

## **Minutes following the 12/09/2020 Village Board Meeting**

*Welcome to the Village of Wappingers Falls monthly regular meeting of the Mayor and Board of Trustees today Wednesday, December 09, 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**

**Resolution in recognition of long time village highway worker Anthony “ Tony” Marcelli.**

#### **RESOLUTION IN RECOGNITION OF TONY MARCELLI December 9, 2020**

WHEREAS, The Village of Wappingers Falls is dependent on the dedication and capability of its staff to ensure the wellbeing of our community and the successful operation of its services

AND WHEREAS, TONY MARCELLI has served the Village of Wappingers Falls for two decades, for many years as Foreman of the Highway Department,

ACKNOWLEDGING, that during this tenure, TONY MARCELLI executed his duties consistently to the highest standards and performed his job in a manner which has earned him the highest level of praise and respect from the MAYOR, VILLAGE BOARD OF TRUSTEES, coworkers, and village residents.

HAVING CONSIDERED the level of true civic duty which TONY MARCELLI has embodied during his time here, the Village Board of Trustees sees it fit to recognize him publicly.

THEREFORE, BE IT RESOLVED, that the VILLAGE BOARD OF TRUSTEES hereby bestows a formal RESOLUTION OF RECOGNITION to TONY MARCELLI for his remarkable municipal service to the Village of Wappingers Falls.

FURTHERMORE, all Village residents to whom this RESOLUTION OF RECOGNITION is made known should express their gratitude to TONY MARCELLI as a pillar of our community and a beacon of our shared virtues and values.

AUTHORIZING SIGNATURE:

Matt Alexander,  
MAYOR

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

**ACTION ON MINUTES**

November 03, 2020

November 11 ,2020

November 18, 2020

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

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

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

**Approval resolution in recognition of long time village highway worker Anthony “Tony” Marcelli.**

Motion by Trustee Huber to approve resolution in recognition of long time village highway worker Anthony “Tony” Marcelli. Seconded by Trustee Lammers. Carried. All in attendance applauded.

RESOLUTION NO. 442020 of 2020

**RESOLUTION AUTHORIZING WAIVER OF PENALTY FOR LATE WATER AND SEWER PAYMENTS DUE TO COVID-19 PANDEMIC**

The following Resolution was introduced by Trustee \_\_\_\_\_ and seconded by Trustee \_\_\_\_\_.

**WHEREAS**, the worldwide COVID-19 pandemic poses a threat to the health and welfare of the residents and visitors of the State of New York, County of Dutchess and the Village of Wappingers Falls; and

**WHEREAS**, on March 7, 2020, Governor Cuomo issued an Executive Order, declaring a State of Emergency for the entire State of New York, which has been extended; and

**WHEREAS**, the COVID-19 pandemic has caused economic upheaval which has made it difficult for residents and businesses in the Village of Wappingers Falls to pay their financial obligations, including water and sewer bills; and

**WHEREAS**, § 148-18 of the Code of the Village of Wappingers Falls assesses a late penalty of 5% on all water and sewer charges that have been in arrears for more than thirty (30) days; now, therefore

**BE IT RESOLVED**, that the Village Board hereby authorizes the suspension of the late penalty assessment imposed by § 148-18 during the pending Statewide State of Emergency for the COVID-19 pandemic and for a period of thirty (30) days thereafter.

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

	<b>Yea</b>	<b>Nay</b>
Mayor Matthew Alexander	_____	_____
Kevin Huber – Trustee	_____	_____
Bill Marcojohn – Trustee	_____	_____
Jennifer Niznik – Trustee	_____	_____
Mary Paonessa – Trustee	_____	_____
Kristin Catalano – Trustee	_____	_____
Bryan Lammers – Trustee	_____	_____

Dated: Wappingers Falls, New York  
December 9, 2020

Motion by Trustee Huber to table Resolution No. 44202020 to 12/16/2020  
VB Mtg. Seconded by Trustee Poanessa. Carried.

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RESOLUTION NO. 452020 of 2020

RESOLUTION AUTHORIZING ENTERING INTO A NEW AGREEMENT FOR WIRELESS SERVICE

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

WHEREAS, Verizon Wireless previously entered into a State Contract with New York State Comprehensive Telecommunications Service (“CTS”); and

WHEREAS, Verizon Wireless has entered into a new State Contract with New York State Telecommunication Connectivity Services (“TCS”); and

WHEREAS, the Village of Wappingers Falls previously purchased services and entered into an agreement under the expired State Contract with CTS and now desires to enter into a new agreement with TCS.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Wappingers Falls hereby approves entering into a new agreement for wireless services with TCS; and

BE IT FURTHER RESOLVED, that the Village Board hereby authorizes Mayor Matt Alexander or Deputy Mayor Kevin Huber to execute a TCS Authorized User Agreement (“AUA”) on behalf of the Village of Wappingers Falls.

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

	<b>Yea</b>	<b>Nay</b>
Mayor Matthew Alexander	_ X _	_____
Kevin Huber – Trustee	_ X _	_____
Bill Marcojohn – Trustee	Absent	_____
Jennifer Niznik – Trustee	_ X _	_____
Mary Paonessa – Trustee	_ X _	_____
Kristin Catalano – Trustee	_ X _	_____
Bryan Lammers – Trustee	_ X _	_____

Dated: Wappingers Falls, New York  
December 9, 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 December 09, 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 10 day of December, 2020.

*John M. Karge*

John M. Karge, Village Clerk

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RESOLUTION NO. 462020 of 2020

RESOLUTION WAIVING THIRTY DAY LIQUOR AUTHORITY LICENSE HOLD PERIOD FOR CORDERO RESTAURANT GROUP, LLC D/B/A CAFÉ CON LECHE

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

**WHEREAS**, Cordero Restaurant Group, LLC d/b/a Café Con Leche by its representative, Andrea O'Brien of NYS ABC Law Consulting Group, has made application to the New York State Liquor Authority for a Liquor, Wine, Beer & Cider License for its restaurant; and

**WHEREAS**, Café Con Leche has been operating at 32 Market Street in the Village of Wappingers Falls for several months and wishes to move the business to a new location in the Village; and

**WHEREAS**, the Village has been provided a statutory 30-Day Advance Notice; and

**WHEREAS**, the Village Board, upon the recommendation and approval of the Building Inspector, has no objection to the grant of the Liquor License to Cordero

Restaurant Group, LLC d/b/a Café Con Leche and hereby waives its right to a Thirty (30) Day Hold on the application for a Liquor License; now, therefore

**BE IT RESOLVED**, that the Village Board of the Village of Wappingers Falls hereby waives its right to require a Thirty (30) Day Hold on the application of Cordero Restaurant Group, LLC d/b/a Café Con Leche for a Liquor License.

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

	<b>Yea</b>	<b>Nay</b>
Mayor Matthew Alexander	<u>  X  </u>	_____
Kevin Huber – Trustee	<u>  X  </u>	_____
Bill Marcojohn – Trustee	Absent	_____
Jennifer Niznik – Trustee	<u>  X  </u>	_____
Mary Paonessa – Trustee	<u>  X  </u>	_____
Kristin Catalano – Trustee	<u>  X  </u>	_____
Bryan Lammers – Trustee	<u>  X  </u>	_____

Dated: Wappingers Falls, New York  
December 9, 2020

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 December 09, 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 10 day of December, 2020.

John M. Karge

John M. Karge, Village Clerk

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**Discussion 2004 Polaris 4-wheeler to be fit with plow \$536.85.**

Motion by Trustee Catalano to approve purchase of plow for the 2004 Polaris contingent on several questions.

- Is there an additional cost of insurance with anticipated use?
- Is there a mandatory course required to operate the vehicle?
- Would this vehicle also fall under NYMIR " Driver Acceptability Matrix" as far as an operator is concerned?

Seconded by Trustee Lammers. Carried.

**Discussion / approval to purchase a new copier for the building department. Clerk.**

This item tabled contingent on funding availability, moved to 12/16/2020

**Approval Change Order #1 Ben Ciccone Inc.**

This letter provides the attached documentation for Franny Reese Park Change Order 1 – Construction Closeout Change Order for Village Board review and decision at the **December 9, 2020 Village Board Meeting.**

The Contractor (Ben Ciccone, Inc.) has completed the Punch List Items for the Village of Wappingers Falls, Franny Reese Park.

Construction has been completed. Update from bid quantities to actual quantities totaled (\$5,464.43) less than the \$1,003,593.00 bid amount, so a final contract payment total of \$998,128.57. The contract completion date for this project was to be Sept 11, 2020 and is changed to Dec 4, 2020. The timeline for construction completion was delayed by COVID19 related scheduling issues. The update from bid quantities to actual quantities and the resultant final contract payment amount have been reviewed and accepted by the Contractor and the Engineer. Inspection was completed on Dec 4, 2020. There is no cost for the timeline change. The Dec 4, 2020

Motion by Trustee Huber to approve Change Order #1 Ben Ciccone Inc. Seconded by Trustee Niznik. Carried.

**Approval change order #1 Con Tech.**

**CHANGE ORDER**

Order No. 1

Date: 12/9/200

Agreement Date: 5/20/2020

Name of Project: Pedestrian Safety Improvements (PIN 8761.74) West Main St

Owner: Village of Wappingers Falls

Contractor: Con-Tech Construction Technology, Inc.

**THE FOLLOWING CHANGES ARE HEREBY MADE TO THE CONTRACT DOCUMENTS:**

Construction has been completed. Update from bid quantities to actual quantities totaled (\$80,600.82) less than the \$592,902.00 bid amount, so a final contract payment total of \$512,301.18. The contract completion date for this project was to be Oct 17, 2020 and is changed to Dec 4, 2020. There is no cost for the timeline change. The timeline for construction completion by Con-Tech was delayed by Central Hudson performing gas main replacement in the work area.

**JUSTIFICATION:** The update from bid quantities to actual quantities and the resultant final contract payment amount have been reviewed and accepted by the Contractor and the Engineer. The Dec 4, 2020 completion of construction date memorializes actual confirmed completion of the work.

**CHANGE TO CONTRACT PRICE:**

Original Contract Price	\$ <u>592,902.00</u>
Current Contract Price adjusted by previous Change Orders	\$ <u>0</u>
Contract Price due to this Change Order will be DECREASED by	\$ <u>(80,600.82)</u>
The new Contract Price including this Change Order will be	\$ <u>512,301.18</u>

**CHANGE TO CONTRACT TIME:**

The Contract Time will be increased by 48 calendar days.

The date for completion of all work will be December 2, 2020 (date).

**APPROVALS REQUIRED:**

To be effective, this Order must be approved as required by the Supplemental General Conditions.

Requested by: KC Engineering and Land Surveying, P.C.

Recommended by: Nancy A. Clark Engineer

Approved by: \_\_\_\_\_ Owner

Accepted by: [Signature] Contractor

Knowledge

Commitment

Excellence

Motion by Trustee Huber to approve change order #1 Con Tech. Seconded by Trustee Niznik. Carried.



**Motion to approve correspondence from W.T. Garner Engine Company.**

**Members of W.T. Garner Engine Company voted in Stephen Weaver as a new Jr. member of the Company and Department and that Stephen Paino has status from Inactive service to Active Service.**

**W.T. Garner Engine Co 1 Officers for 2021**

Assistant Fire Chief- 68-2 Jason Enson  
Captain: Alex Bravo  
Assistant Captain: Mike Sharpe  
1st Lieutenant: Joe Krieger  
2nd Lieutenant: Val Sharpe  
2nd Lieutenant: Thomas Kellerman  
68-11 Engineer: John Basher PD  
68-11 Assistant Engineer: Stephen Paino PD  
68-45 Engineer: Adam Van Tassel PD  
68-45 Assistant Engineer: Mike Brown PD  
68-68 Engineer: Mike Brown PD  
President: Gary Rogers  
Vice President: Adam Van Tassel  
Secretary: Danielle Masterson  
Treasurer: Mike Brown  
Custodian: Jason Enson PD  
Chaplin: Dave Traver  
Trustee #1: Pat Brown  
Trustee #2: Adam Van Tassel  
Trustee #3 Vacant

**\*\*\*Mike Brown is on two different fire apparatuses**

Motion by Trustee Huber to approve correspondence from W.T. Garner Engine Company. Seconded by Trustee Poanessa. Carried.

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**Motion to accept correspondence from S.W. Johnson.**

**S. W. JOHNSON 2021 OFFICERS**

Chief: Mike Travis  
2<sup>nd</sup> Asst Chief: Mark Scianna  
Captain : Matt Brace  
1<sup>st</sup> Lieutenant: Anthony Hensley  
2<sup>nd</sup> Lieutenants: Rick Fusaro Jr.

Eng. #6812 : Kevin Delehanty  
 Asst. Eng.#6812: Dave Alfonso  
 Eng.#6855 : Anthony Hensley  
 Asst.Eng .#6855 : Kevin Huber  
 Fire Police : John Chase, John Pantaline, Anthony Galucci.

President John Chase  
 Vice President Ray Pantaleo Jr.  
 Treasurer George Moran  
 Secretary Jerry Travis  
 Trustees Mike Rodack, John Terralavoro, George Sutton  
 Auditor Ken Jennings (Jerry Travis, John Terralavoro)  
 Fire Wardens Tom Paonessa Jr., Kevin Delehanty  
 Parade Marshall Warren Hochlowski  
 Del. to DCVFA Ray Chase, Ken Jennings  
 Del. to HVVFA Ray Chase, Anthony Galucci  
 Uniform Cust. Mark Scianna, John Chase  
 Custodian Anthony Galucci  
 Sec. Awards Prog Mark Scianna  
 Chaplain Warren Hochlowski  
 Refreshment Chairs John Terralavoro, Rick Fusaro

Michael Simmons is no longer with our Company.

Motion by Trustee Huber to approve correspondence from S.W. Johnson Engine Company. Seconded by Trustee Niznik. Carried.

Police



**MONTHLY DEPARTMENT STATS 2020**

Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date
Jan 01- Jan 31 <sup>st</sup>	Feb 01 – Feb 29th	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 2019	Date Nov 01 – Nov 30	Date Dec 01 – Dec 31

Total Calls for Service	340	312	289	218	304	487	301	348	306	311	385	277
Arrests	7	16	7	3	6	3	4	6	11	11	7	5
Traffic Tickets	226	149	68	10	26	31	66	130	85	98	122	93
Sick Call Outs	8	7	5	1	2	8	6	2	3	5	3	4
Call Outs (other)	11	21	11	3	1	10	8	12	3	8	16	14
Call Outs (shift not covered)	10	20	7	1	3	8	11	11	1	7	17	8
Domestics	8	10	12	6	7	11	12	9	11	10	8	9
Lockouts	14	11	5	10	5	5	15	12	13	8	14	11
Larceny	3	3	5	4	6	8	5	4	4	3	4	5
Drug Complaint	1	0	3	1	2	0	1	0	0	1	2	0
Criminal Mischief	0	5	1	1	2	3	2	5	2	3	5	1
Accidents	20	16	16	9	9	18	19	18	21	24	29	13
Assault Calls	0	0	1	0	0	0	1	1	1	1	0	0
Burglar Alarms	19	11	17	11	0/ 15	18	19	22	6	7	9	12
Medicals	50	37	38	35	55	65	44	51	40	40	53	44
Civilian Complaint	0	1	0	0	0	0	0	0	1	0	0	0
Parking Tickets	46	41	11	2	0	1	9	2	5	3		3
Use of Force		1		1	0	0	0	0	1	0		0

Highway, Trustee Huber

Fire, Trustee Huber

Safety, Village Clerk

Recreation, Trustee Huber

Lake, Trustee Huber

Water, Mayor Alexander

Personnel, Trustee Niznik

Sewer and Grants, Mayor Alexander

“Public input”

Motion by Tr. Huber to adjourn into Executive Session at: 8:15 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 ]

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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
- 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

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Motion by Tr. Huber to exit Executive Session and return to the Public Meeting at 9:00 PM. Seconded by Tr. Catalano. Carried.

All in Favor: 5 Opposed: 0 Abstain: 0

Motion passes [ 5 ] – [0 ]

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**REGULAR SESSION:**

**Approval to hire fulltime police officer John Budin at step 1 in the pay scale.**

Motion by Trustee Catalano to approve hiring fulltime police officer John Budin at step 1 in the pay scale. Seconded by Trustee Huber. ROLL CALL VOTE: Trustee Marcojohn, Absent. Trustee Paonessa, Nay. Trustee Catalano, Aye. Trustee Niznik, Nay. Trustee Lammers, Aye. Trustee Huber, Aye. Mayor Alexander Aye. Carried.

Motion by Trustee Catalano to adjourn the 12/09/2020 Village Board Meeting. Seconded by Trustee Niznik. Carried.

Meeting adjourned 9:00 PM.

Minutes prepared by: John M. Karge, Village Clerk