

Minutes of the Village Board Virtual Meeting held on June 25, 2020 at 7:30PM

Present: Timothy Egan, Mayor
Tara Burek, Andrew Giacomazza and Jesus Gomez, Trustees
Absent: Christopher Graziano, Trustee
Also Present: Kelly Naughton, Attorney for the Village; various members of the public

I. Public Comment on Agenda Items Only – No public comment was received

II. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Trustee Gomez, seconded by Trustee Giacomazza, to accept receipt of the minutes of the meeting held June 11, 2020.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
NOES 0

b. Approval of Abstract:

Motion was offered by Trustee Burek, seconded by Trustee Gomez, to approve Abstract 2 containing vouchers 200082-200146 and totaling \$110,222.71.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
NOES 0

c. Approve Slate of Officers – Woodbury Fire Chiefs:

Motion was offered by Trustee Giacomazza, seconded by Trustee Gomez, to approve the following slate of Fire Chiefs as voted by the membership of the Woodbury Fire Department: Pasquale Prozzillo, Car 1; Christopher Burke, Car 2; Scott McClennan, Car 3.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
NOES 0

III. Old Business:

a. Appointments to Comprehensive Plan Committee:

Motion was offered by Trustee Burek, seconded by Trustee Gomez, to appoint the following individuals to serve on the Comprehensive Plan Committee: Robin Crouse, Joseph Zlata, Patrick Rafferty, Raymond Cooper and Susan Limato.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
NOES 0

Mayor Egan noted the Village Board liaison is Trustee Graziano, the Planning Board liaison will be Christopher Gerver and the Zoning Board liaison will be Karen Ungerer.

b. Approval of Change Order – Water/Sewer Pre-Fab Metal Storage Building:

Motion was offered by Trustee Gomez, seconded by Trustee Burek, to approve Change Order 1 for the project known as “Pre-Fabricated Metal Storage Building” totaling a reduction to the contract amount of \$65,166.27 for the following reason per Engineer Lindsay: *“Due to the availability of Central Hudson Gas & Electric to complete new gas service work, the contractor was advised the paving portion of the contract was to be removed. The contractor is to be reimbursed for the overhead in securing a paving contractor and late notice from the gas utility company. Back charges to the contractor were*

incurred as the trenching and installation of water and gas services were completed by TAM Enterprises, Inc.”.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
 NOES 0

c. Return of Road Maintenance Bond – Sherwood Court:

Mayor Egan noted in December 2018 the Village accepted dedication of Sherwood Court and at that time a one-year maintenance bond was posted as required pursuant to Chapter 92-5(B) of the Village Code. The roadway has been inspected by the Village Engineer, Highway Department and Water/Sewer Department with no deficiencies detected. They find the developer has fulfilled his obligation under the bond and it is recommended that the bond be released subject to any administrative requirements of the Building Department and Village Clerk. Motion was offered by Trustee Burek, seconded by Trustee Gomez, to return the road maintenance bond that was posted in connection with the dedication of Sherwood Court once all outstanding consultant fees are paid.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
 NOES 0

IV. New Business:

a. Introductory Local Law 7 of 2020 – Entity Disclosure:

Motion was offered by Trustee Giacomazza, seconded by Trustee Burek, to introduce Introductory Local Law 7 of 2020 which would amend Chapter 96 (“Building Construction”) of the Village Code to implement an entity disclosure law.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
 NOES 0

Motion was then offered by Trustee Giacomazza, seconded by Trustee Gomez, to preliminary type this action as a Type 2 under SEQRA.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
 NOES 0

Motion was then offered by Trustee Giacomazza, seconded by Trustee Gomez, to schedule a public hearing to be held at 7:30PM on July 9, 2020 to entertain public comments on Introductory Local Law 7 of 2020.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
 NOES 0

b. Introductory Local Law 8 of 2020 – Wireless Telecommunications:

Motion was offered by Trustee Burek, seconded by Trustee Gomez, to introduce Introductory Local Law 8 of 2020 which would amend Chapter 310 (“Zoning”) of the Village Code, Section 310-38 (“Wireless Telecommunication Siting”).

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
 NOES 0

Motion was offered by Trustee Burek, seconded by Trustee Giacomazza, to declare the Village of Woodbury Board of Trustees as Lead Agency.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
 NOES 0

Motion was then offered by Trustee Gomez, seconded by Trustee Giacomazza, to preliminary type this action as a Type 1 under SEQRA.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez

NOES 0

Attorney Naughton noted she will forward to the Village Board a Full EAF tomorrow.

Motion was then offered by Trustee Gomez, seconded by Trustee Giacomazza, to refer Introductory Local Law 8 of 2020 to the Village Planning Board.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
NOES 0

Motion was then offered by Trustee Burek, seconded by Trustee Giacomazza, to refer Introductory Local Law 8 of 2020 to the Orange County Planning Department.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
NOES 0

Motion was then offered by Trustee Gomez, seconded by Trustee Giacomazza, to schedule a public hearing to be held at 7:30PM on July 23, 2020 to entertain public comments on Introductory Local Law 8 of 2020.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
NOES 0

c. Authorize Attorney to Draft Restraining Order – 32 Blueberry Lane:

Correspondence has been received from Building Inspector Thomasberger regarding 32 Blueberry Lane being used as a place of worship. He has issued a violation order to the owner and an appearance ticket was issued but court has been adjourned to an unknown date due to the pandemic. Despite numerous warnings and discussions with the owner’s attorney, the dwelling is still being occupied for worship services. He would like a restraining order drafted until such times as the use has been approved by the Planning Board. Motion was offered by Trustee Giacomazza, seconded by Trustee Gomez, to authorize the Village Attorney to draft the restraining order as requested.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
NOES 0

d. Authorize Attorney to Draft Restraining Order – 47 Hadley Farm Road:

Correspondence has been received from Building Inspector Thomasberger regarding 47 Hadley Farm Road being used as a place of worship. He has issued a violation order to the owner and an appearance ticket was issued but court has been adjourned to an unknown date due to the pandemic. Despite numerous warnings and discussions with the owner’s attorney, the dwelling is still being occupied for worship services. He would like a restraining order drafted until such times as the use has been approved by the Planning Board. Motion was offered by Trustee Burek, seconded by Trustee Giacomazza, to authorize the Village Attorney to draft the restraining order as requested.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
NOES 0

e. Approval of Street Name – Hallock Court:

Correspondence has been received from Building Inspector Thomasberger regarding the naming of the street in the subdivision known as Timber Trail. He recommends the Board select the name “Hallock Court” for the new road. Motion was offered by Trustee Gomez, seconded by Trustee Burek, to approve the name of “Hallock Court” for the new road that accesses the subdivision known as Timber Trail.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
NOES 0

V. Public Comment

Robin Crouse thanked the Village Board for their vote of confidence and she looks forward to working with the team appointed this evening to review and make recommendations on the Comprehensive Plan.

Neil Crouse stated the Board discussed at the last meeting a building that was being constructed in Nininger Road. Mayor Egan stated the building is adjacent to the Village border and the Board was notified via the SEQRA process. The Village Engineers have submitted a list of concerns the Board has about our natural resources, water runoff and other issues. The Village also asked that it be considered an interested party under SEQRA and plans to be very involved in the process. Mr. Crouse stated there is open space there (part of Woodbury Junction) and he believes there is a deed on file in the Town records that notate this.

Matt Higgins stated he appreciated the time the Mayor gave him this evening to meet and discuss his concerns about Speyside Holdings and their application before the NYSDEC. He also wrote a letter to the Village Board stating his concerns and feels them adding 19.2 acres to an already non-conforming use is a concern. He understands the Village Engineer submitted comments on behalf of the Village Board but he feels it would be more important if the Village Attorney did so. He then called for a vote of the Village Board to authorize the Village Attorney to submit a letter to the NYSDEC objecting to this application. Mayor Egan noted a member of the public cannot call for a vote of the Board but he understands and shares Mr. Higgins concerns. He does have a meeting scheduled with Attorney Naughton to discuss the issue further and he will investigate further actions the Village Board can take.

Maria Hunter thanked the Board for submitting comments to the Monroe Planning Board and for staying proactive regarding this proposed neighboring project. Regarding the Speyside application with the NYSDEC, she is also concerned about the drawdown of additional water and how it will affect neighboring properties.

Joseph Zlata thanked the Board for their vote of confidence and looks forward to working with the team on the Comprehensive Plan Review Committee. He hopes to do it justice and is successful for what the Board wants to see done. He is also glad that the Board is entertaining a law relating to entity disclosure (ILL7 of 2020). He feels it is very important to have this law in place as it will add transparency. Regarding the proposed building on Nininger Road, which is adjacent to Woodbury Junction, he has concerns about the Town open space property located there. The deed does have restrictions and he will forward a copy of it to Mayor Egan for his reference.

VI. Board Member/Department Comment

Mayor Egan stated he wanted to make the public aware of the efforts the Board has been doing on their behalf to protect the interests of the Village regarding the NYSDEC application of the Speyside Quarry. This application seeks to expand the quarry operation in the north end of the Village. He thanked the residents that have come forward with their concerns, which echo his, which he has been speaking about publicly since 2014. He noted water is a precious resource and without water a community cannot survive. The areas of concern are varied - the impact on the aquifer (specifically the effects on quantity and quality of water); concerns about the drawdown on neighboring wells and municipal wells; erosion, sediment control and dust; noise, traffic impacts, exceeding operating hours and enforcement of complaints. The Village Engineers have evaluated Speyside's application and

provided written comment on the Village’s behalf that he submitted last week to the NYSDEC. The analysis they prepared was detailed and on point regarding his concerns. He stressed he will continue to monitor the situation and do whatever he can to protect resources, especially water.

Trustee Gomez asked all to remember to practice caution while interacting during the phases. He also reminded everyone to be kind to each other. He thanked all that attended the meeting.

Trustee Burek acknowledged that we live in a great country and she wished all a happy and safe Independence Day.

Trustee Giacomazza stated his thoughts and prayers are with the family of former Town Councilman Michael Essig over the loss of his mother. He then noted that when school began the seniors expected their year going not in the direction that it has. The graduating senior class was robbed from many things that make their senior year so special. On behalf of the Village Board he applauds the seniors and the way they have handled the setbacks. He also applauds the parents that have worked tirelessly to recognize their children. He concluded by congratulating the graduating the seniors of Monroe-Woodbury and Cornwall School Districts.

VII. Adjournment

With no further comments received or business to discuss, a motion was offered by Trustee Burek, seconded by Trustee Giacomazza, to adjourn the meeting at 8:05PM.

ADOPTED AYES 4 Egan, Burek, Giacomazza, Gomez
 NOES 0

Desiree Potvin, Village Clerk

WORKSESSION WITH CONSULTANTS – WATER QUALITY PROTECTION OVERLAY DISTRICT