

Minutes following the 10/28/2020 Village Board Meeting

Welcome to the second monthly Village of Wappingers Falls meeting of the Mayor and Board of Trustees today Wednesday, October 28, 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, Aye. Trustee Catalano, Aye. Trustee Niznik, Aye. Trustee Lammers arrived 6:15. Trustee Huber, Aye. Trustee Paonessa, Aye. Attorney Wallace, Aye.

Motion by Trustee Paonessa to suspend meeting rules for the purpose of discussing communications systems financing new Motorola radios for the fire departments. Seconded by Trustee Huber.

Motion by Trustee Poanessa to adjourn this item to 11-3-2020 Village Board Meeting. Seconded by Trustee Niznik. Carried.

Motion by Trustee Huber to suspend meeting rules for the Mayor to ask the board to accept his resignation effective 12/31/2020 Midnight. Seconded by Trustee Niznik. Carried.

Office of the Mayor
VILLAGE OF WAPPINGERS FALLS
2582 South Avenue
Wappingers Falls, NY 12590
(845)-297-8773 Fax: (845)-298-2645

October 26, 2020

To the board and the residents of the Village of Wappingers Falls

Dear fellow residents,

It has been the privilege and honor of my life to enjoy the reward and fulfillment of service to my neighbors as mayor. However, all things must come to an end and my service to you has come to that point.

For over eighteen years, I served the people of the Village of Wappingers Falls, with almost fourteen, as mayor. Over this extraordinary past year, in enforced solitude and decreased

mobility, I reflected on my own needs. With great sadness, I am announcing that I will be stepping down as mayor in December to pursue other opportunities.

Our time together has been full of success and failure, joy and grief as well as growth and decline. But from the past fourteen years, I hope you see mostly good. I will do just that. I see how we have made great changes in our community over time. Though, I have some regrets, my belief is that, together, we have left the Village in a much better place than it was.

The best of our Village is its people and I have gotten to know so many of you in a special way that has made me better for it. I will miss this job more than any other. It was a very difficult decision but I am confident that wonderful things lie ahead for all of us.

Godspeed and be well my fair Village. I will see you next as a fellow private citizen and hope to enjoy the future with you here for many years.

Sincerely,

Matt Alexander

Motion by Trustee Huber to accept Mayor Matt Alexanders resignation effective 12/31/2020 Midnight. Seconded by Trustee Poanessa. Carried. The board and many others thanked the mayor for all he did for the village the past 14 years as mayor and wished him well going forward.

Motion by Trustee Huber to return to the regular session. Seconded by Trustee Poanessa. Carried.

Mayor Alexander turned the meeting over to Mr. John Szarowski KC Engineering.

KC Engineering Project Discussion.

Projects for Discussion – Village of Wappingers Falls **2020-10-28 Village Board Workshop Meeting**

2020 Construction

Village / Boat House Exterior Improvements

- Construction scope includes patio, paved parking, sidewalks, and lighting including the additional site lighting
- Woodland Manor awarded contract for \$188,261.25 with Alt Add
 - Insurance and bonding under review
 - Submittal process has begun
 - Schedule contract signing pending

Village / Franny Reese Park – Ben Ciccone, Inc,

- Construction scope included Upper Overlook and Lower Overlook improvements.

- Construction work is substantially complete. Remaining work relates to stair riser height, stair handrail, installation of fence and locking gate at top of stairs, and punch list items.
 - KC will continue to monitor the work through close out of this project.
- **Village / TAP PIN 8761.74 Pedestrian Safety Improvements – Con-Tech Construction Technology, Inc.**
 - Construction scope included sidewalks and pedestrian lighting on W Main St. The project did not include drainage Improvements.
 - Construction work is substantially complete. Remaining work relates to punch list items.

Other Projects and Assignments

- **Village / Utility Improvement Contract 5**
 - Contract 5 will include DW Water Improvements using Village DWSRF 18830 funds and additional funds needed for the scope. An Amended Report has been sent to the NYS Health Department for review and comment.
 - Contract 5 scope will include water connection improvements from Village of Wappingers Falls to the Town of Wappinger on Losee Road. Route 9 sewer work not completed near Dutchess Plaza and Arrow Auto Glass during Contract 4 has been included in the Contract 5 scope.
 - Submission to NYS and Dutchess County Health Departments, Dutchess County DPW, and NYSDOT for Route 9 this week. Bidding is targeted for late 2020 in preparation for 2021 construction.
 - 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.
 - Complete
- Submitted this week.
- **Village / Bain Park Survey and Masterplan**
 - Completed survey mapping has been transmitted to the Village.
 - KC remotely attended the Oct 20, 2020 Bain Park Public Meeting.
 - During winter (late 2020 to early 2021), KC Engineering work will follow including:
 - Conceptual Master Plan for Bain Park;
 - Site Design for Playground Equipment Area; and
 - Long Form Part 1 EAF.

- **Village / Grease Trap Engineering Planning Grant**
 - Work on the Grease Trap Engineering Planning Grant project continues.
 - Project Committee met August 28, 2020
 - 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.

Approval easement partial survey (20004927A – V-SURV 9-17-20.pdf), for Central Hudson - Gas Regulator.

The board decided to hold a special meeting 11-3-2020 to discuss and approve an easement for the gas regulator.

AGREEMENT

THIS AGREEMENT, bearing the date set forth on the signature page, by and between the COUNTY OF DUTCHESS, a municipal corporation with offices at 22 Market Street, Poughkeepsie, New York 12601 (hereinafter referred to as the “COUNTY”) and VILLAGE OF WAPPINGERS FALLS, a municipality within Dutchess County, whose address is 2528 South Avenue, Wappingers Falls, New York 12590, (hereinafter referred to as the “MUNICIPALITY”).

WITNESSETH:

WHEREAS, New York State General Municipal Law Section 239 requires local municipalities to refer applications for certain planning and zoning actions to the Dutchess County Department of Planning & Development for review, and

WHEREAS, the New York General Municipal Law Section 239 further requires the County to assess all such applications as to whether the requested action would have a “county wide” or “inter-community” impact and comment on same, and

WHEREAS, the current referral process results in the processing of applications each year from towns, villages, and cities to the County, a portion of which have neither county-wide or inter-community impact, and

WHEREAS, New York State General Municipal Law authorizes the County to enter into agreements with local municipalities in order to determine which, if any, of the local municipal actions subject to referral may be deemed strictly matters of local determination, and therefore, not subject to the referral process, and

WHEREAS, pursuant to Resolution No. 2015246, the County Legislature authorized municipal corporation agreements for the elimination of the necessity of the County’s review and comment on certain local actions pursuant to General Municipal Law Section 239, and

WHEREAS, it is hereby mutually agreed by and between the parties hereto as follows:

1. TERM OF AGREEMENT: This Agreement shall be effective as of January 1, 2021 and shall terminate on December 31, 2021, unless otherwise terminated as set forth herein. The term of this Agreement shall be extended automatically on an annual basis, for a total not to exceed five (5) years from the original agreement date. If either party decides to terminate this Agreement, either party shall send a written notice of termination to the other party at least thirty (30) days before the end of any term. This Agreement shall terminate upon thirty (30) days written notice by either party to the other.

2. PAYMENT: None.

3. REFERRALS TO BE ELIMINATED: The following actions shall be eliminated from the referral and review process:

- a. administrative amendments (zoning amendments regarding fees, procedures, penalties, etc.);
- b. special use permits, use variances and area variances for residential uses; and

- c. renewals/extensions of site plans or special permits that have no changes from previous approvals.

4. REFERRALS NOT TO BE ELIMINATED: The following actions shall not be eliminated from the referral and review process:

- a. comprehensive/master plans;
- b. zoning amendments (standards, uses, definitions, district regulations, etc.);
- c. re-zonings;
- d. other proposed local laws and/or other authorizations adopted pursuant to zoning (wetlands, historic preservation, affordable housing, architectural review, etc.);
- e. site plans (all); and
- f. special permits, use variances, and area variances for all non-residential uses.

5. NOTICES: Except as otherwise provided in this Agreement, notice required to be given pursuant to this Agreement shall be made in writing and addressed to the following or such other person as the parties may designate:

Commissioner of Planning & Development
Dutchess County Dept. of Planning & Development
85 Civic Center Plaza, Suite 107
Poughkeepsie, NY 12601

Village of Wappingers Falls
Attn: Mayor
2582 South Avenue
Wappingers Falls, NY 12590

6. COUNTERPARTS; SIGNATURES TRANSMITTED BY ELECTRONIC MEANS: This Agreement may be executed in any number of counterparts, all of which taken together shall constitute one agreement, and any of the parties hereto may execute this Agreement by signing any such counterpart. A facsimile or signature transmitted by electronic means applied hereto or to any other document shall have the same force and effect as a manually signed original. This provision contemplates giving legal force and effect to copies of signatures. This provision does not contemplate the use of “electronic signatures” as regulated by New York State Technology Law Article 3, “Electronic Signatures and Records Act.”

7. ENTIRE AGREEMENT: The term of this Agreement, including any attachments, represent the final intent of the parties. Any modifications, rescission or waiver of the terms of this Agreement must be in writing and executed and acknowledged by the parties with the same formalities accorded in this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement made this ____ day of _____, 2020.

APPROVED AS TO FORM:

ACCEPTED: COUNTY OF DUTCHESS

County Attorney's Office

BY:

Marcus J. Molinaro, County Executive

APPROVED AS TO CONTENT:

VILLAGE OF WAPPINGERS FALLS:

Eoin Wrafter, Commissioner
Dept. of Planning & Development

BY:

Matt Alexander
Mayor

Motion by Trustee Niznik to approve mayor to sign the agreement. Seconded by Trustee Huber. **ROLL CALL VOTE:** Trustee Marcojohn, Aye. Trustee Paonessa, Aye. Trustee Catalano, Aye. Trustee Niznik, Aye. Trustee Lammers, Absent. Trustee Huber, Aye. Carried.

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 October 28, 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 28 day of October 2020.

John M. Karge

Delavergne Avenue Subdivision Notice of Lead Agency Intent, Town of Poughkeepsie and Village of Wappingers Falls, Dutchess County.

RESOLUTION NO. 402020 of 2020

RESOLUTION CONSENTING TO TOWN OF POUGHKEEPSIE PLANNING BOARD TO ACT AS LEAD AGENCY FOR DELAVERGNE AVENUE SUBDIVISION

The following Resolution was introduced by Trustee Catalano and seconded by Trustee Huber

WHEREAS, the Town of Poughkeepsie Planning Department received an application for Subdivision Approval for a major subdivision to include one (1) existing residential lot and six (6) new residential lots with infrastructure proposals to include the extension of public water and sewer and the dedication of a new road to the Town of Poughkeepsie; and

WHEREAS, by notice dated October 15, 2020 from the Planning Department of the Town of Poughkeepsie, the Town of Poughkeepsie Planning Board has determined that it is the most appropriate agency to conduct the State Environmental Quality Review (SEQR) of this project and has requested that the Village of Wappingers Falls consent to the Town of Poughkeepsie Planning Board to act as Lead Agency on this matter; now, therefore

BE IT RESOLVED, that the Village Board of Trustees hereby consents to the Town of Poughkeepsie Planning Board serving as Lead Agency on the Subdivision Application known as Delavergne Avenue Subdivision for a major subdivision to include one (1) existing residential lot and six(6) new residential lots with infrastructure proposals to include the extension of public water and sewer and the dedication of a new road to the Town of Poughkeepsie

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

| | Yea | Nay |
|----------------------------|------------|------------|
| Mayor Matthew Alexander | _X_ | _____ |
| Kevin Huber – Trustee | _X_ | _____ |
| Bill Marcojohn – Trustee | _X_ | _____ |
| Jennifer Niznik – Trustee | _X_ | _____ |
| Mary Paonessa – Trustee | _X_ | _____ |
| Kristin Catalano – Trustee | _X_ | _____ |
| Bryan Lammers – Trustee | _____ | Absent |

Dated: Wappingers Falls, New York

October 28, 2020

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 October 28, 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 28 day of October 2020.

John M. Karge

**RESOLUTION NO. A2020
DATED: OCTOBER 28, 2020
RESOLUTION CREATING THE CLIMATE SMART COMMUNITIES
TASK FORCE**

WHEREAS, the Village of Wappingers Falls’ Village Board have taken a number of actions in support of Wappingers Falls Climate Smart Community Initiative including, among other things, the preparation of a climate action plan adopted by the Village Board.

WHEREAS, NYS Department of Environmental Conservation has encouraged the creation of a local climate change task force to provide the Village Board with information about establishing and implementing climate smart initiatives to propose new ideas to the Village Board, and to identify funding sources for projects and paybacks from investment.

NOW THEREFORE BE IT HEREBY RESOLVED, by the Village Board of the Village of Wappingers Falls as follows:

1. The Village of Wappingers Falls Climate Smart Task Force is hereby created, to be initially chaired by Micah Kenfield, with 3 members to be appointed by the Village Board on recommendation of the Chair.
2. The task force should initially develop and present to the Village Board a proposed statement of purpose and proposed activities. The task force should meet at least twice annually.
3. This resolution shall take effect immediately.

4. Motion by Trustee Huber to approve The Village of Wappingers Falls Climate Smart Task Force be created, to be initially chaired by Micah Kenfield, with 3 members her, Corey Usavich and Todd Bowen. Seconded by Trustee Marcojohn. **ROLL CALL VOTE:** Trustee Marcojohn, Aye. Trustee Paonessa, Aye. Trustee Catalano, Aye. Trustee Niznik, Aye. Trustee Lammers, Absent. Trustee Huber, Aye. Carried.

October 28, 2020

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 October 28, 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 28 day of October 2020. *John M. Karge*

SAFETY

Approval to hire Peter Guistino as fulltime Police Officer, all civil service requirements have been met.

Motion by Trustee Poanessa to hire Peter Guistino as fulltime Police Officer. Seconded by Trustee Catalano. Carried.

Approval to hire Anthony Hensley as parttime Police Officer.

Motion by Trustee Poanessa to approve hiring Anthony Hensley as parttime Police Officer. Seconded by Trustee Marcojohn. Carried.

EXECUTIVE SESSION

Motion by Tr. Poanessa to adjourn into Executive Session at: 7:15 PM for the purpose of discussing areas marked (X). Seconded by Tr. Huber. 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. Poanessa to exit Executive Session and return to the Public Meeting at 7:00 PM. Seconded by Tr. Catalano. Carried.

All in Favor: 6 Opposed: 0 Abstain: 0

Motion passes [6] – [0]

REGULAR SESSION:

Engage Attorney Richard Zuckerman to act as village attorney for PBA negotiations.

Motion by Trustee Huber to Engage Attorney Richard Zuckerman to act as village attorney for PBA negotiations. Seconded by Trustee Lammers. Carried.

Rescind village request for Dutchess County Civil Service police sergeant exam.

Motion by Trustee Poanessa to rescind village request for Dutchess County Civil Service police sergeant exam. Seconded by Trustee Huber. Carried.

Motion by Trustee Huber to adjourn the 10/28/2020 (ZOOM Simulcast) Village Board Meeting. Seconded by Trustee Poanessa. Carried.

Meeting adjourned 7:00 PM. Minutes prepared by: John M. Karge, Village Clerk