

## **Minutes following the 06/10/2020 Village Board Meeting**

***Welcome to the Village of Wappingers Falls monthly regular meeting of the Mayor and Board of Trustees today Wednesday, June 10, 2020, 7PM.***

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 TO THE FLAG:**

### **RECOGNITION / ANNOUNCEMENTS / SPECIAL EVENTS**

*Office of the Mayor*  
**VILLAGE OF WAPPINGERS FALLS**  
2582 South Avenue  
Wappingers Falls, N.Y. 12590  
(845)-297-8773

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June 2, 2020

Dear Village Residents,

On Monday, May 25<sup>th</sup>, Minneapolis resident George Floyd was killed after a local police officer knelt on his neck for eight minutes and forty-six seconds causing asphyxiation. Mr. Floyd's death is just one of a long line of mistreatment and brutality of African Americans. The horrific scenes shown during the murder of Mr. Floyd caused immediate unrest from the public.

The Village of Wappingers Falls Police, the Village Board as well as myself would like to communicate to our residents that George Floyd's murder was a reprehensible act of force and brutality against one of our fellow Americans. We understand that when one of us is attacked, all of us are attacked. But those words ring hollow when there has been such a long terrible history against African Americans. We have always prided ourselves on being a close knit community and want to convey that this includes ALL of our residents. And furthermore, our police force is there to protect each resident equally.

We are proud of our efforts to ensure everyone's safety. We are one of the first Dutchess County municipalities to use body cameras. That being said, we acknowledge that we, like our nation, still have a long way to go. As an ethnically and culturally diverse community, we embrace our brothers and sisters, with the hope that we move past racial inequality and respect one another's rich cultural history. Most importantly, we sincerely offer our genuine concern and love to all who have been traumatized.

Matt Alexander

Mayor

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

**ACTION ON MINUTES**

May 13, 2020 Village Board Meeting

May 19, 2020 Village Board Budget Meeting

May 27, 2020 Village Board Meeting

Motion by Trustee Komornik to approve above minutes. Seconded by Trustee Poanessa. Carried.

**AUTHORIZATION TO PAY BILLS AS PER APPROVED WARRANTS**

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

**REGULAR SESSION:**

**Bid response public works equipment and labor contract 2020 through 2022**

Motion by Trustee Huber to approve Ben Ciccone as low bidder for equipment and labor contract 2020 through 2022.

**Accept resignation of 3<sup>rd</sup> Ward Trustee Brian Whitten.**

**“Resolution No. 212020 Accepting Resignation of 3<sup>rd</sup> Ward Trustee”**

**RESOLUTION NO. 212020 of 2020**

**RESOLUTION ACCEPTING RESIGNATION OF 3<sup>RD</sup> WARD TRUSTEE  
TO THE VILLAGE OF WAPPINGERS FALLS**

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

**WHEREAS,** Brian Whitten has tendered his resignation, effective June 1, 2020, as 3<sup>rd</sup> Ward Trustee to the Village of Wappinger Falls; and

**WHEREAS**, it is the desire of the Mayor and the Village Board of Trustees to honor Brian Whitten’s service and to accept, with appreciation, his resignation; now, therefore

**BE IT RESOLVED**, that the resignation of Brian Whitten, as 3<sup>rd</sup> Ward Trustee for the Village of Wappingers Falls, effective June 1, 2020, is hereby accepted; and

**BE IT FURTHER RESOLVED**, that Brian Whitten is hereby commended for his service on behalf of the Village of Wappingers Falls, its residents and the public at large; and

**BE IT FURTHER RESOLVED**, that the Mayor and the Village Board of Trustees, for themselves and for all residents of the Village of Wappingers Falls, do hereby express their sincere appreciation for Brian Whitten’s service and extend their best wishes; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

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

	<b>Yea</b>	<b>Nay</b>
Mayor Matthew Alexander	_____	_____
Kevin Huber – Trustee	_____X_____	_____
Bill Marcojohn – Trustee	_____X_____	_____
Ronnie Komornik – Trustee	_____X_____	_____
Mary Paonessa – Trustee	_____X_____	_____
Scott Davis – Trustee	_____X_____	_____

Dated: Wappingers Falls, New York  
June 10, 2020

**Appoint individual to fill vacancy 3<sup>rd</sup> Ward Trustee, term ends 4/5/2021.**

Mayor Alexander appointed Wilford Bryan Lammers, residing at 64 South Mesier Avenue, Wappingers Falls, New York, as Village Trustee, to fill the vacancy of the unexpired term of Brian Whitten, 3<sup>rd</sup> Ward Trustee, which term expires on April 5, 2021.

“**Resolution No. 222020** Appointing 3<sup>rd</sup> Ward Trustee”

**RESOLUTION NO. 222020 of 2020**

**RESOLUTION APPOINTING 3<sup>RD</sup> WARD TRUSTEE TO THE  
VILLAGE OF WAPPINGERS FALLS**

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

**WHEREAS**, Brian Whitten has tendered his resignation, effective June 1, 2020, as 3<sup>rd</sup> Ward Trustee, causing a vacancy on the Village Board of Trustees; and

**WHEREAS**, pursuant to Village Law § 3-312(3)(b), the Mayor is authorized to fill such vacancy for the remainder of the unexpired term; and

**WHEREAS** the Mayor conducted interviews with several interested appointees for the vacant 3<sup>rd</sup> Ward seat; and

**WHEREAS**, the Mayor, in consultation with the Village Board of Trustees, has reviewed various resumes of interested persons and has determined that Wilford Bryan Lammers is the best candidate to fill the vacancy of 3<sup>rd</sup> Ward Trustee; now, therefore

**BE IT RESOLVED**, that the Mayor hereby appoints Wilford Bryan Lammers, residing at 64 South Mesier Avenue, Wappingers Falls, New York, as Village Trustee, to fill the vacancy of the unexpired term of Brian Whitten, 3<sup>rd</sup> Ward Trustee, which term expires on April 5, 2021; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

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

	<b>Yea</b>	<b>Nay</b>
Mayor Matthew Alexander	_____	_____
Kevin Huber – Trustee	_X_____	_____
Bill Marcojohn – Trustee	_X_____	_____
Ronnie Komornik – Trustee	_X_____	_____
Mary Paonessa – Trustee	_X_____	_____
Scott Davis – Trustee	_X_____	_____

Dated: Wappingers Falls, New York  
June 10, 2020

**Approval to consent Village of Wappingers Falls Planning Board to be Lead Agency on the “1663 Route 9 – GasLand Project”.**

“**Resolution No. 232020** Consenting to Planning Board Serving as lead Agency for GasLand”.

**RESOLUTION NO. 232020 of 2020**

**RESOLUTION CONSENTING TO THE VILLAGE OF WAPPINGERS FALLS PLANNING BOARD SERVING AS LEAD AGENCY FOR THE PROJECT KNOWN AS GASLAND SITE PLAN**

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

**WHEREAS** GasLand currently has an application in front of the Village of Wappingers Falls Planning Board for site plan approval for property located at 1663 Route 9 in the Village of Wappingers Falls; and

**WHEREAS,** the Planning Board served the Village Board a Notice of Intent to act as Lead Agency for the project and has requested the Village Board’s consent; now, therefore

**BE IT RESOLVED,** that the Village Board hereby consents to the Planning Board acting as Lead Agency for the project known as GasLand Site Plan.

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

	<b>Yea</b>	<b>Nay</b>
Mayor Matthew Alexander	_____	_____
Kevin Huber – Trustee	__X__	_____
Bill Marcojohn – Trustee	__X__	_____
Ronnie Komornik – Trustee	__X__	_____
Mary Paonessa – Trustee	__X__	_____
Scott Davis – Trustee	__X__	_____

Dated: Wappingers Falls, New York

June 10, 2020

“Wappingers Falls Re-opening Safely”

Discussion “Village Center Outdoor Spaces”. Mary Ross Park, Patsy’s Pizza, 14 Market St., Falls View Park and sidewalks.

“**Resolution No. 242020** Authorizing Temporary Suspension of Enforcement of Outdoor Dining Restrictions”

**RESOLUTION NO. 242020 of 2020**  
**RESOLUTION AUTHORIZING THE BUILDING INSPECTOR/ZONING ADMINISTRATOR TO APPROVE TEMPORARY SUSPENSION OF ENFORCEMENT OF OUTDOOR DINING RESTRICTIONS AND ANCILLARY OFF-STREET PARKING REQUIREMENTS SET FORTH IN THE VILLAGE OF WAPPINGERS FALLS ZONING CODE UNTIL FURTHER DETERMINATION OF THE VILLAGE BOARD, SUBJECT TO SPECIFIED CONDITIONS**

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

**WHEREAS**, the COVID-19 pandemic has led to necessary closures of lawfully operating restaurants in the Village of Wappingers Falls; and

**WHEREAS**, outdoor dining at lawfully operating restaurants and food establishments are subject to the provisions of required off-street parking spaces or other land use restrictions under the Village of Wappingers Falls Zoning Code; and

**WHEREAS**, the Village Board of Trustees is mindful of both the public health concerns and the public interest of safely and gradually reopening businesses; and

**WHEREAS**, allowing restaurants and food establishments, where feasible, the opportunity to reopen for the safe conduct of outdoor dining, subject to approval and conditions hereinafter set forth, is a prudent measure that rationally balances those public interests; and

**WHEREAS**, County Executive Marcus J. Molinaro just issued Local Emergency Order # 12 of Emergency Executive Order No. 2 of 2020, effective June 9, 2020, in support of the reopening of food service establishments without regard to strict adherence to local land use laws, rules and regulations, subject to the terms and conditions of the Village; now, therefore, be it

**RESOLVED**, that the Village of Wappingers Falls Building Inspector/Zoning Administrator be and hereby is authorized as a matter of prosecutorial discretion to suspend enforcement of the zoning requirement or land use restrictions to obtain an Outdoor Dining Permit and maintain required off-street parking for outdoor dining at a lawful restaurant and food establishment, subject to the following conditions:

1. A permit for a Temporary Outdoor Dining be submitted and issued from the Village of Wappingers Falls Building Inspector/Zoning Administrator; and
2. Prior submission to the Building Department of two (2) copies of a property survey showing the proposed location of outdoor tables and chairs with the total outdoor occupancy indicated, as well as the areas on-site devoted to off-street parking; and
3. As to be shown on the survey, all temporary outdoor dining areas must be protected from vehicular traffic for occupant safety, in the judgment of the Building Department and the Fire Inspector's Office; and
4. Such survey shall be signed, stamped and dated "Approved" by the Building Department and kept on premises during operation for viewing by law enforcement, and in the event of approval, not greater than 25% of the required on-site off-street parking area shall be obstructed, and all tables and chairs shall be removed by 10:00 P.M.; and
5. Provide a diagram of outdoor space and relationship to restaurant. Diagram should include layout for all tables with the required 6' spacing. Capacity for outdoor seating cannot exceed approved indoor occupancy. Tables should be appropriately sized to the space, but not to exceed seating for 10 people.
6. Provide tent location and size, if applicable. Tents are permitted to use one side flap for weather protection; and
7. Procedures to maintain social distancing guidelines while patrons are not seated. Post signage or markings; and
8. Consent of landowner if not on leased property and/or documentation of agreement with Village of Wappingers Falls for municipal land use; and
9. Detail for protection of patrons from vehicles if outdoor seating will be in a parking lot; and
10. Hours of operation.
11. Contact name and number of person who will be onsite (manager/owner); and
12. Patrons may utilize indoor restrooms, but occupancy of bathrooms is limited to one person at a time; identified marking of 6' spacing for bathroom lines; and
13. No patron of the restaurant or food establishment shall be permitted within the interior of the restaurant or food establishment unless and until authorized by Order of the Governor of New York State or other controlling authority; and
14. All compulsory social distancing and other applicable COVID-19 requirements shall be observed; and
15. Food and/or beverage must be consumed in outdoor, open-air areas, without a fixed roof (besides a temporary or seasonal awning or cover); and
16. Food and/or beverage must be consumed while seated at a table, bar, counter, or similar contrivance; and

- 17. All tables must be 6’ apart; any seat at bar, counter, or similar must be 6’ apart; and
- 18. All staff of the licensed business must wear face masks at all times; and
- 19. All patrons must wear face masks at any time they are not seated; and
- 20. Any consumption of food and/or beverage shall be subject to all other relevant executive orders, guidance promulgated by the Department of Health, and/or any other relevant agency guidance

Business: \_\_\_\_\_

Manager/Owner: \_\_\_\_\_

Phone Number: \_\_\_\_\_

The above business/owner agrees to abide by the above New York State Liquor Authority (“SLA”) guidelines and Village of Wappingers Falls Zoning requirements for temporary outdoor seating as part of Phase 2 Recovery Plan. Any diagram layout of outdoor space must be provided to SLA within five (5) days as per SLA rules and regulations.

Approval of the above business outdoor seating plan is subject to renewal as directed by County Executive Marcus J. Molinaro and Village of Wappingers Falls.

The Village of Wappingers Falls reserves the right to rescind its approval of temporary outdoor seating if all of the above guidelines and requirements are not adhered to.

**BE IT FURTHER RESOLVED**, that nothing herein shall be deemed to supersede any New York State or federal requirements, including those dealing with the COVID-19 pandemic; and

**BE IT FURTHER RESOLVED that** this Resolution shall take effect immediately upon its adoption by the Village Board and remain in effect until further Resolution of the Village Board.

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

	<b>Yea</b>	<b>Nay</b>
Mayor Matthew Alexander	_____	_____
Kevin Huber – Trustee	X _____	_____
Bill Marcojohn – Trustee	X _____	_____
Ronnie Komornik – Trustee	X _____	_____
Mary Paonessa – Trustee	X _____	_____
Scott Davis – Trustee	X _____	_____

Dated: Wappingers Falls, New York  
June 10, 2020

**SAFETY**



**Accept resignation from PO Amanda Piebes**

This item ajurned to the Executive session.

**FURTHER DISCUSSION OF ITEMS FROM PREVIOUS BOARD MEETINGS.**

**COMMITTEE REPORTS.**

Police

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



**MONTHLY DEPARTMENT STATS 2020**

	Date Jan 01- Jan 31 <sup>st</sup>	Date Feb 01 – Feb 29 <sup>th</sup>	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	340	312	289	218	304							
Arrests	7	16	7	3	6							
Traffic Tickets	226	149	68	10	26							
Sick Call Outs	8	7	5	1	2							
Call Outs (other)	11	21	11	3	1							
Call Outs (shift not covered)	10	20	7	1	3							
Domestics	8	10	12	6	7							
Lockouts	14	11	5	10	5							
Larceny	3	3	5	4	6							
Drug Complaint	1	0	3	1	2							
Criminal Mischief	0	5	1	1	2							
Accidents	20	16	16	9	9							
Assault Calls	0	0	1	0	0							

Burglar Alarms	19	11	17	11	0							
Medicals	50	37	38	35	55							
Civilian Complaints	0	1	0	0	0							



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

## MONTHLY DEPARTMENT STATS 2019

	Date Jan 01- Jan 31 <sup>st</sup>	Date Feb 01 – Feb 28 <sup>th</sup>	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	374	274	384	350	364	427	383	379	378	347	385	367
Arrests	10	11	15	10	10	12	15	11	9	6	7	22
Traffic Tickets	220	251	300	197	203	205	201	135	118	71	122	251
Sick Call Outs	4	9	7	4	7	7	18	8	7	11	3	7
Call Outs (other)	4	1	12	3	6	16	13	3	10	32	16	15
Call Outs (shift not covered)	3	6	7	4	5	7	9	8	7	26	17	12
Domestics	12	10	13	6	11	9	9	10	5	10	8	12
Lockouts	14	13	17	16	11	13	9	20	12	11	14	13
Larceny	7	3	3	6	9	2	3	3	6	6	4	3
Drug Complaint	0	1	0	2	1	0	0	1	1	1	2	1

Criminal Mischief	4	1	1	2	2	1	4	2	4	1	5	1
Accidents	24	22	23	13	34	30	25	26	30	18	29	27
Assault Calls	1	0	0	0	0	2	1	1	2	2	0	0
Burglar Alarms	6	9	13	12	10	13	12	14	20	13	9	10
Medicals	65	40	57	51	62	54	47	54	50	58	53	45
Civilian Complaints	0	0	0	0	0	0	0	0	2	2	0	0

EDC

**Letter from Ms. Courtney Kolb Dated: 6/8/2020**

Effective today I am no longer the Chair of the EDC. You are in GREAT hands with Trent - he is the reason (with the help from each and every one of you) why the projects we did came to be. He’s put so much legwork and time into ideas, deliverables, preparation and execution I know the EDC will continue to do awesome things if you guys stay involved!!!

Motion by Trustee Davis to accept the resignation of Courtney Kolb as “Chair of the EDC”. Seconded by Trustee Huber. **ROLL CALL VOTE:** Trustee Marcojohn, Aye. Trustee Paonessa, Aye. Trustee Davis, Aye. Trustee Komornik, Aye. Trustee Huber, Aye. Carried.

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.***

“Public input”

Motion by Tr. Komornik to adjourn into Executive Session at: 9:15 PM for the purpose of discussing areas marked (X). Seconded by Tr. Davis. Carried.

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

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**EXECUTIVE SESSION**

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- 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 9:41 PM. Seconded by Tr. Davis. Carried.

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

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**REGULAR SESSION:**

Motion by Trustee Paonessa to adjourn the 6/10/2020 Village Board Meeting. Seconded by Trustee Komornik. Carried.

Meeting adjourned 9:45 PM. Minutes prepared by: John M. Karge