

## Minutes following the 02/24/2021 Village Board Meeting

*Welcome to the second monthly Village of Wappingers Falls meeting of the Mayor and Board of Trustees today Wednesday, February 24, 2021, 5:00 PM (ZOOM Simulcast Meeting)*

### **PLEDGE OF ALLEGIANCE:**

**ROLL CALL BY THE CLERK OF THE VILLAGE:** Trustee Marcojohn, Absent. Trustee Catalano, Aye. Trustee Niznik, Aye. Trustee Lammers, Aye. Trustee Huber, Aye. Trustee Paonessa, Absent. 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 written transcript of the meeting will be prepared and provided later.

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.

### **REGULAR SESSION:**

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#### **KC Engineering Project Discussion.**

Village Board asked Mr. John Szarowski for an update.

#### **Projects for Discussion – Village of Wappingers Falls 2021-02-24 Village Board Workshop Meeting**

##### **2021 Construction**

##### **Village / Boat House Exterior Improvements – Woodland Manor \$188,261.25 with Alt Add**

- Light poles and railing remain to be completed

##### **Other Projects and Assignments**

- Village / Utility Improvement Contract 5

- Contract 5 scope includes water connection improvements from Village of Wappingers Falls to the Town of Wappinger on Losee Road (funded by Village DWSRF #18830) and Route 9 Sewer (sewer funds) work not completed near Dutchess Plaza and Arrow Auto Glass during Contract 4.
  - Design was submitted in Nov 2020 for agency reviews to NYS and Dutchess County Health Departments, Dutchess County DPW, and NYSDOT for Route 9. Received comments are being addressed.
  - Bidding is targeted for early 2021 in preparation for 2021 construction.
- **Village / Water Filter Building and Facilities**
    - In late spring 2020, KC and the Village prepared and submitted a USDA Engineering Report in support of a Village funding application for the proposed Water Filter Building and Facilities at the Water Supply Facility.
    - In early 2020, KC completed Preliminary Design for the Water Filter Building and Facilities.
    - In Dec 2020, the Village Water Board authorized KC to prepare Final Design for the Water Filter Building and Facilities.
    - USDA comments were received on the application. KC and the Village are working on responding to the comments
- **Village / Wenliss Water Tank Replacement**
    - In Dec 2020, the Village Water Board authorized KC to prepare Preliminary Design for the Wenliss Water Tank Replacement.
- **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.
    - Financial information needed from Village.
    - Review by Village Attorney is recommended.
    - Work is ready for submittal to the Village and then to NYSEFC.
- **Village / Bain Park Survey and Masterplan**
    - KC Engineering is currently working of the following:
      - Conceptual Master Plan for Bain Park;
      - Site Design for Playground Equipment Area; and
      - Long Form Part 1 EAF.
    - Conceptual Master Plan presented to Park Committee February 24, 2021
- **Village / EPA Grant Brownfield Assessments**
    - Next Steps – Phase 2 Assessments – Bleachery pending EPA approval of material submitted.

Motion by Trustee Huber to suspend the rules allowing Village Grant Writer Corey Usavich to provide an update on grants with respect to outstanding monies due. Seconded by Trustee Niznik. Carried.

**Grant Writer Usavich updated the board on 6 outstanding grant monies due.**

**List of grants funding the Village waiting to receive:**

- 1. TAP Project (sidewalks) - \$492,771.66**
  - a. DOT is backed up, we are in queue for processing,**
  - b. Estimated arrival – Summer 2021**
  
- 2. Franny Reese Park DASNY - \$375,000**
  - a. We have been trying to acquire this money for almost 3 years now (before I even started here)**
  - b. Estimated arrival – Winter 2021 (earliest)**
  
- 3. Boathouse (multiple grants) - \$61,000**
  - a. HREA \$11,000 left to receive, will submit request once ADA accessibility is accepted – Estimated arrival Winter 2021**
  - b. MIG \$50,000 for exterior of building, will submit when outside is finished – Estimated arrival Winter 2021**
  
- 4. BOA (DOS) - \$13,847.75**
  - a. Last PR submitted in January, awaiting review from DOS**
  - b. Estimated arrival – Summer 2021**
  
- 5. Tree Planting at Bain - (\$500)**
  - a. Need to plant the trees this spring in order to submit**
  - b. Estimated arrival – Summer 2021**
  
- 6. Total- \$943,199.41**

Motion by Trustee Niznik to return to the printed agenda. Seconded by Trustee Huber. Carried.

**Resolution to ratify appendix B NYS Police Reform and Reinvention Collaborative Plan.**

**RESOLUTION NO. 032021 of 2021**

**RESOLUTION ADOPTING WAPPINGERS FALLS POLICE REFORM AND REINVENTION PLAN PURSUANT TO EXECUTIVE ORDER NO. 203 OF GOVERNOR ANDREW M. CUOMO, NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE**

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

**WHEREAS**, beginning on May 25, 2020, following the police-involved death of George Floyd in Minnesota, protests have taken place daily throughout the nation and in communities across New York State in response to police-involved deaths and racially-biased law enforcement to demand change, action and accountability; and

**WHEREAS**, there is a long painful history in New York State of discrimination and mistreatment of black and African-American citizens dating back to the arrival of the first enslaved Africans in America; and

**WHEREAS**, this recent history includes a number of incidents involving the police that have resulted in the deaths of unarmed civilians, predominantly black and African-American men, that have undermined the public's confidence and trust in our system of law enforcement and criminal justice, and such condition is ongoing and urgently needs to be rectified; and

**WHEREAS**, these needless deaths have led the Governor of the State of New York to sign into law the "Say Their Name" Agenda, which reforms aspects of policing in New York State; and

**WHEREAS**, it has been determined that government has a responsibility to ensure that all of its citizens are treated equally, fairly and justly before the law; and

**WHEREAS**, recent outpouring of protests and demonstrations, which have been manifested in every area of the state, have illustrated the depth and breadth of public interest in ending institutional racism and injustice; and

**WHEREAS**, one of the essential roles of government is to maintain public safety, which requires mutual trust and respect between police and the community they serve; and the success

and safety of our society depends on positive police-community relationships and policies that allow police to do their jobs to protect every member of the public; and

**WHEREAS**, the Governor has determined that urgent and immediate action is needed to eliminate racial inequities in policing, to modify and modernize policing strategies, policies, procedures and practices, and to develop practices to better address the particular needs of communities of color to promote public safety, improve community engagement and foster trust; and

**WHEREAS**, the Governor has enacted Executive Order No. 203 entitled the “New York State Police Reform and Reinvention Collaborative”, which requires all police agencies perform a comprehensive review of deployments, policies, procedures and practices, and develop an improvement plan; and

**WHEREAS**, a Stakeholder group, as defined by Executive Order No. 203, was sought and convened to discuss and consider evidence based policing strategies including, but not limited to, use of force policies, procedural justice; any studies addressing systemic racial bias or racial justice in policing;; implicit bias awareness training; de-escalation training and practices; law enforcement assisted diversion programs; restorative justice practices; community-based outreach and conflict resolution; problem-oriented policing; hot spots policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; model policies and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program; and

**WHEREAS**, on October 21, 2020, the Village of Wappingers Falls formed a Police Reform Committee to discuss the Governor’s Executive Order; and

**WHEREAS**, on October 29, 2020, the first meeting of the Stakeholders was held and discussions took place regarding the personnel, training, recruitment and equipment in the police department, and all Stakeholders was provided a copy of the New York State Reform and Reinvention Guide; and

**WHEREAS**, on November 5, 2020, a second meeting of the Stakeholders was held and the Stakeholders were presented with copies of the revised Use of Force Policy and the General Orders, and discussed the de-escalation training that took place in July; and

**WHEREAS**, on November 19, 2020, a third meeting of the Stakeholders was held and Dr. St. Germain from Mental Health spoke about available programs; and

**WHEREAS**, on November 25, 2020, a fourth meeting of the Stakeholders was held and speakers talked about the available homeless programs and mobile crisis talked about how they could respond and assist officers with a person in crisis; and

**WHEREAS**, a public hearing was held on January 13, 2021, at which time the Wappingers Falls Police Reform and Reinvention Plan was made public to allow for public input on the proposed Plan; and

**WHEREAS**, revisions were made to the Wappingers Falls Police Reform and Reinvention Plan in accordance with public comment and an additional public hearing was held on January 27, 2021 to present the revised Plan for further public comment, which public hearing was adjourned; and

**WHEREAS**, a final public hearing was held on February 10, 2021, and no further comments were received; now, therefore

**BE IT RESOLVED**, that the Village Board of Trustees of the Village of Wappingers Falls hereby adopts the Wappingers Falls Police Reform and Reinvention Plan pursuant to Executive Order No. 203 of Governor Andrew M. Cuomo, New York State Police Reform and Reinvention Collaborative; and

**BE IT FURTHER RESOLVED**, that certified copies of this Resolution be forwarded to Governor Andrew M. Cuomo and New York State Budget Director Robert F. Mujica, B.A., M.G.A., J.D.

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

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

Dated: Wappingers Falls, New York  
February 24, 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

**Discussion “Public Health Emergency Plan for the Village of Wappingers Falls Dutchess County, New York”.**

The Village Clerk confirmed sending the Plan to village management and CSEA union representatives for their review and comments. The Clerk will also reach out to the PBA union representative after consulting village labor attorneys.

**Approval to hire P/T Police Officers James Hipple and John Martinez.**

Motion by Trustee Huber to hire P/T Police Officers James Hipple and John Martinez at step one in the pay scale. Seconded by Trustee Lammers. Carried.

**Conditionally approve hiring Ms. Breanna Crane as payroll clerk.**

Motion by Trustee Niznik to hire P/T (20 Hrs.) Ms. Breanna Crane as payroll clerk and that she will be a member in the CSEA Administrative Unit. Seconded by Trustee Huber. **ROLL CALL VOTE:** Trustee Marcojohn, Absent. Trustee Paonessa, Absent. Trustee Catalano, Aye. Trustee Niznik, Aye. Trustee Lammers, Aye. Trustee Huber, Aye. Carried.

**Approval Wappingers Falls Business and Professional Association request approval to hold the 5<sup>th</sup> annual Festival at the Falls on September 11,2021 combining it with the 20<sup>th</sup> Anniversary of 9/11.**

Motion by Trustee Huber to approve Wappingers Falls Business and Professional Association request to hold the 5<sup>th</sup> annual Festival at the Falls on September 11, 2021 combining it with the 20<sup>th</sup> Anniversary of 9/11. Seconded by Trustee Catalano. Carried.

Motion by Tr. Huber to adjourn into Executive Session at: 5:40 PM for the purpose of discussing areas marked (X). Seconded by Tr. Lammers. Carried.

All in Favor: 4 Opposed: 0 Abstain: 0

Motion passes [4 ] – [ 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
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Motion by Tr. Niznik to exit Executive Session and return to the Public Meeting at 7:00 PM.  
Seconded by Tr. Catalano. Carried.

All in Favor: 4 Opposed: 0 Abstain: 0  
Motion passes [ 4 ] – [ 0 ]

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**REGULAR SESSION:**

**Motion to adjourn the 02/24/2021 Village Board Meeting**

Motion by Trustee Huber to adjourn the 02/24/2021 (ZOOM Simulcast) Village Board Meeting.  
Seconded by Trustee Niznik. Carried.

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