

Minutes following the 03/10/2021 Village Board Meeting

Welcome to the Village of Wappingers Falls monthly regular meeting of the Mayor and Board of Trustees today Wednesday, March 10, 2021, 7PM.

PLEDGE OF ALLEGIANCE TO THE FLAG:

RECOGNITION / ANNOUNCEMENTS / SPECIAL EVENTS

Village Election 3/16/2021, J. M. Karge Chief Election Officer

Village Clerk John Karge presented the Call of Election and said all precaution measures for the protection of voters from the Covid Various will be taken.

Call of Election

RESOLUTION BY THE Village Board of Trustees of the Village of Wappingers Falls, New York, as follows:

SECTION 1: That pursuant to Section 504 of the Election Law, the general Village Election of and for said Village will be held on the 16th day of March 2021, and that the polls shall be open for voting between the hours of 10:00 A.M. and 9:00 P.M.

SECTION 2: That the said Village has been divided into three (3) election districts and that a description of said districts, together with the polling place for each such district is as follows:

ELECTION DISTRICT NO. 1: All that portion of said Village lying North and West of the Wappinger Creek; the polling place in District No. 1 is the Village Hall 2582 South Avenue in said Village.

ELECTION DISTRICT NO. 2: Election District No. 2 is comprised of all that portion of said Village generally bounded as follows: on the South by the Village boundary line, on the North by East Main Street, on the East by South Avenue and on the West by the Wappinger Creek and the polling place is the Village Hall, 2582 South Avenue in said Village.

ELECTION DISTRICT NO. 3: All that portion of the Village lying outside the two districts above described; the polling place is the Village Hall, 2582 South Avenue in said Village.

SECTION NO. 4: This resolution shall take effect immediately.

PLEASE TAKE NOTICE that the following are names, addresses, offices, and term candidates are nominated for.

**A
DEMOCRATIC PARTY**

Rick Cerino	15 Church Street	2 Yrs	Village	Mayor
Patrick Sidote	9 Nelson Avenue	2 Yrs	1 st . Ward	Trustee
Mary Paonessa	34 Franklindale Avenue	2 yrs.	2nd. Ward	Trustee
Anne Ponte Beahan	40 High Street	2 Yrs	3 rd Ward	Trustee

**B
REPUBLICAN PARTY**

Rick Cerino	15 Church Street	2 Yrs	Village	Mayor
Patrick Sidote	9 Nelson Avenue	2 Yrs	1 st . Ward	Trustee
Michael Ruffen	3 Prospect Street	2 yrs.	2nd. Ward	Trustee
Anne Ponte Beahan	40 High Street	2 Yrs	3 rd Ward	Trustee

VILLAGE FIRST PARTY

Wilford “ Bryan” Lammers	64 South Mesier Avenue	2 yrs.	3rd. Ward	Trustee
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ONE UNITED PARTY

Michael Ruffen	3 Prospect Street	2 yrs.	2nd. Ward	Trustee
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John M. Karge, RMC, CMC.
Village Clerk & Chief Election Officer
Village of Wappingers Falls

PERMA's Excellence in Risk Management Award, J. M. Karge Village Safety Coordinator

Village Clerk John Karge read a letter that was submitted to the village workers compensation insurance carrier detailing all the work effort the village safety committee performed during the previous year. The letter was sent in hopes PERMA would recognize the committee as being outstanding in safety and receive the annual award. As it turned out the Village of Wappingers Falls was selected as the 2020 winner! Below is a copy of the letter submitted.

1/16/2020

The Village of Wappingers Falls realized the risks involved of not having regular site inspections of their public facilities. And because of the collaborative work relationship they have with PERMA, the Village was able to see the value of implementing a Safety Committee. The value that the safety committee has brought the Village has so far been immeasurable. The Village Board of Trustees implemented the Safety Committee in the beginning of 2019 because of their desire to promote safety as a top priority.

The Safety Committee of the Village of Wappingers Falls is chaired by its Clerk, John M. Karge. The committee is diverse and has representatives from various departments within the municipality. There are representatives from its administration, the highway department and the parks department. Including Karge, there are a total of five members on the committee.

Earlier this year, Mr. Karge and his team met numerous times to review the village's existing safety practices. With the assistance of the Village's PERMA consultant, Mr. Karge and his team were able to formulate a safety manual for the Village. Once they had a rubric in place the team was able to perform safety inspections of each building within the municipality. During the inspections, the team noted issues that arose and reported them to the Mayor and the Board of Trustees at a board meeting. Mayor Alexander and the Board were then able to have the issues addressed and remedied.

Some of the issues the team encountered and addressed with the Village Board were safety concerns for both residents and employees.

A site inspection of the Village Hall yielded some notable areas of concern. For example, exit routes had been encroached upon with boxes of files. Fire extinguishers needed to be more visible and have the inspections regularly marked. In one case the fire extinguisher had been blocked and had not been visible.

At the Village Police Station there had been areas of unmarked exits. In this case it posed a risk to anyone who may be in the building and needed to evacuate. Fire extinguishers were not mounted in each room making it hard to locate them in case of a fire. As well, it was cited that the fire extinguishers needed to be inspected monthly in accordance with the NYS Fire Code.

The Recreation Department had an issue with flammable liquids that were inappropriately stored. They were not marked correctly with warnings and needed to be relocated. Also, the electrical panel was obstructed and not easily accessible.

During a site inspection this past fall, the Village Homestead had been cited for an electrical panel labeling issues. More specifically, the 'artifact' room had an electrical panel without labeling, making it impossible to address breakers in the case of an

emergency. Also noted was the lack of a handrail that was in compliance with the building code of 1991. Being that there were more than 4 risers, the handrail would have needed to be 34 inches, which it was not. The committee and Village Board made the Homestead aware of this and restricted any persons from going upstairs until the handrail was remedied. As well, doorways and exits were not adequately marked that is a direct safety hazard in the case of an emergency.

Although those were not all the findings during the site inspections, this list encompasses some issues that could potentially cause significant harm to people. The inspections and system the committee implemented have brought a new way of addressing and handling safety issues within the Village. The format that the committee uses is a systematic approach for all facilities that allows the team to look for potential issues regardless of the use of the building. The Safety Committee is of the belief that all public buildings need to be as safe as they can be regardless of the number of occupants it has.

The changes the Safety Committee have implemented have been very well received by the Board of Trustees. As noted by Mayor Alexander, "Our Village prides itself on safety. Safety is paramount." The system the committee put in place works well for all; the issues are clearly written, the board is notified, the work request is sent out and the issues get remedied.

Due to the great work the committee has done thus far, the Village Board decided that the Village Safety Committee will stay in place as a permanent committee and will continue to rotate facility inspections. This committee has been set to meet quarterly so that they can prepare an ongoing report to the Village Board.

John M. Karge, Village Clerk & Safety Committee Coordinator

ROLL CALL BY THE CLERK OF THE VILLAGE: Trustee Marcojohn, Absent. Trustee Catalano, Absent. Trustee Niznik, Aye. Trustee Lammers Aye. Trustee Huber, Aye. Trustee Paonessa, Aye. Attorney Wallace, Aye.

Tonight's meeting has been convened in accordance with the Governor's March 13, 2020 Executive Order 202.1, as extended, which suspends certain provisions of the Open Meetings Law to allow a municipal board to convene a meeting via videoconferencing. In accordance with the Executive Order, the public has been provided with the ability to view and participate in tonight's meeting, by computer, smartphone or telephone, and to view the meeting on the usual cable television channels. The recording of the meeting will be posted to the Village website and a written transcript of the meeting will be prepared and provided at a later date.

There has been a roll call of the Board members and there is a quorum present for this meeting.

I have also confirmed with the Secretary that this meeting has been duly noticed. We have fulfilled our legal notice requirements by posting a copy of the notice of the meeting on the Village's webpage and on the Village's' bulletin board. We have emailed a copy of the notice to the media, and we have confirmation that the legal notices for the public hearings have been properly published.

ACTION ON MINUTES

February 10, 2020

February 24 ,2020

Motion by Trustee Huber to approve the above minutes. Seconded by Trustee Poanessa. Carried.

AUTHORIZATION TO PAY BILLS AS PER APPROVED WARRANTS

Motion by Trustee Niznik to approve paying the bills as audited. Seconded by Trustee Lammers. Carried.

REGULAR SESSION:

REFUNDING BOND RESOLUTION DATED MARCH 10, 2021.

A RESOLUTION AUTHORIZING THE ISSUANCE PURSUANT TO SECTIONS 90.00 OR 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE VILLAGE OF WAPPINGERS FALLS, DUTCHESS COUNTY, TO BE DESIGNATED "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS" AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY.

This item was not voted on as the board did not have a super majority to approve it.

Motion by Trustee Poanessa to table the Bond Resolution to 3/24/2021 5PM Village Board Meeting. Seconded by Trustee Niznik. **ROLL CALL VOTE:** Trustee Marcojohn, Absent. Trustee Paonessa, Aye. Trustee Catalano, Absent. Trustee Niznik, Aye. Trustee Lammers, Aye. Trustee Huber, Aye. Carried.

Approval Farm Stores - Landscape Bond approval

All, we (KC Engineering) have reviewed the bond calculations and quantities and recommend the following:

Item 1a., Material unit cost to be \$300.00 x 10 = **\$3,000.00**

Item 1b., Material unit cost to be \$100.00 x 56 = **\$5,600.00**

The remaining costs (Labor) are acceptable.

Therefore, the total amount should be **\$16,800.00**

RESOLUTION NO. 042021 of 2021

RESOLUTION AUTHORIZING THE ACCEPTANCE
OF A PERFORMANCE BOND FROM ARB LEGACY DEVELOPMENT, LLC
TO GUARANTEE THE COST OF OUTSTANDING IMPROVEMENTS
(LANDSCAPING) TO FARM STORES AT IMPERIAL PLAZA

The following Resolution was introduced by Trustee Lammers and seconded by Trustee Poanessa.

WHEREAS, ARB Legacy Development, LLC (Applicant) have received Site Plan and Special Use Permit Approvals from the Village of Wappingers Falls Planning Board to construct and operate a Farm Stores business on a .32-acre portion of Imperial Plaza located at 1574-76 Route 9, bearing Tax Parcel No. 135601-6158-15-589264 (the “Property”); and

WHEREAS, the Applicant has elected to provide a bond, in cash, to secure performance of the certain terms and conditions of the Resolution of Amended Site Plan Approval (the “Resolution”) granted by the Village of Wappingers Falls Planning Board on February 6, 2020, and to secure compliance with the Village Code, and all other applicable regulations and orders (the “Bond”), as set forth in more detail in the Performance Bond, a copy of which is affixed hereto as **Exhibit A**; and

WHEREAS, the Applicant believes that, other than those items set forth in Schedule A to the Bond, all conditions of Site Plan Approval set forth in the Resolution

have been or shortly will be satisfied, and are desirous to obtain a certificate of occupancy for the operation of the Farm Stores location on the Property; and

WHEREAS, the Applicant has provided the list of remaining work to be done, together with their estimated cost for the labor and materials to complete such work (Schedule A), which estimate has been reviewed and revised by the Village Engineer; and

WHEREAS, the Village is amenable to the posting of the Bond to guarantee the performance of the work set forth in Schedule A; and

WHEREAS, to secure the obligation to guarantee the performance of the work set forth in Schedule A, has agreed to execute a Performance Bond, secured by a Cash Deposit, in the amount of \$16,800.00.00, securing the obligations set forth in the Performance Bond; and

WHEREAS, the Village Board has reviewed the proposed action and has determined that the acceptance of the Performance Bond is a Type II action pursuant to the State Environmental Quality Review Act (SEQRA) regulations, and, therefore, no environmental review is necessary; and

WHEREAS, the Village Attorney has reviewed the Performance Bond and finds it satisfactory in form and substance.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.
2. The Village Board hereby accepts the Performance Bond offered by Applicant, in substantially the form and substance affixed hereto, and in the amount set

forth therein, subject to the approval of the Village Attorney as to form and substance of the document.

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

	Yea	Nay
Deputy Mayor Kevin Huber	_ X _	_____
Bill Marcojohn – Trustee	_____	Absent
Jennifer Niznik – Trustee	_ X _	_____
Mary Paonessa – Trustee	_ X _	_____
Kristin Catalano – Trustee	_____	Absent
Bryan Lammers – Trustee	_ X _	_____

Dated: Wappingers Falls, New York
February 10, 2021

I, John Karge, Village Clerk of the Village of Wappingers Falls, hereby certify that the above Resolution was adopted by the Village Board of Trustees of the Village of Wappingers Falls and that this is a true and exact copy thereof.

John M. Karge

JOHN KARGE, VILLAGE CLERK

Dated: Wappingers Falls, New York
March 10, 2021

Grant update’s Corey Usavich

Spoke of 3 updates:

1. (CDBG) Deputy Kevin Huber signed our contract with the County over our CDBG Grant regarding the sewer line extension on Paggi Terrace. This will allow Habitat for Humanity to build 2 additional homes on the dead end.
2. (TAP) The DOT has responded saying they have processed our payment request for TAP and we should be expecting the first payment- \$394,217.33 shortly
3. (EPA Brownfield) EPA has responded with comments about the Village’s QAPP submission. We can now move forward with our next phase to begin work on the Bleachery.



Village of Wappingers Falls
POLICE DEPARTMENT
 2628 South Avenue
 Wappingers Falls, NY 12590
 (845) 297-1011

MONTHLY DEPARTMENT STATS 2021

	Date Jan 01- Jan 31 st	Date Feb 01 – Feb 28 th 2021	Date Feb 01 – Feb 29 th 2020	Date March 01– March 31	Date April 01 – April 30	Date May 01- May 31	Date June 01- June 30	Date July 01- July 31	Date Aug 01- Aug 31	Date Sept 01 – Sept 30	Date Oct 01 – Oct 31	Date Nov 01 – Nov 30	Date Dec 01 – Dec 31
Total Calls for Service	284	321	312										
Arrests	8	4	16										
Traffic Tickets	150	127	149										
Sick Call Outs	12	1	7										
Call Outs (other)	6	3	21										
Call Outs (shift not covered)	10	3	20										
Domestics	10	5	10										
Lockouts	13	15	11										
Larceny	3	5	3										
Drug Complaint	0	1	0										
Criminal Mischief	6	5	5										
Accidents	9	20	16										
Assault Calls	0	0	0										
Burglar Alarms	5	9	11										
Medicals	69	71	37										
Civilian Complaint	0	0	1										
Parking Tickets	67	63	41										
Use of Force	1	0	1										

Highway, Trustee Huber

Fire, Trustee Huber

Safety. Village Clerk

Recreation, Trustee Huber

Lake, Trustee Huber

Water, Trustee Huber

Personnel, Trustee Niznik

“Public input”

Comments are available with the clerk.

Motion by Trustee Lammers to adjourn to the executive session with Ms. Jessica McMahon, Village Attorney Wallace and Labor Attorneys Rich Zuckerman and Alyson Mathews in attendance. Seconded by Trustee Poanessa. Carried.

EXECUTIVE SESSION

_____ I need a motion to adjourn into Executive Session at: 7:47 [time] for the purpose of discussing (pick one or more below):

- pending litigation in the matter(s) of – _____ v. _____
- 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
- the financial history of a particular corporation
- matters leading to the appointment of a particular corporation
- matters leading to the termination of a particular corporation
- pending 3020-a charges against a tenured employee
- issues involving a special education student
- a disciplinary matter involving a particular 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

_____ the preparation of examinations

_____ the grading of examinations

_____ the administration of examinations

X seeking legal advice from the Village's Attorney

_____ matters that would impact public safety

I need a motion to exit Executive Session and return to the Public Meeting at 9:PM

Motion made by Trustee Huber, seconded by Niznik.

All In Favor: 4 Opposed:0 _____ Abstain:0

Motion passes [4] – [0]

REGULAR SESSION:

Motion to adjourn the 3/10/2021 Village Board Meeting

Motion by Trustee Huber to adjourn the 3/10/2021 Village Board Meeting. Seconded by Trustee Poanessa. Carried.

Minutes prepared by: John M. Karge, Village Clerk