

Minutes following the 08/26/2020 Village Board Meeting

Welcome to the second monthly Village of Wappingers Falls meeting of the Mayor and Board of Trustees today Wednesday, August 26, 2020, 5:00 PM (ZOOM Simulcast Meeting)

Mayor Alexander started the meeting saying future village board meetings held during the COVID – 19 pandemic would be open to the public for viewing and public comment remotely, ZOOM Simulcast or by conference call or similar service to be determined.

PLEDGE OF ALLEGIANCE:

ROLL CALL BY THE CLERK OF THE VILLAGE: Mayor Alexander, Aye. Trustee Marcojohn, Absent. Trustee Davis, Aye. Trustee Komornik, Absent. Trustee Lammers, Aye. Trustee Huber, Aye. Trustee Paonessa, Aye. Attorney Wallace, Aye.

KC Engineering Project Discussion.

Projects for Discussion – Village of Wappingers Falls 2020-08-26 Village Board Workshop Meeting

2020 Construction

Village / Franny Reese Park – Ben Ciccone, Inc,

- Construction scope includes Upper Overlook and Lower Overlook improvements.
- As of Aug 25, 2020, Ciccone informed that work will continue onsite into Sept 2020. Remaining work includes finishing electrical work, installation of benches and flagpole, paving, and pavement striping.
- Paving onsite is currently targeted for late next week, so some time around Sept 3. Pavement striping will not happen until after Sept 8, 2020.
- The Construction completion date in the Franny Reese Park contract is Sept 11, 2020. Despite COVID-19 delays, Ciccone should be close on that. KC has requested that Ciccone confirm target completion date.

• Village / TAP PIN 8761.74 Pedestrian Safety Improvements – Con-Tech Construction Technology, Inc.

- Construction scope includes sidewalks and pedestrian lighting on W Main St between the limits of the new sidewalk installed in 2019, north of County Players and south of Ground Hog. The project does not include drainage Improvements.
- New sidewalk cross slope provides required minimum 4 feet wide accessible access.

- Con-Tech is required to maintain access to homes and businesses during the work. Residents and business owners are encouraged to contact the Con-Tech Foreman onsite with questions.
- Following Aug 11, 2020 discovery of shallow gas main conflict, Central Hudson is replacing approximately 460 LF of 3-inch gas main in the curbing and sidewalk area on the east side of the street. Central Hudson recently obtained NYSDOT Highway Work Permit and began gas main replacement on Aug 24, 2020. They target at least 10 construction days to complete. With NYSDOT Labor Day holiday work restrictions (no work Fri Sept 4 through 10 am Tues Sept 8) that means gas main replacement will likely not be complete until around Sept 9 or 10. Timeline is fully in the hands of Central Hudson.
- Con-Tech sidewalk and curbing work is to follow Central Hudson's gas main replacement. After Central Hudson is out of the way, Con-Tech estimates approximately 3 more weeks of active construction to achieve substantial completion.
- The Construction completion date in the VWF TAP 8761.74 contract is Oct 17, 2020. Despite the Central Hudson conflict, this appears to still be achievable.

Other Projects and Assignments

- **Village / Utility Improvement Contract 5**
 - Contract 5 will include DW Water Improvements using remaining Village DWSRF 17419 funds and additional funds needed for the scope.
 - Contract 5 scope will include water connection improvements from Village of Wappingers Falls to the Town of Wappinger on Losee Road.
 - Design and regulatory approvals are needed for Contract 5. Bidding is targeted for late 2020 in preparation for 2021 construction.
 - Moving forward with submission to Health Department and Dutchess County DPW.
 - During VWF Contract 5 Design, the Village intends to host a public meeting with presentation by the Engineer.
- **Village / Water Filter Building – Engineer Report for USDA Funding Application**
 - KC is working on a USDA Engineering Report in support of a Village funding application for the proposed Water Filter Building and Facilities at the Water Supply Facility.
 - Nearly complete. Verifying last pieces of information from Village.
 - Village to schedule meeting
 - There is a rolling deadline for USDA funding.
- **Village / Bain Park Survey and Masterplan**
 - Draft survey mapping is complete.
 - The Village is planning a Project Kickoff Public Meeting for Sept 2020.
 - KC Engineering work will follow including:

- Conceptual Master Plan for Bain Park
- Site Design for Playground Equipment Area
- Long Form Part 1 EAF

- **Village / Grease Trap Engineering Planning Grant**
 - Work on the Grease Trap Engineering Planning Grant project continues.
 - Project Committee meeting is to be scheduled.
 - This is a two-year grant. Work will be completed in 2020.

- **Village / EPA Grant Brownfield Assessments**
 - Next Steps – Phase 2 Assessments – Bleachery pending EPA approval of material submitted.

- **Village / Sewer and Water Infrastructure Study – For VWF and Town of Wappinger**
 - Draft Sewer and Water Report was provided to Mayor Matt Alexander in Aug 2019.
 - KC will provide further circulation and/or revisions upon request of the Village.

- **Village / Paggi Terrace Sewer Main and Water Main Extensions**
 - DCDH design approval for the Paggi Terrace Sewer Main and Water Main Extensions was provided to the Mayor in Nov 2019.
- KC will provide additional action if requested by the Village.

The above summarized village projects to date.

Approval to have KC Engineering put Boathouse landscaping work out to bid. (Estimate \$107.0k)

Motion by Trustee Lammers to approve KC Engineering to put Boathouse landscaping work out to bid. Seconded by Trustee Huber. Carried.

Approval of the court audit. Treasurer McMahon

Motion by Trustee Poanessa to approve the court audit. Seconded by Trustee Lammers. Carried.

25 South Remsen

- **Notice of Violation 25 South Remsen, Exterior Maintenance.**

- **Motion by Trustee Davis to adjourn the 25 South Remsen issue to 8/12/2020**
- **Remove 25 South Remsen notice of violation from the 8/12/2020 agenda. Please place this matter on the 8/26 agenda. Sandra Oakley 8/11/2020.**

Motion by Trustee Davis to open the adjourned Public Hearing “Notice of Violation” 25 South Remsen. Seconded by Trustee Huber. Carried.

Motion by Trustee Poanessa to close the adjourned Public Hearing “Notice of Violation” 25 South Remsen. Seconded by Trustee Davis. Carried.

RESOLUTION NO. 332020 of 2020

RESOLUTION ORDERING THE ABATEMENT OF PROPERTY MAINTENANCE VIOLATIONS AT 25 SOUTH REMSEN AVENUE

The following Resolution was introduced by Trustee Huber and seconded by Trustee Davis.

WHEREAS, John Tochet is the last known owner of real property shown on the tax records and the tax map of the Village of Wappingers Falls as Tax Parcel ID # 6158-18-409148, having a street address of 25 South Remsen Avenue (“Property”); and

WHEREAS, there is no record of a mortgage on the Property; and

WHEREAS, the Village of Wappingers Falls has received numerous complaints that the Property had become overgrown with grass and weeds and that it was unsightly; and

WHEREAS, on June 12, 2020 and August 12, 2020, respectively, an Enforcement Official of the Village of Wappingers Falls observed the existence of overgrown weeds and obnoxious growth throughout the entire Property, which violates § 114-6(F) of the Village of Wappingers Falls Code and thereafter issued Notices of Violation & Orders to Remedy dated July 10, 2020 and August 12, 2020, respectively, copies of which are affixed hereto, which informed any person in control of the Property that they had an opportunity to appear and be heard at this meeting of the Village Board to offer proof that the Property is in compliance with the standards of Chapter 114 of the Village Code or that additional time is needed to take corrective action to cure the violation; and

WHEREAS, an Enforcement Official of the Village of Wappingers Falls filed written reports with the Village Board of the Village of Wappingers Falls noting that he had inspected the Property and found that overgrown weeds and obnoxious growth existed throughout the entire

Property and the Property was not in compliance with the property maintenance requirements of Chapter 114 of the Village Code; and

WHEREAS, a public hearing was held on August 26, 2020, and all parties in attendance were permitted an opportunity to speak regarding the maintenance conditions of the Property; and

WHEREAS, the Village Board of Trustees of the Village of Wappingers Falls, after due deliberation, finds that the overgrowth of weeds and obnoxious growth that exists throughout the entire Property is not in compliance with the property maintenance requirements of Chapter 114 of the Village Code; that such condition has continued after the Orders to Remedy were duly issued and it is determined that abatement of the overgrown weeds and obnoxious growth is now required; now, therefore

BE IT RESOLVED, that the Village Board of Trustees hereby directs that the Enforcement Official dispatch the Highway Department to the Property to remove the overgrown weeds and obnoxious growth throughout the entire Property as soon as possible; and

BE IT FURTHER RESOLVED, that in the event that the Highway Department is unable to remove the overgrown weeds and obnoxious overgrowth that exists throughout the Property, the Enforcement Official is authorized to engage the services of a landscape contractor to undertake such work as expeditiously as possible, which is not subject to competitive bidding; and

BE IT FURTHER RESOLVED, that accurate records of the labor and materials costs required to perform the abatement work at the Property shall be kept so that they can be assessed and levied against the Property; and

BE IT FURTHER RESOLVED, a notice stating the total amount due and the nature of the charge shall be mailed by the Village Treasurer to the last known address of the person whose name appears on the records in the Office of the Village Treasurer as being the owner or agent or as the person designated by the owner to receive tax bills or, where no name appears, to the Property, addressed to either the owner or agent. Such notice shall have stamped or printed thereon a reference to § 114-6(F) of the Village Code. The property owner shall have ten (10) days, after a copy of the notice establishing the costs and expenses is received, to challenge any of the costs incurred by the Village; and

BE IT FURTHER RESOLVED, that after expiration of the time period to challenge the determination of costs and expenses, the amounts thereof shall be reported to the Village Treasurer to be levied and assessed against the Property, and the expense shall constitute a lien and charge

on the Property on which it is levied until paid or otherwise satisfied or discharged and otherwise be collected in the same manner and at the same time as other Village charges; and

BE IT FURTHER RESOLVED, that the Village Clerk is directed to mail the annexed Order of Abatement, a copy of which is annexed hereto, within two (2) days hereof to the property owner at the address shown on said Order.

The foregoing was put to a vote which resulted as follows:

	Yea	Nay
Mayor Matthew Alexander	_ X _____	_____
Kevin Huber – Trustee	_____ X _____	_____
Bill Marcojohn – Trustee	Absent	_____
Ronnie Komornik – Trustee	Absent	_____
Mary Paonessa – Trustee	_____ X _____	_____
Scott Davis – Trustee	_____ X _____	_____
Bryan Lammers – Trustee	_____ X _____	_____

Dated: Wappingers Falls, New York
August 26, 2020

The Resolution is hereby duly declared adopted.

JOHN KARGE, VILLAGE CLERK

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

I, John Karge, Clerk of the Village of Wappingers Falls, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said Village Board of Trustees at a meeting duly called and held at the Village Hall on August 26, 2020 by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of the Village of Wappingers Falls, New York, this 27 day of August, 2020.

Clerk, Village of Wappingers Falls

Motion by Trustee Davis to open the Public Hearing Buildings and Accessory Structures Maintenance 25 South Avenue. Seconded by Trustee Lammers. Carried.

Motion by Trustee Poanessa to adjourn the Public Hearing to 9/9/2020. Seconded by Trustee Lammers. Carried.

RESOLUTION NO. 342020 of 2020

RESOLUTION ORDERING THE ABATEMENT OF BUILDINGS AND ACCESSORY STRUCTURES MAINTENANCE VIOLATIONS AT 25 SOUTH REMSEN AVENUE

The following Resolution was introduced by Trustee _____ and seconded by Trustee _____.

WHEREAS, John Tochet is the last known owner of real property shown on the tax records and the tax map of the Village of Wappingers Falls as Tax Parcel ID # 6158-18-409148, having a street address of 25 South Remsen Avenue (“Property”); and

WHEREAS, there is no record of a mortgage on the Property; and

WHEREAS, on June 12, 2020 and August 12, 2020, respectively, an Enforcement Official of the Village of Wappingers Falls inspected the Property and determined that the garage roof is in need of repair/replacement and is allowing water in the structure, which violates § 114-7(F) of the Village of Wappinger Falls Code and thereafter issued Notices of Violation & Orders to Remedy dated July 10, 2020 and August 12, 2020, respectively, copies of which are affixed hereto, which informed any person in control of the Property that they had an opportunity to appear and be heard at this meeting of the Village Board to offer proof that the Property is in compliance with the standards of Chapter 114 of the Village Code or that additional time is needed to take corrective action to cure the violation; and

WHEREAS, an Enforcement Official of the Village of Wappingers Falls filed written reports with the Village Board of the Village of Wappingers Falls noting that he had inspected the Property and found that the garage roof is in need of repair/replacement and is allowing water in the structure and the Property was not in compliance with the property maintenance requirements of Chapter 114 of the Village Code; and

WHEREAS, a public hearing was held on August 26, 2020, and all parties in attendance were permitted an opportunity to speak regarding the maintenance conditions of the Property; and

WHEREAS, the Village Board of Trustees of the Village of Wappingers Falls, after due deliberation, finds that the garage roof is in need of repair/replace and that the Property is not in compliance with the property maintenance requirements of Chapter 114 of the Village Code; that such condition has continued after the Order to Remedy was duly issued and it is determined that abatement of the damaged garage roof is now required; now, therefore

BE IT RESOLVED, that the Village Board of Trustees hereby directs that the Enforcement Official hire a contractor to repair/replace the garage roof as soon as possible, which is not subject to competitive bidding; and

BE IT FURTHER RESOLVED, that accurate records of the labor and materials costs required to perform the abatement work at the Property shall be kept so that they can be assessed and levied against the Property; and

BE IT FURTHER RESOLVED, a notice stating the total amount due and the nature of the charge shall be mailed by the Village Treasurer to the last known address of the person whose name appears on the records in the Office of the Village Treasurer as being the owner or agent or as the person designated by the owner to receive tax bills or, where no name appears, to the Property, addressed to either the owner or agent. Such notice shall have stamped or printed thereon a

reference to § 114-6(F) of the Village Code. The property owner shall have ten (10) days, after a copy of the notice establishing the costs and expenses is received, to challenge any of the costs incurred by the Village; and

BE IT FURTHER RESOLVED, that after expiration of the time period to challenge the determination of costs and expenses, the amounts thereof shall be reported to the Village Treasurer to be levied and assessed against the Property, and the expense shall constitute a lien and charge on the Property on which it is levied until paid or otherwise satisfied or discharged and otherwise be collected in the same manner and at the same time as other Village charges; and

BE IT FURTHER RESOLVED, that the Village Clerk is directed to mail the annexed Order of Abatement, a copy of which is annexed hereto, within two (2) days hereof to the property owner at the address shown on said Order.

The foregoing was put to a vote which resulted as follows:

	Yea	Nay
Mayor Matthew Alexander	_____	_____
Kevin Huber – Trustee	_____	_____
Bill Marcojohn – Trustee	_____	_____
Ronnie Komornik – Trustee	_____	_____
Mary Paonessa – Trustee	_____	_____
Scott Davis – Trustee	_____	_____
Bryan Lammers – Trustee	_____	_____

Dated: Wappingers Falls, New York
August 26, 2020

Hearing 8 Trabucco Order to Remedy 114-6F

Motion by Trustee Huber to open the Public Hearing Notice of Violation Exterior Maintenance 8 Trabucco Place. Seconded by Trustee Poanessa. Carried.

Motion by Trustee Huber to adjourn the Public Hearing to 9/9/2020. Seconded by Trustee Poanessa. Carried.

Approval to appoint Loretta Holloway to fill vacancy for the remainder of Rachel diGrazia’s term on the zoning board.

Motion by Trustee Lammers to appoint Loretta Holloway to fill vacancy for the remainder of Rachel diGrazia’s term on the zoning board. Seconded by Trustee Davis. Carried.

Accept resignation of Robert Wallner as Deputy Building Inspector effective 9/4/2020.

Motion by Trustee Huber to accept resignation of Robert Wallner as Deputy Building Inspector effective 9/4/2020. Seconded by Trustee Davis. Carried. Note: The entire Board wished Robert the best going forward and thanked him for his outstanding contribution to the Building Department and Village of Wappingers Falls.

Mayor Alexander said the Village of Wappingers Falls Reorganizing Meeting is set for 5 PM September 30th, 2020.

EXECUTIVE SESSION

Motion by Tr. Davis to adjourn into Executive Session at: 7:15 PM for the purpose of discussing areas marked (X). Seconded by Tr. Lammers. Carried.

All in Favor: 5 Opposed: 0 Abstain: 0

Motion passes [5] – [0]

EXECUTIVE SESSION

- pending litigation in the matter(s)
- negotiations conducted pursuant to the Taylor Law
- the medical history of a particular person
- the financial history of a particular person
- the employment history of a particular person
- matters leading to the appointment of a particular person
- matters leading to the promotion of a particular person
- matters leading to the demotion of a particular person
- matters leading to the discipline of a particular person
- matters leading to the termination of a particular person
- issues involving a special education student
- the proposed sale of real property because the publicity would substantially affect the value thereof
- the proposed lease of real property because the publicity would substantially affect the value thereof
- seeking legal advice from the Village’s Attorney

___ ___ matters that would impact public safety

Motion by Tr. Davis to exit Executive Session and return to the Public Meeting at 8:00 PM.
Seconded by Tr. Huber. Carried.

All in Favor: 5 Opposed: 0 Abstain: 0
Motion passes [5] – [0]

REGULAR SESSION:

Motion by Trustee Lammers to adjourn the 8/26/2020 (ZOOM Simulcast) Village Board Meeting. Seconded by Trustee Poanessa. Carried.

Meeting adjourned 8:00 PM. Minutes prepared by: John M. Karge, Village Clerk

Comments following the 8-26-2020 Village Board Meeting.

Name

Marie Megna

Email

mariemegna@gmail.com

Phone Number

8452973530

Home Address

4 Hillside Ave.

Subject

possibility of a playground where water tower is.

Comment

I have heard about the possibility of putting playground on Hillside Ave. where water tower is located. I have had a discussion with my neighbors and we are against this idea. We are senior citizens and we all feel we don't need someone's children running around here. We enjoy the quiet and privacy. This will also attract undesirables which I witnessed years ago. There use to be activity after dark. We have teens now that hang out up there. We are all in agreement that we don't want this park. This could also bring cars that will be taking up parking on the street. Not a good idea.