

**VILLAGE BOARD REGULAR MEETING:**

**SEPTEMBER 17, 2019**

**A Village Board Regular Meeting was held on Tuesday, September 17, 2019 at 7:00 P.M. at Village Hall, 9 Fairlawn Drive, Washingtonville, New York.**

**PRESENT:**

**Mayor Bucco, Deputy Mayor Lang, Trustees Calore & Laudato**

**ABSENT:**

**Trustee Mack**

**ALSO PRESENT:**

**Village Clerk Christine Shenkman, Village Department of Public Works (D.P.W.) Superintendent Christopher Martino & Village Police Chief Brian Zaccaro.**

**PLEDGE OF ALLEGIANCE TO THE FLAG – MAYOR BUCCO:**

**Mayor Bucco led the Pledge of Allegiance to the Flag.**

**ANNOUNCEMENTS – MAYOR BUCCO:**

**Fountains in ponds; completed. Some algae creeping in 2 fountain; 2morrow 430500 mon have water drill to turn fountains over; clean out the baskets.**

**Started paving proj along dd/sc/hp. We r now in beginning stages of replacing about 1,000 feet of storm drainage along decker; I believe 2day they installed about 200 feet of it. N & call working on it. Ahan.**

**Over this past summer DPW has repaired well over 100 catch basins and manholes along dd sc hp. I thank you cm. great job. 2 manholes will have to be repaired. Fro now until next Wed D.P.W. crew will be milling around catch basins and manholes machine not able to get to.**

**Our paving starts a week from this wed along dd/schp.**

**Dog park well Uway; we had several yards of dirt we took out of SBR tank wwtp; where SBR tank going. Put topsoil leveled out; need few more loads; then fencing go in. grand opening for Woofingtonville to be held on Nov 3. Sat.**

**Wwtp scheduled to be completed by end of calendar yr.; SBR tank is 100percent operational now; that is main thing; fall in place.**

**2 night we had pleasure of appting sp to ZBA. I thank him for stepping up. Its very hard to get volunteers to come on 2 bds we have in place. ZBA; PBD; start looking into ethics board.**

**A Village Board Regular Meeting was held on Tuesday, July 17, 2018 at 7:00 P.M. at Village Hall, 9 Fairlawn Drive, Washingtonville, New York.**

**FRAN ORFANOUDAKIS – DRAINAGE EASEMENT:**

**"There's been an ongoing issue with the drainage ement behind my property. I would like to request being put on the Village Board Agenda on September 17, 2019."**

**"In reference to the Drainage Easements being filled in (as previously reported), flooding, and continued disturbances of the terrain of the neighboring properties."**

**Fran presented handouts to the V. BD.**

**There r sev drainage elements throughout 105-107-109-111 – Nicoll St – eone has a drainage ement on their property. However, as you noticed, this is just the past yr.; a couple of the incident repts I filed; never got no response from no one; I've been in correspondence w/the mayor for quite while; nothing has been taken care of and continuously probs. I wanted to ask a fe2w ?s of the Bd. I don't know if everybody is aware of all of the work that's being done over by the rr track. I've been taking photos tout the years.**

**List questions.**

**88 and 93 which is posted on the v website; and also is the soil tested. I was told by the mayor & jp last week that the soil does not have to be tested; in fact rules says have to be tested. I know for a fact that there r a lot of diff things in that soil; screws/diff debris; covered up; where did soil come from originally and what is going to happen here since the drainage ement has been interfered. Terrain has been totally changed; elevated about 5 ft behind my prop. So I'm here for some answers.**

**JB: The soil being tested would have come from our Eng. JP because I am not qualified to make that statement; so I know I would not have made that statement. Did it have to be tested?**

**FO: I was told it only had to be tested if it was in NYS only but that's not stated in rules.**

**JB: Just let you know what I am qualified 2 say.**

**Dirt to my understanding came from prop behind u or along Hallock. Auro Chemical.**

**FO: which was a gas station or repair shop.**

**JB: part of this ament w/the previous zoning/PBD was going to be to take care of drainage that was disrupted sev yrs. ago from one of the homeowners on 94.**

**I'm only going from what I'm told. They disrupted whole drainage prob back there. As yrs. went on, now comes the construction of Auro Chemical first/2<sup>nd</sup> bldg.; don't know which; drainage was wkd. out acing to our ack. who is now requesting a drainage plan from Auro chemicals. Because Dr. plan; he went above/beyond what he needed 2 do. Talking w/contractor just 2 wks. ago; they did put 2 catch basins in between house next 2 you (fo – 107 and 109).**

**If I remember correct Fran that you were promised by the old vbd that they would correct your drainage. I remember saying 2 u at one of our 1<sup>st</sup> meetings; don't know if v tvl part of that or came in later; I cant go on private prop to fix peoples drainage; I told u that and t think you agreed w/me. But I cant do that; come onto your prop and fix your drainage prob. I said 2 u during this conversations the one person who can help you is the owner of Auro Chemical. Cuz he's doing the other 3 or 4 homes. U then stated to me you don't like him; you don't want to deal w/him.**

**FO: I never said I didn't want to deal w/him. Did not. I said I was never notified. He filled in the dage ement which is a vio. I was never notified that the dem was going to be filled in. it was tampered w/. there is a storm drain that is in front of the old dage ement. Its been all filled in, so all the water is coming on my property.**

**JB: that's culvert u showed me. We took walk back there.**

**FO: if u look at plan of all prop owners, we all have dage ement on our prop. It would go thru; flow thru 2 that pipe I showed you went underneath rr tracks and then go thru wever; to Cornwall wever it would go.**

**JB: I believe that still is plan.**

**FO:** Plan according to what I see & all pics I've taken cuz it stops at end of 107 E main St; that's it. So house & I next to me on Nicoll st; they have dage ement; our dage ement have been cut off; there is no place for water to go. When I asked to see plans, I was told 2 come and meet w/Billy; he was gonna meet w/me on Tues/Wed/Thurs/Fri & u sent me text saying I have to foil.

**JB:** I contacted our attorney who said have 2 be foiled.

**FO:** violation – I was never notified w/in 500 ft of work being done. I have been asking village filling out repts since prop being filled in n3ext 2 me; nothing done or no correspondence w/me. I have last 2 inc repts; prior to that I have several. This is an ongoing issue. Yrs. ago I asked to put trees along m property and I was told no cuz there is dage ement there. Could not put trees in never mind 5 feet fo soil. My dway has eroded. I don't have 2 car dway parking space there; it's gone; my dway eroding; dissipating cuz no dage nemore; no place for water 2 go; yrs. ago dage ement work; leaves in there; all prop owners go; clean out leaves and flow.

**JB:** How far back does this problem go?

**FO:** I have lived there for Thirteen (13) years but it has been cut off. It has been filled in up to where my property is. Now its substantially higher than what my property is now. When we had Hurricane Irene, I had Two (2) feet of water. Everyone else had Four (4) and Five (5) Feet of water. I used to be the highest home. Not any longer.

**FO:** it's been going on too long. They r almost finished w/whatever they r doing. I have pics of what's been going on throughout recent yrs. They put storm drains in few of properties.

**JB:** believe only 2.

**FO:** goes 2 strm drain which is in front of drainage that used to be where my water used 2 go in & now its cut off. There is no place for my water to go. As well as run off from Rt 94 & Nicoll St.

**JB:** That's what was promised yrs. ago that v was going to put drainage in.

**FO:** Now its cut off all the drainage.

**JB:** It was presented by an x mayor. I am not going to approve new public \$ being used on private a property.

**HU:** Who approves the violations of Easements?

**JB:** Engineer would present it to the Zoning Board.

**HU:** Should be approved by the village.

**RC:** You said it did or didn't flood be4.

**FO:** It did not flood before. It did flood but not as bad. Now there is no place 4 the wat that goes onto my prop from Nicoll st; coming now from my other nbors. It didn't flood originally when I moved in cuz it used 2 flow. Then one nbor filled in his area we all arranged to make it happen. It still wasn't as good as it was originally. Then my nbor in 107 had a prob cuz she was starting to develop a pond after ac built his 2<sup>nd</sup> bldg. When he built his first bldg., we had more drainage problems. 2<sup>nd</sup> very bad.

**RC:** Who is nobor who you said raised their land. They all raised their land but 107 is about 5 ft higher than what it was.

**RC:** So THEY all took it upon themselves to raise their land.

**RC:** You said it started to flood after one nbor raised their land.

**FO:** One nbor 3 houses down.

**RC:** He took it upon himself to raise his land? Raised it 5 feet. He did it on his own?

**FO: He put in pipe that didn't work.**

**JB: seval houses. Water coming in off of Nicoll st has nothing to do off of Nicoll street. Nothing was done to Nicoll St.**

**FO: there is no place for the water to drain since drainage easement has been violated.**

**HU: there was a ditch all along that rr and all the elements led to that ditch led East to Cornwall. That ditch was filled in raised up yards are all raised up so that there is no more drainage.**

**JB: what I am saying is nothing was done on Nicoll street.**

**FO & HU: no there wasn't. There's grading now from Nicoll Street all the way down along the rr track, and it looks like they may be raising that level hier too, and if they do there will be even less chance of runoff.**

**JB: rail trail being raised in your opinion.**

**FO: fact yes. Hubby walked it; Fran has pics from this a.m. hubby – there was a grader/bulldozer on it last few days.**

**FO: whole area being raised. What I don't ustand is the dement being violated; we all have dage elements on our deeds. Why r they there. They all have been working. Now its been totally rendered. The terrain has been totally changed. There's no more trees to absorb the water. He's taken down so many trees at night. All lites on in bldg. and that's beside the points. Trees down – no way water to be absorbed; no place 4 water to go since drainage ement has been violated.**

**JB: Your water used 2 go just to east of that chain-link fence.**

**FO: between Harlow and us; they have 3 dage elements on every side of his property except front; Harlow; it goes down between 1 Nicoll; along fence; behind back of Clara's prop; 107-109-111 and then go thru that pipe. That's what now everything is filled in and that strm drain is in front of that Drainage; the old existing drainage; pipe is still there; but not work cuz everything is in front of it and all built up in front of that so no way 4 water that comes on my prop 2 be drained; and I am getting addl water now from the other nbors cuz they r a lot higher than me.**

**Going towards 94; in wintertime when earth all frozen where water go? Go onto 94 and cuz a hazard; turn into ice; cuz hazard for all drivers?**

**Now only 15 ft w/summer weather when water being absorbed into the earth; it went 15 ft close to 94; I want everyone to know that I'm putting u on record now that it is a concern of mine; if that wat goes on rt 94 freezes in wtime there will be multiple accidents; its not just my prob that no one seems to care about; it's the v prob; if we have another strm like h Irene its not going 2 be good; it was bad enough then; now that dage interfered w/it's going to be far worse; w/in seconds my prop had 4 ft of water on it when the creek crested. Where is that's water going 2 go? There is no place for that Water to go.**

**JB: asked DPWSUPERCM was there drainage that had to be raised or lowered on Hallock Drive?**

**CM: I wasn't involved w/it.**

**JB: I've been in contact w/Eng. for ac reing drainage plan. That was one thing that JP suggested.**

**FO: There wasn't ne dage plan. There wasn't any permits.**

**JB: I don't have a dage plan.**

**FO: does v have one. I do not know why you would have not been; A permit issued.**

**JB: Person who would have issued permit is no longer employed by V. of W.V.;**

**FO: So would we find out if there is a permit issued & if there is a drainage plan.**

**JB: I am going to look to see if there is a permit issued 4 it.**

**FO: That's concerning. V needs to know if there permit issued. If drainage plan. Clearly violates according 2 your own rules/zoning/bylaws/chap 88 & 93. Many violations. I was never notified. I am w/in 500 ft of work being done; I was never notified. I filled out incident reports. No one has ever taken anything in 2 consideration. I'm a taxpayer. I live in v. I should have respect & answers.**

**JB: I don't know why you would not have been informed.**

**FO: I was not informed when this work being done which started 2 yrs. ago w/drainage violations. I was not notified by anyone that this work was going to be done. I filed incident reports in March & Sept again. Record no answers at all. Not got any notifications that this work was going to be done which is a violation as well.**

**JB: AC came up before zoning board of appeals (in front of).**

**HU: Yes.**

**JB: Were you notified back then that there was a ZBA hearing Aurochemical.**

**FO: What are you referring to? There have been several over yrs.**

**JB: Have you ever been notified.**

**FO: I was notified previously yes. This particular time I was not notified.**

**JB: But you were notified at some time that AC was doing something on Hallock Dr.**

**FO: Yrs. ago sir.**

**I'm not saying that I was notified cuz I was not notified s/work being done to drainage permit. YRS. Ago was notified.**

**JB: I'm trying to get a history of who's being notified on what's going on in v.**

**FO: Yrs. ago I was notified when he was putting his BLDG. Up.**

**SH: when they did work I rec'd 2 certified letters. I never rec'd from AC but Walden bank did send it out certified w/info on it.**

**RC: you are probably not w/in 500 ft. RC – I did not rec a letter & I am closer than you are to Aurochemical.**

**FO: lights at night but my main concern is violation of drainage permit.**

**THUGHES: I can say we sent all the letters out in AC's initial application to the PBC cuz I was chairman of the PBD at time. And we sent more than just what we were required to.**

**JB: let us look thru files bldg. dept. & hopefully can answer as many of these questions as possible by oct 2 wk. session meeting.**

**FO: do you need photos from me.**

**JB: if you wish to send photos that is fine.**

#### **ANTHONY CIOFFI – VIRTUAL TOUR:**

**Owner operator of Aerial photo platform productions; live in WV; take pics of town amenities; drones flying around; generally me; certified pilot drone; aloud to fly for business and hobby purposes.**

**2 mos ago – w/placemaking drive to bring foot traffic into v and give people idea what v about. Artisans farmers mkt/WV event; big push get people come in; I thought this be awful idea to pitch to v. and certainly to some of the bus members of committee; all looking 4 way to drive more traffic to business; not easy to park;**

feasible and walk on v streets; proj I do for real Est/construction/solar sites; virtual tour; is I take ; people look at tour and go to diff parts of v; see 360 degrees of village.

Sound bites to monument firemen's memorial park; control w/mouse ; completely interactive w/person visiting site. Up/down/look all around. See diff amenities we have in v.

Click on portals take you to mays field; etc.

In addition to sound have interactive picture; linked to a website; for example Facebook page on mays field. For business like bhwinery; click on and takes you to webpage. For business great driver.

360 Degree is aerial shot – can also do ground level shots rite in front of store. (business).

BE A PORTAL ON SCREEN. – See businesses; become interactive; bring to website or whatever site business wants them to go thru.

This proj still underway still working w/v sites 2 put in.

Mayor and Anthony working to do various areas in village.

Try to complete be4 wintertime.

At some point get 2gether w/businesses.

FEEL FREE to drop Anthony line about areas in village to be included.

Tour will be posted on v website; wv Facebook sites; have maximum exposure.

Social media.

Pictures and images can be included as part of website.

Plan for October 15 Tuesday – Regular Board Meeting - If have bus owner int 2 have a meeting. 7:00 P.M.

Can actually view it thru Virtual Reality Glasses/Goggles – got lots of capabilities. See it in 3-D Form.

#### **OLD BUSINESS:**

##### **RESOLUTION – DELAWARE ENGINEERING:**

To approve the Professional Services Agreement for General Municipal Engineering Services between the Village of Washingtonville, and Delaware Engineering, D.P.C., and to authorize Mayor Joseph Bucco to execute said Agreement.

V. of W.V. seeks to establish a relationship with an Engineering Firm that may assist the Village periodically with various professional services focused on public infrastructure and Municipal facilities.

Deputy Mayor Lang made a motion; seconded by Trustee Laudato. 4 Ayes, 0 Nays.

As per their proposal.

#### **NEW BUSINESS:**

##### **RESOLLUTON – MEMORANDUM OF UNDERSTANDING – WASHINGTONVILLE CENTRAL SCHOOL DISTRICT AND VILLAGE OF WASHINGTONVILLE:**

Question if illegal act going on in School Village Attorney Will Frank feels that the Village Police Department should not have to wait until school administration says you have to handle it whether it be arrest made etc. School saying yes; have to wait

approval of administration. If School says no, now the Police Officer is being held against his Oath and holding Village and Officer liable. I spoke to Roy Reese 2daqy who is still Superintendent, he reads it that the Police Officer still has rite to do what has 2 be done. That's not what ament said; JB said. Language added to ament so both parties ustand what roles/respiliies inside school are. Village

**FROM: WILL FRANK**

"I understand that School discipline is within the province of the School District. However, Paragraph 2 of the MOU states that the role of the Police Officers is "preventing and reporting criminal activity" and to report and/or escort to School Administration any Student who is involved in criminal activity or violations of the Code of Conduct, but not to be involved in the administration or implementation of discipline."

**PUBLIC COMMENT:**

**TERRY HUGHES – 102 CAPITAL DRIVE:**

Church & I David: waiting 4 meeting between fire insp and Joe Bucco.

JB: Spoke to code enforcer; that came from county; so have to bring county in2 discussion. More than 3 of us.

milling – spoke to wk.; auth Chris 2 go to ocsmeeting; wrote contracts

Planning BD; Suzanne Gun; VB is PB under state law; you approved Chase Bank? She had # of complaints;

JB: We are still the PBD; but at the time there was a diff. PBD that approved Chase Bank; we had nothing to do w/Chase Bank; suggested to PBD that we need to have work session to answer questions; then 3 people resigned; we didn't fire PBD; looking for PBD members; I made sure we had good Zoning Board b/c we can't be Zoning Board;

**ADJOURNMENT:**

Trustee Calore made a motion, seconded by Deputy Mayor Lang to adjourn the September 17, 2019 Village Board Regular Meeting; said Resolution passed by a unanimous vote of the Village Board.

**END OF MTG: S.F.**

**RESPECTFULLY SUBMITTED,**

**CHRISTINE SHENKMAN**

**VILLAGE CLERK**