Hall but that was determined to not be feasible due to the price and the layout. He did a market analysis early on and estimated the selling price for the building should be approximately \$350,000. It was listed much higher than that price, so the decision was made to explore an expansion to the firehouse. The third was just recently for the Highway Department. After the second instance he heard the Town had made an offer and that they were purchasing it for the Parks Department, which he thought was a great idea. Then after a storm the property, not the building, had flooding so the Town pulled out of the deal. After several other potential buyers dropped out, the last of which was on June 17, he spoke to the Trustees and Highway Superintendent and called that day to make the offer of \$250,000. It was accepted on June 19 and both parties signed the paperwork. There is a rumor that the Town was going to offer the owner \$200,000. The seller has been asked if an offer was every made to him by the Town and he stated he never received an offer. He noted the Village had to convenience the seller’s attorney that we were no associated with the town. He indicated he

had “bad feelings” with the town. He feels the Village has always been transparent, noting in his ten years of serving there have been maybe ten executive sessions held.

Neil Crouse stated he believes the number of times that executive sessions have been held over the past ten years is more like four or five. He also agrees the Village has always been transparent.

CJ Graziano stated he appreciates the comments made today by the Mayor regarding the purchase of the building on Adams Street. However, he feels that social media is an important platform and if the Village is going to use it to post and communicate with the public then it needs to be a two-way form of communication. Mayor Queenan stated the problem with using social media is there is no filters and individuals can say whatever they want regardless of whether it is true or not. During campaigns the medium is used for political platforms and attacks. There is no accountability and individuals post comments looking to create trouble and/or get a rise out of people. Additionally, the Village does not have the staff to spend all day monitoring social media. He feels attacks on elected officials is to be expected but feels the employees should be left out of it.

**V. Board Member/Department Comment:**

Trustee Giacomazza stated he has been on the telephone with the resident that was reporting problems with water on Facebook. He is going to work on it more tomorrow to try to find out the source of issue. In speaking with the Water/Sewer Department it seems that when residents change their telephone numbers they are not updating their information on file so it has been difficult to reach people when there is an issue to be addressed. Mayor Queenan stated the department is flushing fire hydrants and the resident in question has still not spoken to the Water/Sewer department. He agreed that social media should not be the first place an individual should go to report a problem. Trustee Giacomazza then stated on Facebook a resident inquired as to who was posting on the Village Facebook page and he stated he has been doing so since taking office in January. The Village is using Facebook to be transparent, communicate with the public and show what the Village Board members do in the community other than just attending the two meetings a month. He feels that the public should be more concerned with the lack of volunteerism, sewer capacity and the high-density housing other than who is running a Facebook page.

Trustee Gomez stated the Board is here for the public, noting he and Trustee Giacomazza are at Village Hall most Friday's if anyone wants to meet with them. The Board members are transparent and have nothing to hide; adding social media is not the place to seek out help. He urged the public to call or come see the Board members or Department Heads with their issues. If they do not have the answers they will try to find them out. He noted each Board members works hard for the community, as does the Town Board members. There is nothing to be gained by knocking the town to make the village look good and vice versa, adding it should not matter whether you are a republican or a democrat.

Trustee Flood stated everyone needs to get along. He noted political campaigns are interested and a lot can be learned from them. Since he has been on the board there has been a large focus on the infrastructure, adding the Board knows how important it is to maintain facilities so it will cost less for repair when they become necessary. He hopes the cause of the water discoloration is determined and he is sorry that it has happened.

Trustee Egan stated he would like to speak about some issues this evening that have involved him and had been addressed by other officials in recent weeks.

1. Recently Assemblyman Schmitt created several advisory councils and he has the pleasure of having been appointed to three of them. They are the Healthcare Advisory Council, the First Responder Advisory Council and the Sportsman and Second Amendment Advisory Council. He hopes to use his 36 years' experience in the EMS industry as a paramedic and administrator, as well as his experience on the Board of Directors of a statewide EMS trade association and also as a delegate to the Hudson Valley Regional EMS Council to move the dial forward on state legislation that will help the local community. One of the first things they will be attempting to help with is the shortage of volunteers in important services like EMS and Fire. Woodbury is facing critical shortages of volunteers in both our Ambulance Corp. and Fire Department. Without volunteers the Village will be forced to subsidize these services with paid staff. He will do everything to help these services improve their membership.
2. Regarding the initial Video Lottery Terminals (VLT) conversation with Senator Skoufis, he wants to address some statements that have been made. Senator Skoufis had said in a social media post that they spoke about this topic first in April, which he did not recall doing. It turns out the Senator is correct about this which he discovered a few weeks ago. A colleague of his was in vehicle with him when the conversation was held and recalls that it was stated a low probability of a project that would clean up the Nepera site and get it back on the tax rolls, and it would be something like the "racino" in Monticello. During that conversation they also discussed the reinstatement of Medicaid funding to the state budget, which is something Trustee Egan was heavily involved with as part of his role as an EMS Administrator and as a board member of the United NY Ambulance Network. Prior to the state budget being passed he had many meetings and conversations with state legislators about the issue (no less than twelve meetings in Albany on April 30, at a forum held by Senators Skoufis and Metzger on March 1, at a press conference held by both of them on March 21, which was the same day the HVREMSCO a legislative breakfast, and at a press conference held by Assemblyman Schmitt on April 3. He also attended the Healthcare budget hearing held by the joint Senate and Assembly Committee in Albany on February 5. Subsequent to that he spoke on a radio talk show about this issue on March 26. He stressed he was heavily involved on other statewide matters that affect all consumers of healthcare. When the VLT was brought to my attention at the same time as the other conversation was held it was what was described as a "low probability" event, and there were few details about what might be happening.
3. At the July 3 Town Board Meeting Supervisor Palermo quoted from a text from Trustee Egan stating he was looking forward to something good. Supervisor Palermo also stated he finds it hard to believe Trustee Egan did not inform anyone else on the Village Board about the VLT issue. First, the day after he spoke to the Senator in April there was a newspaper article about this potential legislation, and it stated the potential project is a "long shot". He had no more information than the general public so he did not see why he would need to brief each board member on comments from a phone call on something that was reported in the newspaper. The first indication of a need to discuss the issue with anyone else was on June 7 when, during a group conference call, the Senator indicated a potential need for board resolutions of support in the event bill sponsors requested that. As soon as he got off the phone with the Senator I called the Mayor and told him he. Regarding looking forward to something good, whenever he is learning about or deciding on an issue, he always stays neutral or positive until he finds out enough detail to make a firm decision. At the time his attention was drawn to getting the Nepera site cleaned up, noting that would of course be a good thing, but only if done correctly and safely. This legislation was passed by the Assembly and Senate in the final hours of the very last day of the legislative session, which was on June 20th. That evening there was an online article by the Photo News that had a lot of detail on the legislation. The bill was very quickly

signed into law on June 24 by the Governor. In the coming days he learned as much as he could about it. At the Village Board meeting on June 27 he believed he made his opinion on this issue clearly known. Since the bill was signed into law he researched the details himself. After closely examining the bills and considering the details he sent an email with his analysis to the rest of the Village Board on July 8. This email consisted of the bill numbers, excerpts from the bill and his concerns about several sections. One of the largest concerns he has is the section that states that payments pursuant to the law (impact aid) will not begin until revenue has been realized for a period of twelve consecutive months. This means at the very least communities would not see any impact aid until after a full year of operation, while providing services to that facility. The most egregious area in the bill in his opinion though is that Monticello, the Town of Thompson as well as Sullivan County will continue to get the same impact aid they currently get. There also appears to have been no opportunity for negotiation on behalf of our communities. Specifically, the village impact aid would be split between Woodbury and Harriman, while the village of Monticello will continue to get the combined total of the village aid. He feels this legislation was designed to benefit Monticello, Sullivan County and Resorts World, with Woodbury and Harriman communities a distant second in consideration. While it is known what the impact aid is that might eventually be received, what is unknown is the fiscal and other impact to our communities.

He believes the public and Board members must be open minded and consider all solutions in the best interests of the Village, without consideration to partisanship and special interests. It is everyone's responsibility to communicate with State representatives to find solutions at the local level, which is why he maintains positive relationships with lawmakers on both side of the aisle. He has spent his time since the law was passed and signed evaluating the details and communicating with state representatives about it. He stressed the Village did not craft this legislation nor did the Town. He suggested that everyone come to their own conclusions and then make their opinions known to state representatives.

Clerk Potvin noted last week she, Mayor Queenan and Trustee Gomez met with the Orange County Department of Human Resources to begin discussing the formation of a paid Fire Department based on a letter that was received from Fire Chief McClennan. The County does not have anything in place for a paid Fire Department yet but they will be researching surrounding counties to see how they handle it. The next step is to meet with the Orange County Fire Training Center personnel to get some input from them. The Mayor will also be reaching out to the southern Orange County Fire Districts to look into possibly doing something jointly with them as an alternative. Mayor Queenan noted the Village is trying to be proactive on this issue so that if the time comes when there are no volunteers there is something in place to protect the residents. He also urged residents not to run to social media saying that Woodbury will be having a paid fire department. The Village is only taking the steps now to prepare for what may come in the future. We need to educate ourselves and the timeline is unknown. There is a problem with a lack of volunteers, adding there are demands imposed for training and that one of the problems is that the time commitment maybe to much.

**VI. Adjournment:**

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

**ADOPTED**      AYES    5            Queenan, Egan, Flood, Giacomazza, Gomez  
                     NOES    0

Desiree Potvin, Village Clerk