

Minutes of the Virtual Village Board Meeting held on June 24, 2021 at 7:30PM

Present: Timothy Egan, Mayor  
Tara Burek, Andrew Giacomazza, Jesus Gomez, Christopher Graziano, Trustees

Absent: None

Also Present: Kelly Naughton, Attorney for the Village; Brian Nugent, Special Counsel for the Village; Michael Phillips, Water/Wastewater Administrator; Pasquale Prozzillo and Christopher Burke, Fire Chief; John Hand, Assistant Building Inspector; Sandra Capriglione, Planning Board; Laurie Tautel, County Legislator

**I. Public Hearings:**

a. Cablevision Franchise Agreement – Continued:

A public hearing was continued from the June 10 meeting to entertain public comment on a proposed non-exclusive television franchise agreement between the Village and Cablevision of Wappingers Falls, Inc., a wholly owned subsidiary of Altice USA, Inc. The following additional comments were received:

Mayor Egan stated a response for the Department of Public Service has not yet been received. Attorney Nugent stated he heard late this afternoon from the Department of Public Service via an email scheduling a conference all for tomorrow to obtain further guidance on how this will proceed. He noted the Board should continue the hearing until direction is provided from the DPS.

With no further comments received, a motion was offered by Trustee Burek, seconded by Trustee Giacomazza, to continue the public hearing to the July 8 meeting.

**ADOPTED**      AYES    5            Egan, Burek, Giacomazza, Gomez, Graziano  
                     NOES    0

b. Introductory Local Law 7 of 2021 – Gathering Places:

A public hearing was held to entertain public comments on Introductory Local Law 7 of 2021 which will address the need for a new use and additional flexibility in managing residential properties for gatherings of people in residences. The Board is aware that it is required to accommodate a variety of uses while balancing the need to maintain public safety. The proposed regulations are intended to apply to gatherings of people wishing to meet regularly in a residence for purposes other than the usual family functions of celebrating birthdays and holidays. The public notice was printed in the Times Herald Record on June 14, 2021 and the following comments were received:

Maria Hunter asked if this law would affect residents that operate nursery schools or preschool type facilities in their homes and Mayor Egan stated it would not as they should already have been approved under their site plans.

Robin Crouse stated she appreciates all the work that went into the creation of this law and then cited some specific sections of the law that she feels should be reworded or revisited for clarification.

Neil Crouse stated he watched the Planning Board meeting where they reviewed the law in detail. Several concerns were raised about enforcement and they requested that a meeting be scheduled with the Village Board to discuss them. He suggested the Board not close the hearing until that can be held.

Mayor Egan noted the law was referred to the County Department of Planning on May 28 and they replied they have found no evidence that significant intermunicipal or countywide impacts would result from its approval. The law was referred to the Planning Board and they replied with concerns regarding enforcement and requested a joint meeting with the Village Board. The law was referred to

the Building Department and they replied that the law as written would be very difficult to enforce and it would not be in favor of this law as written. Comments were also received from the Village Engineer addressed to the Planning Board Chairman highlighting 15 recommendations relating on the proposed law. Considering all the comments received, he would like to keep the hearing open at least until the July 8 meeting. He feels the Board should review all the written comments and then a joint meeting could be held. Attorney Naughton suggested the hearing be tabled until July 22 to give enough time for the joint meeting to be scheduled.

Motion was offered by Trustee Giacomazza, seconded by Trustee Gomez, to table the hearing to the July 22, 2021 meeting.

**ADOPTED**      AYES    5            Egan, Burek, Giacomazza, Gomez, Graziano  
                  NOES    0

c. Introductory Local Law 8 of 2021 – Sign Regulations:

A public hearing was held to entertain public comments on Introductory Local Law 8 of 2021 which will update and amend Chapter 310 (“Zoning”) of the Village Code with respect to the number of colors permitted on signs within the Village. The public notice was printed in the Times Herald Record on June 13, 2021 and the following comments were received:

Mayor Egan noted the law was referred to the County Department of Planning on May 28 and they replied they have found no evidence that significant intermunicipal or countywide impacts would result from its approval. The law was referred to the Planning Board and they replied they found the law satisfactory. The law was referred to the Building Department and they replied (1) they have been in conversation with the Woodbury Chamber of Commerce to propose some changes to the signage bulk tables for several years and was unsure if these other changes should be incorporated into this change and (2) they asked for confirmation that any sign that would not need review by the Planning Board would still be required to comply with the maximum of four colors, three for multi-tenant directories, or appear before the Zoning Board of Appeals for a variance. Comments were also received from the Village Engineer addressed to the Planning Board highlighting two recommendations on the proposed law.

Maria Hunter thanked the Board for looking into this change to the sign law and for entertaining comments made by the Chamber of Commerce.

With no further comments received, a motion was offered by Trustee Burek, seconded by Trustee Giacomazza, to close the public hearing.

**ADOPTED**      AYES    5            Egan, Burek, Giacomazza, Gomez, Graziano  
                  NOES    0

Motion was then offered by Trustee Graziano, seconded by Trustee Burek, to adopt Local Law 8 of 2021 to update and amend Chapter 310 (“Zoning”) of the Village Code.

**ADOPTED BY ROLL CALL AS FOLLOWS:**

Mayor Egan	YES
Trustee Burek	YES
Trustee Giacomazza	YES
Trustee Gomez	YES
Trustee Graziano	YES

*A full copy of the law is printed at the end of these minutes.* Regarding the question raised by the Building Department, Attorney Naughton stated it is a guideline that would still need to be following the law.

d. Introductory Local Law 9 of 2021 – Cannabis Opt-Out:

A public hearing was held to entertain public comments on Introductory Local Law 9 of 2021 which will enable the Village of Woodbury to opt out of hosting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries. The public notice was printed in the Times Herald Record on June 16, 2021 and the following comments were received:

Matt Higgins stated he is not in favor of stopping businesses from being set up and feels we need more business, not less, in Woodbury. He is also tired of all the laws that are being passed by the Board. He would like to know who is sponsoring the laws and he feels the public should know who wants all the laws proposed.

With no further comments received, a motion was offered by Trustee Burek, seconded by Trustee Giacomazza, to close the public hearing.

**ADOPTED**      AYES    5            Egan, Burek, Giacomazza, Gomez, Graziano  
                      NOES    0

Motion was then offered by Trustee Gomez, seconded by Trustee Burek, to declare the Village of Woodbury Board of Trustees as Lead Agency under SEQRA for this introductory local law.

**ADOPTED**      AYES    5            Egan, Burek, Giacomazza, Gomez, Graziano  
                      NOES    0

Motion was then offered by Trustee Graziano, seconded by Trustee Giacomazza, to type this action as a Type 1 under SEQRA.

**ADOPTED**      AYES    5            Egan, Burek, Giacomazza, Gomez, Graziano  
                      NOES    0

The Board then reviewed the Final Environmental Impact Statement as prepared by Attorney Naughton.

Motion was then offered by Trustee Graziano, seconded by Trustee Gomez, to type this action as a negative declaration under SEQRA.

**ADOPTED**      AYES    5            Egan, Burek, Giacomazza, Gomez, Graziano  
                      NOES    0

Trustee Giacomazza asked that the comments made on Facebook® be entertained. Brady DelVecchio was against the law being adopted, Daisy Duke requested an extension and Alicia Smith agreed it should be held off until the next meeting. Mayor Egan stated he agrees with the concept of holding the hearing open for one more meeting so time can be given for written comments to be submitted. Trustee Gomez asked if the law is adopted can the Village, then opt-in in the future and Attorney Naughton stated it can but in order to opt-out the law would need to be adopted by December 31. Trustee Gomez stated that he is ready to vote now then and Trustee Graziano stated he was as well. Trustee Giacomazza stated he does not know that the rush is and feels the vote on adoption can be held off until the next meeting to allow for written comments.

Motion was then offered by Trustee Graziano, seconded by Trustee Gomez, to adopt Local Law 9 of 2021 pursuant to Cannabis Law Section 131, opting out of licensing and establishing retail cannabis dispensaries and on-site cannabis consumption establishments within the Village of Woodbury.

**ROLL CALL AS FOLLOWS:**

Mayor Egan	NO
Trustee Burke	NO
Trustee Giacomazza	NO
Trustee Gomez	YES
Trustee Graziano	YES

*Motion on the adoption was defeated and the law was not adopted.*

**II. Violation Hearings Pursuant to Property Maintenance Law Section 240-9(C)**

None received for this meeting.

### III. Public Comment on Agenda Items Only:

Matt Higgins stated he feels it is getting difficult to keep up with all the new laws the Village has been adopting and he feels they are costing the taxpayer's money to create them. He noted the gathering law bothered him the most, which he feels is ridiculous and against the constitution. He also feels it is time to remove the executive orders since the pandemic is over. With regards to the speed limit discussion, at a minimum he feels the Board should be able to get more deer crossing signage to be erected north of Ridge Road on Route 32. He did a study of how many deer (and other animal) accidents there have been and suggested working with the Town will help get more support for the request. He does not believe the State will every approve a 30MPH limit along this stretch, so he suggested the Board request 45MPH.

Neil Crouse, regarding the speed limit on Route 32, stated he is in favor of having a consistent speed limit, adding it currently changes five times from Ridge Road to Woodbury Common. His only concern would be enforcement, adding if it is not enforced it will not help. He then cited in Tuxedo everyone knows follow the posted speed limit or you will be ticketed. He suggested 35MPH the entire stretch. He also feels if truck drivers must drive the speed the whole way it may help to cut down on the truck traffic we have.

Maria Hunter, regarding the speed limit, asked what the ramifications will be as Route 32 is designated as a truck route. She noted she asked Trustee Burek this same question last night and was told she would investigate it. She added that she has been trying to get the speed limit from Ridge Road north to Trout Brook Road reduced to 40MPH from its current 55MPH. She asked the Board to consider adding that portion of the road to their request.

Rachel Bruce stated she supports lowering the speed limit on Route 32. She noted the Land Preservation Committee have discussed this issue at their meetings as well. She feels Route 32 was always a dangerous stretch for pedestrians to cross. Regarding the Cannabis Law, she noted the Village should be allowing this type of business to come to Woodbury if someone wants to open one like it.

Brandon Calore, regarding the speed limit discuss, stated the Village needs to contact the NYS DOT and ask them to provide their statistics with regarding to deer accidents. They use that data to decide where signs need to be posted.

***Trustee Graziano lost connection to the meeting.***

### IV. Administrative Business:

#### a. Acceptance of Minutes:

Motion was offered by Trustee Burek, seconded by Trustee Giacomazza, to accept receipt of the minutes of the meeting held June 10, 2021.

**ADOPTED**      AYES    4            Egan, Burek, Giacomazza, Gomez  
                     NOES    0

#### b. Approval of Abstract:

Motion was offered by Trustee Gomez, seconded by Trustee Burek, to approve Abstract 2 containing vouchers 210073 – 210169 and totaling \$151,651.20.

**ADOPTED**      AYES    4            Egan, Burek, Giacomazza, Gomez

NOES 0

c. Fire Department Equipment Request:

Motion was offered by Trustee Gomez, seconded by Trustee Giacomazza, to approve Fire Department Equipment Request 2021-16 totaling approximately \$203.80 for the purchase of four front helmet shields for officers.

**ADOPTED** AYES 4 Egan, Burek, Giacomazza, Gomez  
NOES 0

**V. Old Business:**

EXTRA ITEM – Advertise for Bids – OCCD FY2020 – Fire Hydrants:

Motion was offered by Trustee Giacomazza, seconded by Trustee Burek, to authorize the Village Clerk to advertise for bids for the “Improvements to Water Distribution System – Hydrant Replacement”. The Community Development Grant FY2020 will fund approximately seven fire hydrant replacements in the Village.

**ADOPTED** AYES 4 Egan, Burek, Giacomazza, Gomez  
NOES 0

***Trustee Graziano returned to the meeting.***

EXTRA ITEM – Schedule Public Hearing – Revised Introductory Local Law 10 of 2020 – Moratorium:

Motion was offered by Trustee Graziano, seconded by Trustee Burek, to schedule a public hearing to be held on July 8, 2021 at 7:30PM to entertain public comments on revised Introductory Local Law 10 of 2020 which will institute a moratorium on certain permits, certificates of occupancy and approvals.

**ADOPTED** AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano  
NOES 0

Motion was then offered by Trustee Giacomazza, seconded by Trustee Gomez, to recognize this introductory local law as a Type 2 action under SEQRA.

**ADOPTED** AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano  
NOES 0

Mayor Egan noted referrals to Orange County Planning Department and the Planning Board were previously done. Attorney Naughton has opined there is no need to do them again.

**VI. New Business:**

a. Building Permit Fee Waiver Request – Town of Woodbury Pool Reconstruction:

Mayor Egan stated a request was received from Town of Woodbury Supervisor Frank Palermo requesting the waiver of all building permit fees relating to the reconstruction of the John P Burke Pool. Motion was offered by Trustee Burek, seconded by Trustee Giacomazza, to approve this waiver.

**ADOPTED** AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano  
NOES 0

b. Lead Agency Notice – Planning Board Application – Village of Woodbury:

Notice of intent to be Lead Agency was received from the Planning Board as it relates to the application of the Village of Woodbury for a two-lot subdivision located along County Route 105 and Penie Lane (Tax Map 219-5-21.2). Mayor Egan noted this is being done as part of the settlement that was agreed upon relating to the Town vs Village lawsuit. Motion was offered by Trustee Giacomazza,

seconded by Trustee Graziano, to relay to the Planning Board that the Village Board consents to them serving as Lead Agency for this application.

**ADOPTED** AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano  
NOES 0

c. Lead Agency Notice – Planning Board Application – HM Center Group LLC:

Notice of intent to be Lead Agency was received from the Planning Board as it relates to the application of Highland Mills Center Group, LLC and Lakeside Affiliates, LLC, subdivision, site plan, special permit and architectural review located along Route 32 (Tax Map 218-2-7, 9, 10, 11, 13 and 103).

Motion was offered by Trustee Gomez, seconded by Trustee Giacomazza, to relay to the Planning Board that the Village Board consents to them serving as Lead Agency for this application.

**ADOPTED** AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano  
NOES 0

d. Discussion – Request to NYSDOT to Lower Speed Limit/Zone on Route 32:

Mayor Egan stated the Board is concerned about the speed limit on Route 32 and the frequent speed changes from one end of the Village to the other. The Board, and he believes the public, would like a more consistent speed limit and the amount to be requested needs to be discussed. Trustee Graziano stated he would like the speed consistent with the rest of the Village, which is 30MPH. Trustee Giacomazza stated he agrees and added he believes the individuals speeding are mostly not Woodbury residents. Trustee Gomez stated he always stops to let pedestrians cross the street and he does not believe changing the speed limit will help unless it is enforced. Mayor Egan stated he can communicate these concerns to the Police Department. Trustee Burek agreed that 30MPH would be appropriate to request. Motion was then offered by Trustee Burek, seconded by Trustee Graziano, to authorize the Mayor to send a letter to the NYSDOT requesting they consider making the speed limit on Route 32 from Woodbury Common to Ridge Road be reduced to 30MPH consistently.

**ADOPTED** AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano  
NOES 0

Motion was then offered by Trustee Gomez, seconded by Trustee Graziano, to request the NYSDOT erect speed zone signage in this area as well.

**ADOPTED** AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano  
NOES 0

EXTRA ITEM – Fire Department Radio Maintenance Contract:

Motion was offered by Trustee Gomez, seconded by Trustee Graziano, to authorize the Mayor to sign a contract with Goosetown Communications for the maintenance of the radios used by the Fire Department at a cost of \$1440 per month (\$17,280 for the year).

**ADOPTED** AYES 5 Egan, Burek, Giacomazza, Gomez, Graziano  
NOES 0

**VII. Public Comment:**

Maria Hunter stated last night a mini site visit of the Revitalization and Beautification Committee was held on Smith Clove Road. The speed limit there is 30MPH but there are no “school zone” speed limits there or signage posted. She feels the speed limit is also not adhered in this location at all and no one stops at the crosswalk. She asked the Village to consider reducing the speed limit on Smith Clove from Route 32 to train trestle (Valley Avenue) to be reduced for a school speed zone limit. Trustee Burek added she thinks motorists drive faster on Smith Clove Road than they do on Route 32.

Matt Higgins stated the Board is looking to impose a moratorium on building because we are running low on water and the Board has hired a geologist. He thinks that is great but he feels the Board knows what the one biggest draw in the whole Village is. He noted the Board can pretend like it cannot do anything and he is sure they are going to try and resolve the biggest drawdown in the Village is. The aquifer is being dewatered massively and he appreciates all the Board is doing because he does not want to pay higher rates. He feels the Board should consider the aquifer should be protected.

Brandon Calore thanked Mayor Egan, Trustee Graziano and Trustee Burek for attending the first "First Responder's Day" that was held on June 12. He noted it was nice to see all that participated and he felt everyone had a great time. He also stated a lot of money was raised for the food pantry and he extended his sincere thanks to all that participated and sponsored the event.

Neil Crouse stated he feels the Board deserves a lot of credit for doing what it could do make the meetings accessible to all during the past year. He feels that for people to say there is no opportunity to speak is wrong, adding this Board has given everyone more than ample opportunity to speak during public comment time. He is looking forward to returning to live meetings and plans to attend and seeing how many others will be there.

#### **VIII. Board Member/Department Comment:**

Mayor Egan stated the Governor imposed State of Emergency will be over in just a few hours. He noted it has been a very long road since early last year when the COVID-19 pandemic first hit the nation. All had to adjust to many things including wearing masks, more frequent hand washing, working from home, remote meetings and many other things. Many have lost friends and family. As your Village Board, our overriding focus was ensuring continuity of your local government and no interruption in services. The Executive Orders gave flexibility in how to do business. When restaurants were forced to cut in half the number of customers they could serve, he was able to sign an executive order allowing outdoor dining for the other 50%. The intent was to give restaurants the opportunity to generate as much revenue as possible during the pandemic. Several establishments took advantage of this. Unfortunately, with the elimination of this provision under the Executive Orders, this local benefit now goes away. Anyone wishing to continue outdoor dining will have to appear before the Planning Board to amend their site plan. Regarding virtual meetings, there is still legislation pending in the Senate and Assembly that would allow the continuation of virtual and/or hybrid meetings, however, beginning June 25. unless they are passed and signed into law by the Governor, moving forward we are only permitted to have traditional, in-person meetings. An attempt to continue live streaming will be made, but public participation will only be permitted in-person beginning at our next meeting on July 8th. This also applies to Zoning Board of Appeals and the Planning Board meetings. He then congratulated the Woodbury Community Ambulance for receiving the EMS Agency of the Year award from the Orange County EMS Council, and Anthony "Tony" Maggio for receiving the Basic Life Support Provider of the Year award. As we know, Tony was lost to us due to COVID-19. These awards now go to the regional level and will be considered by the Hudson Valley Regional EMS Council for regional recognition. Our dedicated EMS agencies, both volunteer and commercial, serve Orange County with commitment and pride every day. He is grateful for their dedication and thinks that it is important that they are all recognized for everything they do to keep us safe. Lastly, he provided a brief water update. At the last meeting the Board hired a hydrogeologist and he will be meeting with our engineers and the Water Department on July 7 to begin re-evaluating our water supply. The most recent rehabilitated well is doing better than initially expected and soon another underperforming well will be pulled for

rehabilitation. This will increase production when complete in about a month. Due to the low performance of that well there should be no negative impact to the current supply, considering the increase in the previous well rehab. When that additional supply comes online, we expect to be able to remove outdoor watering restrictions by the end of July.

Trustee Graziano thanked all for attending the meeting this evening and he agrees that it is wonderful news that the Executive Orders will end as of later today. He has a renewed sense of optimism that he had not felt in over a year. He looks forward to having in-person meetings and participating in public events again. He then noted he cares deeply about leaving Woodbury in a better place for the next generation, which is why he decided to run for office. During the 18 months he has served, 16 of which was during the global pandemic, the Board has been able to pass over a dozen local laws that protect the environment and continue to balance the zoning code to provide for a better quality of life. They have formed citizen committees and are actively working on recommendations to revise the Comprehensive Plan to protect and preserve the beauty of the open space and revitalize out downtown. They have worked to study the water/sewer infrastructure and create a master plan to improve it. The Board continues to provide the wonderful Water Department with the tools it needs to move forward and have hired a hydrogeologist to provide an honest assessment and recommendations to augment supply. There is still a great amount of work to be done and there are still laws that need to be promulgated and projects to be done. Relationships need to be repaired that broke down long before he took office. Even though this Board has been more transparent and engaged with the public, they have been vilified by some in the community and subjected to unfounded rumors, childish tantrums and outright lies. Board members have been attacked personally. He stressed the Board members are here to serve the public – not to be attacked or punching bags for those with obvious agendas. He will no longer allow this to continue and it saddens/sickens him to see friendships dissolved over the lies and rumors. He believes there are people who thrive on conflict. To have a sustainable future and a better Woodbury he stressed we need to work together and end the conflict. He admitted to being overly brash at times but also to being brutally honest and very transparent. He then promised that when his time serving as Trustee is over, he will have done everything he possibly could to leave Woodbury in a better place than when he started serving. This requires hard decisions utilizing decades of professional business experience that the Board has as a collective group. There is a relationship problem with the Town government that has festered for far too long and it needs to be repaired. The two forms of government are necessary and vital to ensure the future and both need to start working together in a symbiotic relationship rather than confrontational one.

Trustee Gomez thanked all for attending the meeting this evening. He congratulated the graduating seniors and commended them for surviving a tough year. He asked all to stay safe and be kind to each other.

Trustee Burek explained the duties and responsibilities of the Village Board, Planning Board and the Zoning Board of Appeals as a way to help clarify misinformation that has been floating around and has been seen on social media. She noted land use laws are complicated, and sometimes overwhelming, but they are necessary to help shape the character of the community. There is a lot of talk about different projects that have been proposed in Woodbury and whether the residents are in favor or them. There have also been discussions that individuals feel the Boards should not be allowing these projects. She noted it is critical to understand that landowners have rights to develop their land in accordance with the current land use and zoning laws that are in effect when they made their application. The Board has done everything in its power over the last 18 months to tighten up zoning

laws and enact laws that are more protective of the environment. If the landowner/developer works within the confines of those laws to develop their projects, there is not much more the Board can do even if it does not agree with a project. There may be contention with the number of laws the Board has been enacting but there is a method and if anyone has any questions, she encouraged them to contact a Board member. She then wished everyone a Happy Independence Day holiday.

Trustee Giacomazza thanked all that attended the meeting this evening. He stated he is not optimistic about the Town/Village dynamic improving. This weekend a member of the Parks Committee sub-committee (who is also an organizer of the First Responder Day event) responded to congratulatory post made on the Village's Facebook® page announcing the retirement of Gary Thomasberger. He deleted the comments as he felt they were inappropriate on this post but he did save a screen shot of it. The post alleged Gary would not have retired if he had been treated with respect and further alleged the Village employees are treated unfairly. He felt it was a vile post and clearly untrue. He added Gary retired because he reached eligibility age and his pension was maxed out, not because of how it he was treated. In addition, comments made at the last Town Board meeting about the Fire Recruiter should give a strong indication of why he is not optimistic. Instead of focusing on this, he chooses to focus on something more positive. He has been involved with the Knights of Columbus since he was 20 years old and last night he finished his term as President of the Hudson Valley. They held their annual charity drive and proudly raised \$21,000 for warriors. He is proud of his involvement for such a worthy cause.

John Hand informed the Board their new software program is online and asked all to be patient while the kinks are worked out.

Chief Prozzillo thanked the Parks Department for hosting the First Responder Appreciation Day. He could not attend due to a prior commitment but about six members did participate. He noted the Fire Department and EMS are all volunteers and they do not get paid for what they do. As a Chief he puts in 100+ hours a month, which is a low estimate, and the Department averages 650 calls a year. They are having a lot of trouble gaining membership but also holding onto membership. A Town Board member – Robert Hunter - at their last meeting stated they were unhappy about the recruiter not being at the appreciation day. He stated the position went into effect June 1 and it was advised to stay in cruise control until a kick-off meeting was held, which was on June 10 - two days before the event. He reminded the Board the Chief's had expressed their concerns about the day being a working event instead of one that will appreciate the volunteers. A meeting was held with the event planning committee to discuss these concerns and all agreed that it was not the time and place for the recruitment to be done there – especially since she would have only been on the job for two weeks and would have needed a Chief there to answers questions that were asked. He noted further the Town has nothing to do with the fire recruitment efforts and the comments were made obviously due to politics since Kate is running for Town Board. He noted further that since Kate started, she has already recruited four new members.

## **IX. Adjournment**

With no further business to discuss or comments received, a motion was offered by Trustee Giacomazza, seconded by Trustee Gomez, to adjourn the meeting at 8:55PM.

**ADOPTED**      AYES    5            Egan, Burek, Giacomazza, Gomez, Graziano  
                     NOES    0

Desiree Potvin, Village Clerk

## LOCAL LAW 8 OF 2021

### A LOCAL LAW AMENDING CHAPTER 310 (“ZONING”) OF THE CODE OF THE VILLAGE OF WOODBURY AMENDING THE SIGN REGULATIONS

BE IT ENACTED by the Board of Trustees of the Village of Woodbury, Orange County, New York, as follows:

#### **SECTION 1      PURPOSE**

The Board of Trustees of the Village of Woodbury finds that it is reasonable and appropriate to update and amend Chapter 310 (“Zoning”) of the Village of Woodbury Code with respect to the number of colors permitted on signs within the Village. This local law is determined to be an exercise of the police powers of the Village to protect the public health safety and general welfare of its residents.

#### **SECTION 2      CHAPTER 310 (“ZONING”).**

Section 310-30(D)(1)(e) is hereby amended to include the following sentence at the end of the paragraph:

*“The Planning Board shall have the authority, but not the obligation, to modify the restrictions on the number of colors permitted on a sign if (i) the proposed additional colors are not deemed by the Planning Board to be distracting to drivers, or (ii) if the proposed additional colors include non-distracting shades of the same color.”*

#### **SECTION 3      SUPERSEDING PROVISION**

To the extent that any State or local laws fail to provide specific authority for this Local Law or the procedures necessary for its adoption, or otherwise appear to be in conflict with this Local Law or the procedures followed for its adoption, then such laws are hereby superseded by this Local Law pursuant to New York Municipal Home Rule Law and the common law.

#### **SECTION 4      SEVERABILITY**

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

#### **SECTION 5      EFFECTIVE DATE**

This law shall take effect upon the filing of this Local Law with the New York Secretary of State in the manner provided for in the Municipal Home Rule Law.