

Minutes following the 03/11/2020 Village Board Meeting

**“PLEASE SILENCE CELL PHONES PRIOR TO START OF HEARING / MEETING.
THANK-YOU”.**

Welcome to the Village of Wappingers Falls monthly regular meeting of the Mayor and Board of Trustees today Wednesday, March 11, 2020, 7PM.

Motion by Trustee Davis to reopen the 2/26/2020 LL# 1, 2020 Public Hearing. Seconded by Trustee Poanessa. Carried.

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING
VILLAGE OF WAPPINGERS FALLS**

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Wappingers Falls will conduct a PUBLIC HEARING on the 26 day of February, 2020, at 5:00 p.m. at the Village Hall 2582 South Avenue, Wappingers Falls, New York, at which time all parties in interest and citizens shall have an opportunity to be heard as to whether the Board of Trustees of the Village of Wappingers Falls shall adopt a proposed Local Law entitled "Local Law No. 1 of the Year 2020, Amending Chapter 151 of the Village of Wappingers Falls Entitled “Zoning” to Clarify the Provisions for Street-Level Dwellings”.

PLEASE TAKE FURTHER NOTICE that the purpose and intent of the proposed Local Law is to amend Chapter 151 of the Code of the Village of Wappingers Falls in order to clarify the provisions pertaining to street-level dwellings.

PLEASE TAKE FURTHER NOTICE that a copy of the proposed Local Law is available for review and inspection at the Office of the Village Clerk on weekdays from 8:30 a.m. to 4:00 p.m., at the Village Hall, 2582 South Avenue, Wappingers Falls, New York.

Dated: January 29, 2020

BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF WAPPINGERS FALLS

JOHN KARGE, VILLAGE CLERK

There was much discussion by the public more specifically, Ms. Courtney Kolb and Trent Atkinson both representing the village EDC. Others were also concerned about allowing street level residential use to occupy a portion of that floor. It was decided to amend the local law to prohibit any residential use of the street floor. Amended LL# 1, 2020 attached below, also amended “SEQR Determination attached.

Motion by Trustee Komornik to close the public hearing. Seconded by Trustee Davis. Carried.

Approval “SEQR Determination” LL#1

Attached.

617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: TBD

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Village of Wappingers Falls Board of Trustees, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Adoption of Local Law No. 1 (Proposed) of 2020 Amending Chapter 151 of the Code of the Village of Wappingers Falls entitled “Zoning” to Clarify the Provisions for Street Level Dwellings

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: YES
 NO

Description of Action: The action involves adoption of amendments to Chapter 151 of the Village Code entitled “Zoning” to clarify the provisions for street level dwellings. The proposed action is designed to protect the health, safety and welfare of Village residents and to “Greenway Connections: Greenway Compact Program and Plan for Dutchess County Communities” pursuant to Chapter 17-3 of the Village Code.

Location: Village of Wappingers Falls, Dutchess County, New York

Reasons Supporting This Determination:

1. The Village Board has given due consideration to the subject action as defined in 6 CRR-NY 617.2(b) and 617.3(g).
2. After reviewing the Full Environmental Assessment Form (EAF) for the action dated January 29, 2020, the Village Board has concluded that environmental effects of the proposal will not exceed any of the Criteria for Determining Significance found in 6 CRR-NY 617.7(c).
3. The proposed action will apply to lands that are located within the Village of Wappingers Falls Historic District, which is listed on the National Register of Historic Places, and to other properties that are individually listed on the National Register. It will also apply to lands that have been identified as sensitive for archaeological sites by the NYS Office of Parks, Recreation and Historic Preservation. The proposed action involves amendments to the Village Zoning Law to clarify the existing provisions for street level or “ground floor” dwellings. Specifically it clarifies that the definition of “ground floor dwelling” includes all or “any portion” of a dwelling unit, and it limits a hallway with stairs to a maximum of 6’ wide leading from the exterior ground-floor door locate on a building facade that faces a street to a self-enclosed dwelling unit located above or below the ground floor. These provisions will ensure that no portion of a ground floor dwelling will face the street in the VC District, which will encourage pedestrian-oriented commercial development along the street frontage consistent with historic development patterns, a beneficial impact on historic resources. No development is proposed as part of the action and therefore no significant adverse environmental impacts will occur to archaeological resources. Potential impacts on archaeological resources that may occur as a result of future development activities permitted by the proposed Zoning amendments must be investigated on a site specific basis; if development of a specific site is proposed subsequent to adoption of the proposed Zoning amendments, a separate site-specific environmental review, including an assessment of potential impacts on archaeological resources, will be conducted under SEQR. Based on the foregoing, the Village Board concludes that the proposed action will not result in a significant adverse environmental impact on historic and archaeological resources.
4. The proposed action will apply to lands located within or adjacent to a critical environmental area (CEA). No development is proposed as part of the action and therefore no significant adverse environmental impacts will occur to the CEA. Potential impacts on the CEA that may occur as a result of future development activities permitted by the proposed Zoning amendments must be investigated on a site specific basis; if development of a specific site is proposed subsequent to adoption of the proposed Zoning amendments, a separate site-specific environmental review, including an assessment of potential impacts on the CEA, will be conducted under SEQR. Based on the foregoing, the Village Board concludes that the proposed action will not result in a significant adverse environmental impact on a CEA.
5. The Village Board has concluded that there are no significant adverse environmental impacts associated with the proposed action.

For Further Information:

Contact Person: John Karge, Village Clerk
Address: 2582 South Avenue
Wappingers Falls, NY 12590
Telephone: 845-287-8773
Email: jmkarge@optonline.net

A Copy of this Notice Filed With:

Village of Wappingers Falls Board of Trustees (Lead Agency)
Matt Alexander, Village Mayor
Any person who has requested a copy
Environmental Notice Bulletin: enb@gw.dec.state.ny.us

Approval LL#1, 2020 Amending Chapter 151 of the Village of Wappingers Falls Entitled “Zoning” to Clarify the Provisions for Street-Level Dwellings”.

Motion by Trustee Davis to approve LL #1, 2020 as amended contingent on village attorneys updated revised edition. Seconded by Trustee Komornik. Carried.

Motion by Trustee Davis to open the public hearing for LL# 3, 2020. Seconded by Trustee Poanessa. Carried.

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING
VILLAGE OF WAPPINGERS FALLS**

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Wappingers Falls will conduct a PUBLIC HEARING on the 11 day of March, 2020, at 7:00 p.m. at the Village Hall 2582 South Avenue, Wappingers Falls, New York, at which time all parties in interest and citizens shall have an opportunity to be heard as to whether the Board of Trustees of the Village of Wappingers Falls shall adopt a proposed Local Law entitled "Local Law No.3 of the Year 2020, Amending Chapter A154, Recreation Fees of the Code of the Village of Wappingers Falls”.

PLEASE TAKE FURTHER NOTICE that the purpose and intent of the proposed Local Law is to amend Chapter A154, Recreation Fees of the Code of the Village of Wappingers Falls by decreasing the recreation fees and adding a provision that all future amendments to recreation fees can be made by Resolution duly adopted by the Village Board of Trustees.

PLEASE TAKE FURTHER NOTICE that the Village Board of Trustees has determined that pursuant to 6 NYCRR 617.5 (c) (20) the proposed adoption of the aforementioned Local Law is a Type II action not requiring environmental review

pursuant to the State Environmental Quality Review Act (SEQRA) and, accordingly, no environmental review has been undertaken.

PLEASE TAKE FURTHER NOTICE that a copy of the proposed Local Law is available for review and inspection at the Office of the Village Clerk on weekdays from 8:30 a.m. to 4:00 p.m., at the Village Hall, 2582 South Avenue, Wappingers Falls, New York.

Dated: February 12, 2020

BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF WAPPINGERS FALLS

JOHN KARGE, VILLAGE CLERK

Mayor Alexander asked Village Attorney Wallace to explain the intent of LL#3, 2020. Attorney explained The Village Board of Trustees made a determination that it was necessary to undertake a study of recreation needs to enable the Village to improve lands suitable for meeting the Village's current and future residents' recreational needs. To accomplish that goal, the Village Board of Trustees requested the firm of Four Corners Planning to undertake such a study. After review and due consideration of the Recreation Needs Assessment study, the Village Board of Trustees has determined that it would be in the best interests of the residents to decrease the recreation fee at this present time. Mayor Alexander asked the board and public if they wanted to make a comment. None replied.

Motion by Trustee Whitten to close the public hearing. Seconded by Trustee Poanessa. Carried.

LOCAL LAW NO. 3 (PROPOSED) OF 2020

A Local Law entitled "Local Law No. 3 of the Year 2020, Amending Chapter A154, Recreation Fees of the Code of the Village of Wappingers Falls"

Be it enacted by the Village Board of Trustees of the Village of Wappingers Falls as follows:

SECTION 1. LEGISLATIVE INTENT

The Village Board of Trustees made a determination that it was necessary to undertake a study of recreation needs to enable the Village to improve lands suitable for meeting the Village's current and future residents' recreational needs. To accomplish that goal, the Village Board of Trustees requested the firm of Four Corners Planning to undertake such a study. After review and due consideration of the Recreation Needs Assessment study,

the Village Board of Trustees has determined that it would be in the best interests of the residents to decrease the recreation fee at this present time.

SECTION 2. APPLICATION

This Local Law shall apply within the Village of Wappingers Falls.

SECTION 3. AMENDMENTS TO CHAPTER A154, RECREATION FEES

Chapter A154, Recreation Fees shall be amended to read as follows:

“Chapter 151, Zoning

Recreation fees payable upon construction of new dwelling unit(s) or the creation of new residential lot(s)	\$2,100 for first dwelling unit or \$2,150 for first lot \$4,250 for each additional dwelling unit or \$4,250 for each additional lot
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(Future amendments to Recreation fees may be made by Resolution duly adopted by the Village Board of Trustees.)”

SECTION 4. RATIFICATION, READOPTION AND CONFIRMATION

Except as specifically modified by the amendments contained herein, Chapter A154 of the Code of the Village of Wappinger Falls as adopted and amended from time to time thereafter is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

SECTION 5. NUMBERING FOR CODIFICATION

It is the intention of the Village of Wappingers Falls and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Village of Wappingers Falls; that the sections and sub-sections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

SECTION 6. SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

SECTION 7. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

RECOGNITION / ANNOUNCEMENTS / SPECIAL EVENTS

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

ACTION ON MINUTES

February 12, 2020 Village Board Meeting

Motion by Trustee Huber to approve above minutes. Seconded by Trustee Whitten. Carried.

AUTHORIZATION TO PAY BILLS AS PER APPROVED WARRANTS

Motion by Trustee Huber to approve payment of bills as audited. Seconded by Trustee Poanessa. Carried.

REGULAR SESSION:

Privilege of the Floor with respect to printed agenda items followed by Privilege of the Floor with respect to non-agenda items

FINANCE / ADMINISTRATIVE

Note: *The following is proposed LL#1, 2020*

Approval “SEQR Determination” LL#3

Approval LL# 3, 2020 A Local Law entitled “Local Law No. 3 of the Year 2020. Amending Chapter A154, Recreation Fees of the Code of the Village of Wappingers Falls”

Motion by Trustee Komornik to approve “Local Law No. 3 of the Year 2020, Amending Chapter A154, Recreation Fees of the Code of the Village of Wappingers Falls”. Seconded by Trustee Poanessa. Carried.

Approval to lease F550 fire truck for 5 years as opposed to 6 years.

Motion by Trustee Huber to approve to lease F550 fire truck for 5 years as opposed to 6 years. Seconded by Trustee Whitten. Carried.

Approval to bond \$700.0k for new fire truck.

Motion by Trustee Huber approving to obtain a Bond Resolution for new fire truck \$700.0k. Seconded by Trustee Whitten. Carried.

Approval to extend Dutchess County 2000 Crisis Intervention to 12/30/2020.

The Village of Wappingers Falls is seeking a Request for Qualifications (RFQ) for environmental or civil engineer consultation for the specifications, development, and execution of feasibility of a structural expansion to the Clinton Dam located in the Village of Wappingers Falls. The goal of this project is to make necessary repairs to Clinton Dam as well as adding a structure to enhance accessibility. The main goal includes:

- Fabrication of a removable platform to hang from the face of the dam in order to provide access for repairs. The platform will be stored by the Village and used when needed.
- Installation of anchor bolt holes into the dam from which the maintenance platform will be hung for access.
- Masonry repair to address leaks in the face of the dam.
- Repair of the deteriorated retaining wall along the east side of the hydroelectric face.
- Removal of debris and vegetation from the dam face, base, and spillway.

Motion by Trustee Komornik to approve extending Dutchess County 2000 Crisis Intervention to 12/30/2020. Seconded by Trustee Huber. Carried.

Approval for Clinton Dam Project RFQ.

Motion by Trustee Davis to approve obtaining an RFQ engineering analysis of Clinton Dam Project. Seconded by Trustee Whitten. Carried.

Approval engineering study / drawings 2657 and 2667 East Main Street Grease Interceptor.

Motion by Trustee Huber to approve subject to inspection requirements. Seconded by Trustee Komornik. Carried.

KC Engineering is pleased to provide this proposal for professional services to prepare sewer easement mapping and description for the Bain Creekside Sewer Trunkline constructed in 2019.

Motion by Trustee Davis to approve KC Engineering's proposal for professional services to prepare sewer easement mapping and description for the Bain Creekside Sewer Trunkline constructed in 2019. Seconded by Trustee Komornik. Carried.

KC Engineering is pleased to provide this proposal for professional services to prepare Survey Mapping, Conceptual Master Plan for Bain Park, Site Design for the Bain Park Playground Equipment Area, and Long Form Part 1 EAF.

Motion by Trustee Davis approving KC Engineering proposal for professional services to prepare Survey Mapping, Conceptual Master Plan for Bain Park, Site Design for the Bain Park Playground Equipment Area, and Long Form Part 1 EAF. Seconded by Trustee Poanessa. Carried.

Discussion / approval about proposed new and improved phone system for the Village Hall / Garner Fire House. Social Media Coordinator, Mr. Todd Bowen.

This item tabled to 3/25/2020.

RESOLUTION NO. 062020 of 2020
 RESOLUTION EMPLOYING CONFLICT ATTORNEY FOR LEGAL SERVICES TO THE VILLAGE OF WAPPINGERS FALLS FOR CALENDAR YEAR 2020

The following Resolution was introduced by Trustee Davis and seconded by Trustee Whitten

BE IT RESOLVED, that Richard J. Olson, Esq. of McCabe & Mack, LLP, be and he hereby is employed and retained as the Conflict Attorney for the Village of Wappingers Falls, whenever Craig M. Wallace, Esq., or anyone from the firm of Wallace & Wallace, LLP, is unable to provide legal services because of any professional conflict during calendar year 2020; and

BE IT FURTHER RESOLVED that Richard J. Olson, Esq. of McCabe & Mack, LLP, shall be paid for such services in accordance with the proposal submitted to the Village Board of Trustees dated 3/11/2020.

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

	Yea	Nay
Mayor Matthew Alexander	<u> X </u>	<u> </u>
Kevin Huber – Trustee	<u> X </u>	<u> </u>
Bill Marcojohn – Trustee	<u> </u>	Absent
Ronnie Komornik – Trustee	<u> </u>	<u> X </u>
Mary Paonessa – Trustee	<u> X </u>	<u> </u>
Scott Davis – Trustee	<u> X </u>	<u> </u>
Brian Whitten – Trustee	<u> X </u>	<u> </u>

Dated: Wappingers Falls, New York
 March 11, 2020

Presentation from outgoing Deputy Mayor to Village Clerk, John Karge Millennium Time Capsule Inventory.

Deputy Mayor Davis turned over the “Millennium Time Capsule Inventory and Documentation” to Village Clerk John M. Karge for safe keeping at the Village Hall. All in attendance applauded.

SAFETY

FURTHER DISCUSSION OF ITEMS FROM PREVIOUS BOARD MEETINGS.

“Liss Road signs” Pilot program.

COMMITTEE REPORTS.

Police

	Date Jan-19	Date Jan-20	Date Feb-19	Date Feb-20
Total Calls for Service	374	340	274	312
Arrests	10	7	11	16
Traffic Tickets	220	226	251	149
Sick Call Outs	4	8	9	7
Call Outs (other)	4	11	1	21
Call Outs (shift not covered)	3	10	6	20
Domestics	12	8	10	10
Lockouts	14	14	13	11
Larceny	7	3	3	3
Drug Complaint	0	1	1	0
Criminal Mischief	4	0	1	5
Accidents	24	20	22	16
Assault Calls	1	0	0	0
Burglar Alarms	6	19	9	11
Medicals	65	50	40	37
Civilian Complaints	0	0	0	1

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

EDC

2 New Members

As an artist, I'd love to see more art around the village and hope to collaborate in that way moving forward.

However, my motivation for getting involved with the EDC was to be more involved in the conversation regarding the branding of the village.

Throughout my entire career, logo design, branding, and brand strategy have been my primary focus and so I feel I have some valuable insights to contribute in this regard.

I would love to see the branding of our village connect to a larger audience and to better illustrate the idea of a "radically inclusive" community, which I believe the village truly represents.

I have some ideas on how we can achieve this if we can have a discussion about this at the next meeting.

I'm excited to be more involved. Let me know what I can do to help.

Thank you in advance!
Brian Zickafoose

To Whom It May Concern,

I would like to formally be nominated as a member the Wappingers Falls Economic Development Committee. I have been attending monthly meetings for approximately one year and have discovered I have the same goals and objectives as the rest of the members to improve and grow this village that we call home. I have owned a home in the village for over 10 years now and have spent my entire life a Wappingers Falls resident. This is my home and I have strong passion to ensure its continued improvement and make it better place for future generations to call home as well. I feel my professional background and skillset can be an asset to the committee and help to achieve our overall objectives. I have attached my professional resume for your reference please feel free to contact me if any further details are required.

Sincerely,
Matthew Desiderio

Motion by Trustee Komornik to approve 2 new members to the EDC. Seconded by Trustee Davis Carried.

EDC Announcement

Dear Trustees, Village Clerk, Mayor and Deputy Mayor,
Below are the minutes from the EDC.

ANNOUNCEMENT:

Without further adieu, drumroll, the new American Legion WOW!!!

Thank you Mr. Karge and Mark Loncto and village board for helping us make this a priority.

MINUTES

We've got two new members for consideration. My background is Sales/Marketing/Business Development you may know Trent's is Real Estate and Engineering. In addition, Ben brings a technology background. With the addition of Matt with a specialty in Finance and Brian with a background in the Arts - we've got a great mix. However, we've got a lot to tackle so please encourage others to join us! We are stronger together.

A big Thank you to the members of the EDC and to Trustee Huber who always showed up and was willing to listen and contribute. Deputy Mayor you've been a strong liaison and helped us accomplish some important goals for the edc and our greater community. You've really empowered us and helped give us tools to make us stronger for the community. You too were always available for a phone call. You will be missed as our liaison next term.

First Term Accomplishments:

1. Mill Street Globes – Replaced
2. Mill Street Stairs - Fixed
3. Website- launched
4. \$9,500 approved for trash receptacles, benches- Ordered

5. Mural on boarded up building to cover graffiti – Special thanks to Keely Sheehan

6. Marketing Video featuring Mayor Matt for HGTV and DRI – Completed with \$2,000 from EDC budget

7. Chairs for the Village to be placed in American Legion for Planning, Zoning and other meetings held there.
\$2293.35 from EDC budget

8. Remaining work (floors and projector) to be completed

(2) **Discussion Bain park-** We acknowledge as a committee the economic impact this park could have for our village. We want the board to understand the recommendation we made to the recreation committee and see how it may support the future for the immediate and long-term design. The park can attract people from all over the county and that would encourage revenue dollars to be spent in the community and even folks to discover the village by visiting the park and then deciding to rent here / buy a home here. However, we discussed real gaps and concerns.

The EDC makes a recommendation to The Recreation Committee for the following:

1. An additional public meeting seeing there was only one.

2. When promoting this meeting and the park on social consider using inviting language for the posts about the park something like we need the community 1 in 3 people are touched by a disability if this is you please attend for someone you know you can make a difference starting in your own backyard this is how calling all kids and their caregivers great opportunity to make an impact for you and your community this is just the start- this park has more potential but we need the community to get involved- ask us for more information!

3. Consider trustees speaking to the neighbors and finding out feedback straight from children with varying degrees of ability. Use this opportunity to connect with the community and tell the village's story of their residents who need this.

4. Network with Abilities First, Janet the founder of Julie's Jungle, Autism Speaks, and Think Differently.

(3) **Discussion commercial /residential first floor – Why did EDC want to speak?** Already addressed earlier in meeting no need to report.

(4) **Discussion site maintenance requirements for 10 market st** – The EDC sent two official recommendations to the board. The reason they were sent as recommendations via email versus discussed at our EDC meeting is they were emergency responses to an emergency situation and all committee members voted in support. See attached. We didn't hear from one elected official about our recommendations. When asked what the site maintenance requirements are we were told I don't know it was in a meeting.

Highway, Trustee Whitten

Fire, Trustee Huber

Recreation, Trustee Huber

Lake, Trustee Huber

Water, Mayor Alexander

Personnel, Trustee Davis

Sewer and Grants, Mayor Alexander

Note: Future reports to be submitted in writing to the clerk prior to monthly meeting.

EXECUTIVE SESSION

Motion by Tr. Davis to adjourn into Executive Session at: 11: PM for the purpose of discussing areas marked (X). Seconded by Tr. Komornik. Carried.

All in Favor: 5 Opposed: 0 Abstain: 0

Motion passes [5] – [0]

-
- 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. Komornik to exit Executive Session and return to the Public Meeting at 11:15 PM. Seconded by Tr. Davis. Carried.

All in Favor: 5 Opposed: 0 Abstain: 0

Motion passes [5] – [0]

REGULAR SESSION:

Motion by Trustee Paonessa to adjourn the 3/11/2020 Village Board Meeting. Seconded by Trustee Komornik. Carried.

Meeting adjourned 11:15 PM. Minutes prepared by: John M. Karge