# **AUGUST 2, 2023 PUBLIC HEARING AND GENERAL MEETING OF THE BOARD OF TRUSTEES**

# **I. CALL TO ORDER**

Mayor Harter will call the meeting to order with the Pledge to the Flag at 7:30 p.m.

Board Members Present: Mayor Harter, Trustee Olejniczak, Trustee Werner, Trustee Roach

Board Members Absent: Trustee Fuller

Also Present: Clerk Wierzbicki, Treasurer Geller, Attorney Cassidy and Engineer Hoffman

Approximate Number in Audience: 30

**II. PUBLIC HEARING LOCAL LAW 1 OF 2023**

***Mayor Harter* First item is going to be the Local Law 1 of 2023 the public hearing notice will be read as published in the Warwick Advertiser. Do you want Clerk Wierzbicki to do or do you want to handle (to Attorney Cassidy) that?**

***Attorney Cassidy* I will take care of that. To start, for folks that wish to speak tonight, there is a sign in sheet we ask that you sign in so we have an accurate record of who speaks tonight. This is a Public Hearing on Introductory Local Law 1 of 2023 a local law to regulate traffic on Farries Ave and Kaye Drive. The proposed local law has three objectives: to exclude vehicles in excess of 5 tons travelling over Farries Avenue from New St to Kaye Dr and over Kaye Drive from Farries Avenue to Hillview Drive. To restrict parking from New Street to Kaye Drive onto the south side of Farries Avenue. To exclude commercial vehicles other than those making a local delivery. The text of the local law is found in the Agenda. I do note that the Agenda has an error, the title is incorrect but the substance of the law is correct. We ask that that each person wishing to speak state their name and address for the record and limit remarks to 5 minutes so everyone has a chance to speak. If you have a prepared statement, we ask that you provide a copy of that statement to Clerk Wierzbicki to facilitate the minutes. Please note if you are here tonight to speak on Farries Avenue, we ask that you do so during the public hearing so that it is incorporated into that record. We will not accept comment on Farries Ave during the public comment portion of our meeting which is for General Village comments. Please note that we will not be taking action this evening and will be considering all public comment as part of the Boards’ deliberation.**

**The pad is there if anyone else wants to sign in they can.**

***Elizabeth Cassidy* I would ask Clerk Wierzbicki to read the notice into the record**

**Clerk Wierzbicki read the Public Notice**

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**Mayor Harter Alright, Thank you. Anything else to add, motion open**

**EC motion to open and Colleen can just go through the list.**

**MH Can I get a motion to open the Public Hearing?**

**Motion to open the public hearing at 7:17 pm by** *Trustee Werner* **seconded by Trustee** *Olejniczak*

**Correspondence received: A signed petition was received in opposition of Local Law 1 of 2023.**

**VOTE: YES 4 NO 0 1 Absent**

**MH we are now open to Public Hearing. Clerk Wierzbicki do you want to run down the roster there?**

**Clerk Wierzbicki sure, the first person up is Aaron Ubides 70 Farries Ave.**

***Aaron Ubides* So this law would definitely stop me from going out. My current truck is 10,000 pounds, F350s 11,000 pounds. Minute I hook up to my small trailer take my boat, I am 14,000 pounds. The other issue is anyone who wants to plow their driveway, clean it, shovel it you can’t park in the street. No parking, no exceptions, how do you do that? I have family, eventually you’re going to put sidewalks on, that limits me to two, three cars. We will have to park way down at public place parking. This will not help us; it will hurt us. There’s no reason to be no parking, a weight limit like that, it restricts us it restricts us from doing anything. I have company coming over to do work on my shed or my booth and that bringing a bike worker can’t park on the street. Not only that, who here doesn’t have a truck that’s over 5000 pounds that moves lawn mowers and takes care of all that. With all commercial vehicles, they are 15,000, 17,000 pounds, DPW can’t come up there so now your lawn workers, your construction crews anybody they are going to raise their prices because they are going to have to park all the way up in Robert Drive, Susan Court and be traveling up and down with machines, mowers that’s going to be more problems. I see no reason for this to be put in. There is no other street that is in this entire village that has no parking both sides. It doesn’t benefit or help any of us. We have been living up on that street for a long time. We have been living here since 1979-1980 and never had any issues like this so I just can’t see how this is going to help anybody besides hurt us.**

**MH Thank you**

**CW Kim McGoldrick 85 Farries Avenue**

**Kim McGoldrick I am here tonight because I disagree with your proposed law and it is frustrating when the local laws don’t address the actual issue at hand. It seems like retaliation for being questioned on other issues. I believe no parking on either side will improve the safety for my children and their friends or benefit anyone on the road. I have a few questions I hope you can address. Which other streets in the Village will now have new parking restrictions? Why is Farries the only street with no parking both sides in the Village? Were any traffic studies conducted before composing this law?**

**MH Thank you very much**

**Heather Ubides 70 Farries Ave Earlier today I submitted a petition at Village Hall regarding this evening’s Public Hearing. I would like to submit a copy to be part of this public hearing.**

**Petition to the Village Mayor and Village Board of Trustees**

**We, the undersigned present this Petition to be included as part of the Record of the Public Hearing on the proposed Local Law that will restrict parking on both sides of Farries Avenue from New Street to Kaye Drive, on Kaye Drive from Farries Avenue to Hill View Drive, and impose a weight limit on the roads. We object since the proposed Local Law does not advance public safety and also would adversely impact the value of the homes in this affected area and cause a decrease in the quality of life for people who need to park on the roads for reasons that include having service vehicles work on the homes in this area as well as for those with a disability and who have guests or family visiting and would have no proper place to park. We ask that this Petition be made part of the record as opposing the adoption of this Local Law. I would like the record to indicate there are 61 signatures that have been obtained. I have brought a copy this evening.**

**Elizabeth Cassidy and Mayor we are in receipt of this petition and can incorporate**

**MH Yes we are**

**CW Sue O’Brien 48 Farries Ave**

**Sue O’Brien Uh I have a lot of whys. unintelligible Why, as a Village resident that’s going to have something very impact me to my home did I have to casually find out about this law? If I am not mistaken and the attorney can answer me if I am wrong, you have something that is going to impact your home especially if it’s someone building something you have to get notification that the steps are going to happen . I know building permits and all that information I believe it’s 200 foot if you live in some kind of construction for a new home or whatever you have to (unintelligible) and why did I have to casually find it out. I mean I could be wrong God knows I am all the time but why. My second why, I did some inquiries, this new parking will impact the value of my home, not initially but if you are selling the house and you tell the people you won’t be able to park on the street. Hello? What does that do to you if you are selling the house. My third why and I did again a little research, there has not been a motor vehicle issue on Farries Avenue period, in many many, many, many, years. Not a dog killed, not a kid hurt, not fender benders any of the above and as Kim said, why only Farries, you have a lot of narrow streets in the Village of Florida. And lastly, I am very disappointed because I love this Village, this is my home and I don’t plan on leaving it until they take me out in a box. Why do we have to have this awful, vitriolic issue going on. It really is not pleasant. I’m sorry that it’s happening. Again, I think everybody here loves living here. It’s quiet, peaceful, wonderful community. There’re so many people that are so helpful to everyone and again I am very disappointed in the Board that you did not advise the people on Farries that this was even approached. Hello? The attorney can tell me if I am right or wrong on that but I really think the Board was very remiss on not letting us know that this was going to happen. Thank you.**

**MH Thank you.**

**CW Chris McGoldrick 85 Farries Avenue**

**Chris McGoldrick I am opposed to the proposed law that will prevent parking on either side of Farries Ave. Although it is a narrow road, it is no different than any other narrow streets within the Village that do not have similar no parking policies. If this law was proposed for the safety and well-being of Village residents, one would think a study of some sort would have been done and the policies derived from it would apply to all streets of similar size and occupancy. The fact that it is targeted specifically to Farries Ave is indicative of retaliatory cause due to residents exercising their first amendment right and speaking out against improperly executed action at the state. Trustees, when given the opportunity to vote on this proposed law I urge you to vote no. Do not allow yourselves and your positions to be marginalized. Don’t go along with the attempt to backpedal on the real issue and the blatant retaliatory measures against the people who elected you.**

**MH Thank you.**

**CW Valerie Zapf 23 Farries Avenue**

**Valerie Zapf I oppose the parking law as the other constituents here have said just because I didn’t know about it so I am trying to figure out why it’s actually happening. Unless there has been a some sort of drastic increase in traffic unintelligible the purpose is to make it inconvenient for all the residents that are living on the street at this time. I don’t really see any impact for it eliminating parking on the street at various stages, I don’t know of anybody that’s complained about it unless it was excessive, if it was really excessive they got a ticket from you guys so that’s fine. I don’t really see a need for it unless, I don’t see a need for it.**

**CW Jeannette Montouri 16 Farries**

**Jeannette Montouri I am not hearing well but I have a lot to say. I’m very annoyed.**

**CW Crystal O’Neal 72 Hillview drive**

**Crystal O’Neal no comment**

**CW Tony Durante 32 Hill View Drive**

**Tony Durante Good Afternoon should I say good evening so I’m here basically as I read this about the closure of Kaye Drive to Farries Street road that was recently reopened and to me having access up there to Glenview Hills that road is an access road to us and was always supposed to be a road and was always supposed to be open. It wasn’t open until the street was dedicated and when you have to come up that main road that comes off 94 above that hill. When you get snow or you get trapped there’s no other way to come up that hill, that steep hill you have to go back down and plenty of winters that we’ve been here had to park my car down near the gas station or something because you can’t make that hill. With access of there, not only do you have access to come up that up that hill but if you have a medical emergency and they can’t come up that hill. Now you have a secondary road that you can get access into our development. I’m here to state that that road should stay open. It’s an access to our development and we appreciate that the Board Members and Trustee allow that road to stay open.**

**MH Thank you, should we, for we are just doing the Local Law**

**EC Anything on Farries for the record**

**Jim and Eileen Piscatelli 41 Farries Avenue**

**Eileen So my concern is also with the amount of traffic that is now coming down Farries and I don’t understand why if not going to be parking on the street is going to alleviate that problem. If anything, I see it exacerbating the problem so there is more open space for people to be have the ability to fly down the road faster than they already are. We live on the corner of Farries and New Street; people do not stop at those stop signs. They haven’t since the stop signs have been put in, since the road has been opened, the amount of traffic that is now up and down that street of cars flying by is truly scary sometimes. We sit out front and just watch the cars zooming by heaven forbid a child or an animal runs into the road there is no time for stopping it. I don’t understand why we would prohibit parking to solve that problem; from my perspective it will only make the problem worse.**

**Unknown male speaking**

**MH Could you state your name for the record**

**Male James Piscatelli**

**James Piscatelli I was sitting out there tonight before we came to this meeting, I counted seven vehicles that came flying through those stop signs no stop brakes no nothing. I have videos 15 of them from Saturday sitting out there. Two kids one kid was driving around in a hot rod old car with blue flames on its convertible top went flying through there 40 miles per hour. A fox body Mustang primer grey right behind it all the way up into the new development, came out of the new development and went flying back down. That road should not be open.**

**EP and prohibited parking is not the solution**

**JP Unintelligible and if you need the videos, I’ll be happy to send them to you.**

**MH Thank you**

**CW Matthew DeRosa 27 Hill View Drive**

**Matthew DeRosa Alright so I just want to speak between the unintelligible I have no insight as to parking or water run on property** **totally out of my privy but, for us up in Beazer, and I don’t speak for everybody but I will say a majority are in favor of it as have spoken to people going by my house or there is a group thread going on about this topic, they are fairly in favor of leaving the chain down. I live at 27 Hill View as you go up 94, it is the third house on the left everybody who cuts through my neighborhood has to pass my house I have two young kids that play in the front yard all of the time, probably see them running around the neighborhood any time you come through. There has been negligible increase in traffic and when I mean negligible if there is 15 more cars a day it’s probably accurate. The traffic itself, we were concerned about when the chain first came down, we thought this could be a problem a lot folks come flying through the neighborhood and that sort of thing we are pretty vigilant on watching it I do have cameras all over my house and we just haven’t noticed it we would be here for sure and saying this traffic is unbearable right and we gotta close that down. The convenience for us the safety factor having the emergency vehicles come to Beazer on two different routes the access in the winter for the folks in Beazer it’s a tremendous asset for us. That’s all I have. Sounds like there are other issues of importance but I am purely speaking to the chain coming down.**

**Aaron Ubides I have a question. I was under the understanding that this was just about parking and we would open the forum later for the floor. So, if I knew this was about the chain too, I would come up with all a rebuttal to all of that paperwork. So, I am a little confused that this hearing is getting off track. I am sure the attorney has explained that to us. Not against anybody, they probably don’t understand we are only supposed to talk like you said about parking right now. Later on, at the end of the meeting, he’s going to open to discuss the chain and all the other issues, am I correct to the attorney.**

**Attorney Cassidy Mayor we can certainly restrict it. Obviously there has been some discussion the location they do cross over**

***Mayor Harter* so for now we will restrict it. For now, we’ll restrict it and we will discuss Local Law 1 as Mr. Ubides stated during Public Comment**

**MH I got to go through the first round. Who’s next?**

**CW that was the last person**

**MH okay does anyone else here have any comments about Local Law 1?**

**Tony Durante I have a question, that Local Law you are putting up now I know they are talking about parking, but the way I see it here you are limiting the trucks that come up on Kaye Drive also, yes?**

**MH Yes based on the Local Law**

**TD With that aspect we here to say that we have a problem with that also with the 5-ton coming up on Kaye Drive**

**Trustee Werner it is intended for thru traffic not local traffic**

**Attorney Cassidy local traffic is not affected**

**AU it doesn’t state that in the law the law says all traffic**

**MH Let’s go through the public comment first. Let’s be quiet let the public speak and then we will go from there. Anybody else on Local Law 1?**

**Sue O’Brien Are you going to make a decision tonight on this?**

**MH No**

**SO are you keeping the Public Hearing open? Or are the going to the next meeting. I just want to have a little clarifier.**

**MH we are going to intend to close the Public Hearing tonight, if the Board chooses and votes upon it and if they choose it, we are going to take into account all of the comments today digest it and then we will make a decision on what to do going forward, during a public meeting.**

**SO and if the law, if you choose to pass this law, when will it come to be active?**

**MH It’s upon when it gets filed with the state correct**

**EC It has to be filed with the Secretary of State a Local Law has to be filed with the Secretary of State**

**SO It has to be signed by the Secretary of State? Is that what I am understanding? What time frame is that usually?**

**EC Typically speaking, we have 20 days to file it but that’s incumbent on the Village to submit the transmittal to the Secretary of State and get a filing receipt and then if the regulations are adopted any traffic regulations while they’ve gone into effect with the Secretary of State, they are not enforceable until signs indicating the regulation are installed. If there is no sign, it is not an enforceable regulation so there has to be a sign.**

**SO so that’s 28 days is that what you are saying?**

**MH I would say to be safe 2 months**

**SO one more question if you are doing through this law and you decide you want to do it and you put it through are you hiring an extra police officer to maintain no parking?**

**MH as of right now we are not going to make any decisions on going forward. We have to digest and review everything that was said today.**

**SO so, you can’t answer the question?**

**MH we have 13 part-time police officers now, I don’t intend to hire anyone.**

**SO unknown chatter. I am asking specifically will you be hiring someone to enforce the laws on Farries Ave**

**MH they are going to enforce the laws on every street, that’s their job.**

**Aaron Ubides I have another question for the lawyer, I read the whole law there’s nothing excluding local traffic. As you know, per the New York State DOT anything over 8900 pounds is required to be registered as a commercial vehicle, F250 F350 11,000 pounds a lot of us own them. There is nothing in your law written that we’re excluded from it. I hook up to my trailer, I’m 17,000 pounds. You have nothing in here. Anything among that at all in this law written that I can see. Again, if you do, please show it to me.**

**Attorney Cassidy I will point to page 10 Section 4**

**Section 4. Chapter 109-21, entitled Trucks over certain weights excluded shall be amended to read as follows:**

**§ 109-21 Trucks excluded.**

**A. Trucks in excess of the weights indicated are hereby excluded from the streets or parts of streets described in Schedule XVII (§ 109-45). The regulations established by this section shall not be construed to prevent the delivery or pickup of merchandise or other property along the streets from which such vehicles are otherwise excluded.**

**B. Trucks, commercial vehicles, tractors, tractor-trailer combinations, tractor-semitrailer combinations, or other tractor-trailer-semitrailer combinations are hereby excluded from the streets or parts of streets described in Schedule XVII (§ 109-46). The regulations established by this section shall not be construed to prevent the delivery or pickup of merchandise or other property along the streets from which such vehicles and combinations are otherwise excluded.**

**EC So this law was not intended to exclude local traffic**

**AU but I’m not picking up, I live there that’s my personal truck. I don’t fall under that category because I am parking there for days. I am not picking up, not delivering. The weight limit is way off, if you are going to put a weight limit, it’s got to be 15 tons 30,000 pounds. If you are going to do something like this and it’s going to be enforced. You got to be more realistic, these trucks just keep going up and up in weight. We just had an F350 come in today brand new it’s 11,500.**

**Mayor Harter okay for right now I guess we will move forward unless there’s any other comments because we are going back into a question-and-answer session supposed to be public comment only. Anyone else have any other comments? With that can I get a motion to close the Public Hearing?**

 **Motion to close the public hearing at 8:10 PM by**

 **Trustee Roach Second by Trustee Werner**

**VOTE: YES 4 NO 0 1 Absent**

**III. MINUTES**

Motion made by Trustee ***Olejniczak*** seconded by ***Trustee Roach*** to approve the minutes of the July 5, 2023 Regular meeting.

##### **VOTE: YES 4 NO 0 1 Absent**

##### **IV. FINANCIAL REPORTS**

1. **Treasurer’s Report**

Motion made by *Trustee Werner* seconded by *Trustee Olejniczak* to accept the Treasurer’s report as submitted.

 VOTE: YES 4 NO 0 1 absent

 **2. Payment of Vouchers**

 Motion made by *Trustee Roach* seconded by *Trustee Olejniczak to* approve payment of t vouchers as audited.

 **VOTE: YES 4 NO 0 1 absent**

1. **Transfers:**

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| **Transfers for Fiscal Year 5/31/23 - Aug 2** |  |  |
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| **General Fund Expenditures** |  |  |
| **Account Description** | **From** | **To** |
| Mayor Travel and Conference | 400.00  |  |
| Justice Clerk Salaries |  | 400.00  |
| (Additional invoice Town of Warwick) |  |  |
|  |  |  |
| Clerk Equipment | 100.00  |  |
| Clerk Travel and Conference |  | 100.00  |
| (June travel to bank for deposits) |  |  |
|  |  |  |
| General Fund Contingency | 1,500.00  |  |
| Clerk Computer Equipment and Services |  | 1,500.00  |
| (SJA Technologies various) |  |  |
|  |  |  |
| General Fund Contingency | 400.00  |  |
| Judicial Equipment and Supplies |  | 400.00  |
| (Court interpreter - LE Translation Services) |  |  |
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| General Fund Contingency | 1,400.00  |  |
| Board of Trustees Travel and Conference |  | 1,400.00  |
| (Nycom Registration) |  |  |
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| Clerk Code Book Update | 200.00  |  |
| Clerk Village Web Site |  | 200.00  |
| (Bowers Web Solutions - SSL Certificate) |  |  |
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| Police Equipment | 1,000.00  |  |
| Police Car Expenditures |  | 1,000.00  |
| (County Saab - Repairs and Maintenance) |  |  |
|  |  |  |
| Police Training Expenditures | 200.00  |  |
| Police Uniforms |  | 200.00  |
| (Alfis Uniforms - Jacket) |  |  |
|  |  |  |
| Parks Electric | 200.00  |  |
| Parks Equipment & Supplies |  | 200.00  |
| (Amazon - Various) |  |  |
|  |  |  |
| Sanitation Salaries | 3,700.00  |  |
| Sanitation Fuel - Diesel |  | 700.00  |
| Sanitation Landfill Charges |  | 3,000.00  |
| (Quickcheck and Orange County Landfill Y/E Accrual) |  |  |
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| Workmen’s Compensation Expenditures | 2,000.00  |  |
| Medical Insurance Expenditures |  | 2,000.00  |
| (Medical, Dental, Medicare Reimb.) |  |  |
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| **Water Fund Expenditures** |  |  |
| **Account Description** | **From** | **To** |
| Capital Plant Equipment | 10,000.00  |  |
| Plant Chemicals |  | 10,000.00  |
| (Higher Chemical Costs - Slack Chemical) |  |  |
|  |  |  |
| Water Plant Professional Fees | 5,000.00  |  |
| Sludge Removal Fees |  | 5,000.00  |
| (TAM) |  |  |
|  |  |  |
| Plant Maintenance and Repairs | 200.00  |  |
| Plant Vehicle Fuel - Gas |  | 200.00  |
| (Quickcheck Y/E Accrual) |  |  |
|  |  |  |
| Water Labor Salaries | 7,000.00  |  |
| Distribution Maintenance and Repairs |  | 7,000.00  |
| (TAM - Cedar Crest) |  |  |
|  |  |  |
| Distribution Vehicle Expense | 200.00  |  |
| Distribution Equipment |  | 200.00  |
| (Pro Tool Warehouse) |  |  |
|  |  |  |
| Distribution Advertisement | 250.00  |  |
| Distribution Training and Conference |  | 250.00  |
| (Water School Travel Reimb) |  |  |
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| **Sewer Fund Expenditures** |  |  |
| **Account Description** | **From** | **To** |
| Sewer Sludge Removal | 3,000.00  |  |
| Plant Operator Contract Services |  | 3,000.00  |
| (JCO Overtime and Repairs) |  |  |
|  |  |  |
| Sewer Plant Professional Fees | 4,000.00  |  |
| Sewer Plant Repairs |  | 4,000.00  |
| (TAM - Water Pump #2 & Grundeen & Assoc.) |  |  |
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 | **From** | **To** |
|  |  |  |
|  **Transfers for Fiscal Year 5/31/24 - Aug 2**   **General Fund Expenditures**  **Account Description** From ToA-1930-000 General Fund Contingency 10,000.00 A-1910-000 Unallocated Insurance Expenditures 10,000.00  (CLG Insurance Annual Coverage)  A-5110-001 Highway Salaries 2,000.00 A-5110-003 Highway Salaries - Greenwood Lake 2,000.00  (New DPW salary allocation per T. Brunswick)  A-5110-015 Highway Equipment 1,000.00 A-5110-412 Highway Road Repairs 1,000.00  (NYS DOT Permit, not budgeted)    **Water Fund Expenditures**  **Account Description** From ToF-8340-010 Water Laborer Salaries 7,500.00 F-8340-015 Water Salaries - Glenmere Lake Well 7,500.00  (New DPW salary allocation per T. Brunswick)    Sewer Fund Expenditures  NONE  |  |  |
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| **Motion made by Trustee Werner seconded by Trustee Roach to approve the transfers as presented.** **VOTE: YES 4 NO 0 1 absent** |  |  |
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**V. ANNOUNCEMENTS, CORRESPONDENCE & PRESENTATIONS**

1. **H2O Innovation sent an amendment to Operation and Maintenance agreement for both the Water and Wastewater facilities.**
2. **Board of Fire Commissioners sent a letter regarding the Emergency Access Road at Kaye and Farries Ave.**
3. **Emily Oladipo sent an email regarding the emergency access road opening**
4. **Mortgage tax receipts total for the month of June were received from the County Clerk.**
5. **The Planning Board submitted conditional use permit for 42 North Main St.**
6. **US Compliance submitted the semi-annual discharge compliance report for Stauber Performance Ingredients.**
7. **State of New York Public Employment Relations Board sent a notice regarding arbitration.**
8. **New York State Department of Transportation sent a notice regarding CHIPs funding.**
9. **Keane & Beane PC sent a fully executed contract for representation.**
10. **Tokio Marine HCC sent a notice regarding damages at the Police Station.**
11. **Orange County Department of Health sent a larvicide notice for catch basins.**
12. **Dennis E. A. Lynch sent a notice regarding representation for R.A.G.E.**
13. **Florida Planning Board sent a notice of public hearing for Village Drive Commons.**
14. **A FOIL denial appeal was received by Heather Ubides.**
15. **Karl Brabenec sent a letter in support to NYSDOT with regards to Route 94.**
16. **Florida Youth Soccer sent a completed Facility Use Form and requested a waiver of the use fee.**
17. **Warwick Community Ambulance sent a letter regarding Farries Ave and Beazer Homes access.**
18. **DPW will be flushing hydrants tomorrow 8/3-8/4.**
19. **An email was received from Stephen Caldwell regarding Kaye Dr.**
20. **An email was received from Jenn Caldwell regarding Kaye Dr.**
21. **Joseph and Staci Patti sent a letter with regards to Farries Ave.**
22. **Village of Florida Police Department supplied a letter regarding Farries Ave.**

**VI. REPORTS OF THE TRUSTEES**

**Trustees reported an overview on individual departments, Mayor Harter in Trustee Fuller’s absence.**

 **1. Thomas Fuller – Police, Justice, Emergency Management**

 **2. Craig Olejniczak – Recreation & Parks, Animal Control, Buildings/Grounds**

 **3. Alyssa Werner – DPW, Sewer/ Water, Chamber of Commerce**

 **4. Matthew Roach – Building & Planning, Historical**

**Mayor Harter described in detail the issue with the odor from Glenmere Lake.**

**VII. PUBLIC COMMENT – AGENDA ITEMS ONLY**

**This opportunity is provided for anyone of the audience to comment on any item listed on the agenda. Please address the Board and limit your comments to five minutes.**

**James Piscatelli I would like to know why the chain was taken down at the end of Farries.**

**Mayor Harter safety issue**

**JP by the county says it’s only for emergency use only.**

**Mayor Harter where do you hear that from the county?**

**JP public works**

**MH state their name**

**JP I’m not going to rat anybody out snitches get stitches**

**EP we were under the impression when we bought our house there was a farm up there, there was no Beazer it didn’t exist. Then when the farm was cleared and Beazer was being built, we were told that it was going to be two separate entities and it was not going to be connected ever and then they built a connecting road and we were told well this is for emergency purposes only and that’s why its chained. So, for us on Farries who have been there for 20 plus years and even those who have been there more recently, we’re under the impression they have emergency access. And that’s what the chain was for so the general public wouldn’t go back and forth but emergency vehicles could get through if needed. It’s been there for a while and then one day the chain was gone and nobody was notified that the road was going to be open or why the road was going to be open it was just open. Then I am under the impression that once people spoke up and inquired as to why and questioned the amount of traffic that is now coming through and it has increased more than by 15 cars a day, I have my video and I can prove by video as well. The revolt for that or the solution was we are going to prohibit parking on the street but prohibiting parking on the street doesn’t solve the problem. That brings me to my next point, why is Farries being singled out when there are other narrow roads in the Village and are those roads going to have parking prohibited on them as well. So is this going to set a precedent now that is a road is as narrow as Farries or narrower, there will be no parking on those roads either. If so, where are people supposed to park their cars during Christmas or during parties or if they have a graduation or a communion and we have people over our driveways aren’t big enough. Where are we supposed to park? In the five community spots**

**MH as stated before, public comment will be taking into account tonight. We are not making a decision. This is why we have Public Hearings**

**JP I needed to get my point across there has been emergency access and prohibiting parking is not solving the problem. We were all told that that road was not going to be open. Everybody living in Beazer knew when they bought their homes there was one way in and one way out. That’s how it was but now its changed and there’s been little communication or explanation as to why.**

**MH Thank you, yes.**

**Susan O’Brien I think there’s maybe three people in this room that were there when they created the Beazer development. I and those 3 people spent a heck of a lot of time there through meetings and the decisions were made and finalized that it would never be open. There’s a quote in one of the meetings. ‘Good because I’ll be arrested every day’. Who authorized this? That is on the books as an emergency access only. Who physically went as a citizen in the Village of Florida and got the board approval to go and open it. Who did that? How dare they do that. There’s a process to do that. Am I correct lawyer? Is there a process to take down something that’s on the books. Isn’t there a process that has to be gone through.**

**Attorney Cassidy I’m not going to necessarily answer**

**SO, so you don’t know**

**DH No this is getting hostile**

**SO well you brought it here honey not me**

**EC The purpose of public comment is to receive public comment. If public comment warrants action by the Board I will give my legal advice to the Board before that action is taken**

**SO I understand that I just want to know, I casually found out that it was open. Very casual just like I casually found out about the public hearing. I sat believe me, I sat in those meetings and waited for SEQR approval. When it came through, we all were so excited, everyone all the old Floridians the new Floridians. It’s just unconscionable to me that that was done without anyone knowing about it. Because if I went up there and took the chain down as Sue O’Brien Village of Florida resident on Farries I would be in jail. So who the hell did it? I think you are absolutely and I am extremely disappointed in you as a board, I’m very disappointed because I feel that you guys should be conscious of honesty and outward and hey you could have come and knocked on our doors and said, we are thinking about of taking the chain down. Instead, you just went and did it. Whether it’s good bad or indifferent. It doesn’t make a difference how dare you do it when its already there. It’s there on the books how dare you do it?**

**Mayor Harter Thank you for your comment**

**SO You have no idea my husband is sitting there with bail money to get me out of jail because I am so angry at this. It took me four days to digest what happened before I could even speak to anyone because I was there, I fought it back then and I’ll fight it now.**

**MH okay thank you very much alright can we get through the meeting and we’ll circle back to public comment because we are going to have comment again at the end.**

**Okay Unfinished business.**

**VIII. UNFINISHED BUSINESS**

1. **H2O Innovation Amendment**

**Water Plant**

**Motion by Trustee Werner second by Trustee Olejniczak to authorize Mayor Harter to sign agreement amendment with H2O to existing contract regarding parking lot use at Water Treatment Plant. Subject to attorney approval**

 **VOTE: YES 4 NO 0 1 absent**

**Wastewater Plant**

**Motion by Trustee Werner second by Trustee Roach to authorize Mayor Harter to sign modified agreement with H2O in the amount of $13,021.00/monthly for maintenance at Sewer Treatment Plant.**

 **VOTE: YES 4 NO 0 1 absent**

1. **Basketball/Pickle ball court bids**

**Fencing**

**Ketcham Fencing Bilt-Well Fence Kuperus Custom Fence Inc**

**19 Borden St 521 Route 17 M 173 Hortons Rd**

**Otisville, NY 10963 Monroe, NY 10949 Westtown, NY 10998**

**$35,554.00 $24,095.00 $22,000.00**

**Motion to TABLE in the amount of for the supply and installation of fencing**

**Motion by Trustee Werner second by Trustee Roach**

 **VOTE: YES 4 NO 0 1 absent**

**Basketball**

 **Basketball Playground System**

**Motion to approve purchase in the amount of $9,259.82 for basketball backboards, equipment and anchors from BSN Sports on state bid.**

**Motion by Trustee Werner second by Trustee Olejniczak**

 **VOTE: YES 4 NO 0 1 absent**

 **Striping**

**Motion to approve quote from A Plus Striping in the amount of $23,550.00 for court surfacing, lining and installation of backboards, supply and install pickleball posts.**

**Motion to approve quote in the amount of $23,550.00**

 **Motion by Trustee Werner second by Trustee Olejniczak**

 **VOTE: YES 4 NO 0 1 Absent**

**Benches**

**Motion to approve quote from Kay Park Recreation in the amount of $2082.00 for recycled park benches.**

**Motion to approve quote in the amount of $2082.00 from Kay Park**

**Motion by Trustee Olejniczak second by Trustee Werner**

 **VOTE: YES 4 NO 0 1 absent**

1. **Standard Workday and Reporting Resolution for Elected and Appointed Officials**

BE IT RESOLVED, that the Board of Trustees of the Village of Florida, Location code 40332, hereby establishes the following standard work days the following titles and to report the officials to the New York State and Local Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

Craig Olejniczak Trustee 6

Alyssa Werner Trustee 6

Matthew Roach Trustee 6

Colleen Wierzbicki Clerk 8

Marvin Geller Treasurer 6

Peter Barlet Justice 6

Timothy Brunswick DPW Supervisor 8

Motion by Trustee Olejniczak second by Trustee Roach

 VOTE: YES 4 NO 0 1 absent

**IX. NEW BUSINESS**

1. **Local Law 1 of 2023**

**Introductory LOCAL LAW 1 OF 2023**

**A LOCAL LAW TO DESIGNATE VILLAGE INTERSECTIONS AS**

**STOP INTERSECTIONS**

**BE IT ENACTED, by the Village of Florida Board of Trustees as follows:**

**Section 1. Legislative Intent.**

 **It is the intent of this local law to install traffic control devices for the purpose of regulating traffic on Farries Avenue for the health, safety and welfare of Village Residents.**

**Section 2. Chapter 109-45, entitled “Schedule XVII: Trucks Over Certain Weights Excluded” shall be amended by adding the following:**

**Name of Street Weight Limit Location**

**Farries Avenue 5 (tons) New Street to Kaye Drive**

**Kaye Drive 5 (tons) Farries Avenue to Hill View Drive**

**Section 3. Chapter 109-38, entitled “Schedule X: No Parking at Any Time” shall be amended by adding the following:**

**Name of Street Side Location**

**Farries Avenue North Side New Street to Kaye Drive**

**Farries Avenue South Side New Street to Kaye Drive**

**Section 4. Chapter 109-21, entitled Trucks over certain weights excluded shall be amended to read as follows:**

**§ 109-21 Trucks excluded.**

**A. Trucks in excess of the weights indicated are hereby excluded from the streets or parts of streets described in Schedule XVII (§ 109-45). The regulations established by this section shall not be construed to prevent the delivery or pickup of merchandise or other property along the streets from which such vehicles are otherwise excluded.**

**B. Trucks, commercial vehicles, tractors, tractor-trailer combinations, tractor-semitrailer combinations, or other tractor-trailer-semitrailer combinations are hereby excluded from the streets or parts of streets described in Schedule XVII (§ 109-46). The regulations established by this section shall not be construed to prevent the delivery or pickup of merchandise or other property along the streets from which such vehicles and combinations are otherwise excluded.**

**Section 5. Chapter 109, entitled Vehicles and Traffic is amended by adding § 109-46, Schedule XVIII: Commercial Vehicles Excluded which shall read as follows:**

**Name of Street Location**

**Farries Avenue New Street to Kaye Drive**

**Kaye Drive Farries Avenue to Hill View Drive**

**Section 6. Authority.**

 **This local law is adopted pursuant to section 10 of the Statute of Local Governments which provides local governments the power “to adopt, amend and repeal ordinances, resolutions and rules and regulations in the exercise of its functions, powers and duties” and is further authorized by New York State Vehicle & Traffic Law § 1640.**

**Section 7. Severability.**

 **If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof , but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.**

**Section 8. Effective Date.**

 **This local law shall take effect upon filing with the Secretary of State and further upon the posting of signs in accordance with the New York State Uniform Highway Manual.**

**VILLAGE OF FLORIDA**

**VILLAGE BOARD OF TRUSTEES**

**A RESOLUTION TO INTRODUCE A LOCAL LAW TO REGULATE TRAFFIC ON FARRIES AVENUE and KAYE DRIVE**

**WHEREAS, the Village of Florida accepted dedication of Kaye Drive by resolution dated November 14, 2018, and**

**WHEREAS, such dedication resulted in a continuous stretch of Village-owned streets from Route 17A (North Main Street), extending over Farries Avenue, over Kaye Drive to Hill View Drive; and**

**WHEREAS, the Village of Florida desires to regulate traffic traveling from Farries Avenue to Kaye Drive for the protection of the health, safety and welfare of Village residents;**

**NOW THEREFORE BE IT RESOLVED, that Introductory Local Law # 1 of 2023, entitled A LOCAL LAW TO REGULATE TRAFFIC ON FARRIES AVENUE, is hereby introduced before the Board of Trustees of the Village of Florida;**

**BE IT FURTHER RESOLVED those copies of the aforesaid introductory local law be laid upon the desk of each member of the Board, and**

**BE IT FURTHER RESOLVED that a public hearing shall be held on August 2, 2023 at 7:30 P.M. or as soon thereafter as may be heard at Village of Florida Village Hall, 33 South Main Street, Florida, NY 10921**

**BE IT FURTHER RESOLVED that the Village Clerk shall cause to be published public notice in the official newspaper as is required by law.**

***Motion to table***

**Motion by: Trustee Olejniczak**

**Second by: Trustee Roach**

**VOTE: YES 4 NO 0 1 absent**

1. **Fall Youth Soccer waiver fee**

**Motion to approve the waiver of the Youth Soccer fee**

**Motion by Trustee Olejniczak second by Trustee Werner**

**VOTE: YES 4 NO 0 1 Absent**

1. **Meeting Schedule**

 August 16th, 2023 9:30 AM Work Session

 September 6th, 2023 9:30 AM Work Session /7:30 PM Regular Meeting

 September 20th, 2023 9:30 AM Work Session

 October 4th, 2023 9:30 AM Work Session/ 7:30 PM Regular Meeting

1. **PUBLIC COMMENT**

**Mayor Harter I am again opening up to Public Comment, state your name for the record limit to 5 minutes let’s all be civil please.**

**Kim McGoldrick 85 Farries Ave Because I enjoy speaking in circles. During the June meeting it became apparent the real reason behind the decision of opening the gate was not going to be told. For many reasons we have been given from many different ages, it seems the adult reason is the least true. The removal of the chain lacked proper communication to surrounding residents and there were no public hearings or votes. We were surprised to learn that the mayor does not have the executive authority to change the site plan roads documents or purposes. We discovered safety concerns for our children playing on the road and the reason was to eventually the response was to eventually put in sidewalks. If safety of the residents was a concern to you the Board the sidewalks should have been put in. regarding the drainage issues on Farries Ave, the answer there was to install drainage which ideally should have been installed prior. As for speeding, your solution was have police ticket anyone local or nonlocal however the visibility of where the police cars were affected the results of that. And the radar detector that was just put in Monday works sporadically. As your comments to Blaise Gomez today where you stated:**

**While we appreciate that this represents a change, to allege that it was done as a personal vendetta or in retaliation and not for the safety of Village residents is simply without basis.**

**I have a question isn’t inappropriate to inquire if another elected official really cares about anyone else on the road besides my neighbor? Is it normal to have a conversation with children about the reasons behind for the removal of the chain and why it will not go back up, with no benefit of that child would share that conversation. Shouldn’t elected officials take the time to consider their constituents opinion and concerns before making these decisions**

**MH Thank you for your comments. Anybody else?**

**Inaudible chatter**

**MH okay, state your name for the record please.**

**Heather Ubides 70 Farries Ave**

**First question I have are any of the materials referenced in the correspondence section available for residents to view?**

**MH they are correct?**

**Attorney Cassidy those correspondence are subject to FOIL**

**MH okay yeah so they are**

**HU So if we submit a FOIL that was my first question. Just to add to what Mr. Piscatelli said. I don’t need to quote anyone specifically when we purchased our house Mayor Pawliczek had indicated that it was emergency access only, at the time we moved there it wasn’t even a road it wasn’t even a dirt road at that point it was just woods. So, upon further research and I submitted a FOIL request as indicated in the earlier agenda item I also submitted a FOIL request to the DEC to see which SEQR report would come back first and the DEC supplied the information. So, to comment on the non hearsay of the county worker, the negative declaration of 2005 that was filed at the DEC indicates that there was no impact to the traffic of the local area because it was in fact an emergency access only and the chain that was there just for clarification for those that weren’t living right next to it, there was no lock on that chain at any point and it never restricted anyone. In fact, high school children would often take it down to pass through to get to school. That’s all I have for you this evening.**

**MH Thank you very much.**

**Aaron Ubides I would like to go further on that. It’s true, the Board, nobody has the power or anything to violate a site plan. The original site plan was filed there are no amendments or addendums to it and in the foot note down at the bottom, this is all at the County, it states emergency access only. It gives you the chain, the particular type chain. I know one trustee said its not fire code, there’s no such thing. Actually, in it, it shows the depiction pof the lock that we are required to have so we violated the site plan or it was violated. I know the trustees never voted on it and we are violating the SEQR report. These are the issues. There are right ways to go about it. The engineers will explain to the Planning Board. It has to go all the way back to planning and redo everything or attempt to do it which we know it and understand would cost the Village a lot of money. Not only that, we know there is 30, 40 almost 50 acres up there that’s all buildable. We also know that Roe Brothers the Bieling brothers own 30 acres which dumps down off of 94 unto Kaye onto Farries. We also know that there is another lot in between them and another that goes onto Robert Drive. The other part, is the third addition to Glenview up there which will attach all that over so that’s the other reasons why they didn’t want it there it as emergency access. In the wintertime, if you have driven up our roads and it isn’t plowed, if I don’t drop the plow nobody’s getting up there. The first thing we do is usually DPW will give me a call because I know it’s snowing, I’m out plowing at 3 in the morning, I take the chain down and it’s open for the entire storm so that the DPW can get through there and clear that for emergency access because it has to be an emergency access. And when they stop, I have actually opened it, cleaned it and cleaned around the hydrant so that it is open in an emergency and in storms. That’s why we can’t just violate stuff.**

**MH Thank you very much, anyone else.**

**Valerie Zapf Farries Avenue**

**I live on the lower part of Farries. There has always been an issue with speeders coming up and down that road people coming off Farries cut across New street go down Glenmere to avoid certain traffic lights. So now when you open this road up more, I understand right now some people are saying that they see a negligible increase in traffic. Once people are aware that this road has become a through street, unknown ? I do feel that the traffic is going to increase which means then on the lower half of Farries, we will have all of the speeders come out of school. You will be extremely surprised at how fast these cars can get from that school driveway just to my house before the stop sign. So many times, I am outside screaming like a lunatic at not just at kids, teachers, local residents, everybody else. So, by making this a through street I am really afraid of what is going to happen when other people outside of our neighborhood find out that it’s a through street. I empathize with the people that live up in that development I understand that hill like the good gentleman in front of me has stated. If there are ways we can go about opening up that chain during storms so that everybody in that development can have access during the storm park when the roads are bad and when the roads are cleared, we can close it back up. If you are worried about emergency vehicles getting up there a breakaway chain should be good enough according to (inaudible) something different I don’t know. A gate that is remote controlled that the emergency vehicles can get up there that are concerned about a breakaway chain ruining vehicles. I don’t get how that could happen. There could be other options so that the safety of the residents on the street due to the increase in traffic and has truly taken into effect. To sit there and say safety as a blanket comment to me or why we are doing this. It’s not true I don’t think it’s true. Again, I emphasize with you guys and just because you can take a chain down doesn’t mean you should. So, there are proper ways of going about it. If I have to do anything in my house I gotta get a permit. If you want to take down an emergency chain, you can tell us why and notify us, and follow the proper procedures so be it and that’s the way it is.**

**If you think that you’re (inaudible) especially for those of us that live on Farries, New St. and any cross street including Glenmere. About what’s gonna come off 94 , nobody wants to drive on 94 anymore at the traffic light because of all the freaking potholes and sit at the traffic light during rush hour. We have progress in this town and in Warwick which in one way is a great thing but it also stinks because we have a lot more population. Now people are using our street as a cross because they can’t get through on Main Street. Thank you.**

**Mayor Harter Thank you**

**Crystal Oneal Hi my name is Crytal Oneal I live at 72 Hill View Dr. The chain was down since April so school was in session at that time. I do drive my boy to school and I haven’t noticed that there was speeding within the development and going down Farries. Also, we that live in the development were concerned about having excess traffic coming through the development off of 94. However, that didn’t happen. We didn’t get an influx of traffic. As of people with shortcuts because it isn’t actually a shortcut to go through up Farries through the development and come down on 94, it’s not a shortcut. It’s not a shortcut there’s no way that traffic increases if it’s not a shortcut.**

**Mayor Harter Thank you**

**Matthew DeRosa Two different topics one being on the public hearing. I think the perception of us constantly having cars come in and out and they have to pass our house. So, chain was up everyone in the neighborhood would have to pass our house, there’s always cars that have to pass our house someone speeds, like every neighborhood in the world, right? People do speed and when it became an issue, we call the police. Now that the chain is down, there’s cars that are passing homes that have never had cars pass their homes. So, they went from zero to something, seems like a lot, right? It’s an engineered road, it is a public road there’s a sidewalk that dies at the end of the development. I don’t understand how you can’t see that this was going to become a road. I’ve lived here for five years, I am only stating this because the issue of safety keeps being pushed away and I would pose the question that if it were your family member having a heart attack and somebody in an ambulance right had the access and the ability to get to you but had to stop and get out of their ambulance to take the chain down, would you be okay with that would you be alright with that additional minute that it took? The road is there I don’t know the legal circumstances around the opening the chain, it doesn’t matter. The reality is every car that comes up that road will have to pass my house and we’ve been vigilant about watching them, it is absolutely negligible. The second thing I’m on a different topic. The letter that was issued to Golden Hill severing water and sewer. I am very concerned about that.**

**Mayor Harter there was no letter sent**

**MD I’ve seen the letter**

**MH Who gave it to you?**

**MD Department of Health**

**MH It was not mailed to them correct Dana?**

**MD I will be happy to pull out the Steve Gagnon is the Orange County Department of Health Public Engineer. Right? Me and him were in a meeting regarding this exact issue in a different town. He showed me the letter. It was a severance from the Village of Florida of water and sewer to Golden Hill. As a result, the Department of Health had reached out to the NYS Department of Health to try and understand the consecutive water systems, public works. He was having is entities that serve more than 25 people outside the municipal line of water treatment in Orange County exclusively are being designated as public water systems. That’s what was happening at Golden Hill, they fall outside the municipal boundary of the Village of Florida so the Village of Florida issued a letter whether they contracted it or not should get a letter saying you have 5 years to find your own water source and sewer. So, I’m bringing that up because that would fundamentally impact the future of Golden Hill and the future of this community. So, if you are saying that’s not an official letter and that’s not the stance of the Village water department has. I can tell you unequivocally the Orange County Department of Health has a different view in that. I would love to understand that a little more.**

**Mayor Harter alright it’s a loaded question. I’m glad you’re here tonight, Dana**

**Dana Castine I’m here as a resident not as a member of the school district. I don’t really feel it’s appropriate to speak this evening (inaudible)**

**Mayor Harter no we will handle it, I’ll explain it.**

**DC Mister DeRosa that’s fine I do have something to say, public comment**

**MH ok let me just the letter that was sent was sent out to all the out of district users which technically Golden Hill is. However, because Florida Union Free District is located essentially in the Village, it doesn’t apply to them. My guess is and I’ll talk to Gagnon in the morning because I think he went with a broad-brush approach to that which is inaccurate. I’ve spoken to the new Superintendent of Seward and Golden Hill and she’s aware of it and understands it does not impact Golden Hill.**

**MR They are under a completely different**

**MH I will clarify it with them**

**MR Both Golden Hill and Orange County prison are served on Willet I don’t see that**

**MH The jail and the 911 center they are going to be in 5 years removed from it but Golden Hill.**

**Elizabeth Cassidy Mayor to clarify the Village has adopted via resolution a desire to evaluate and instructed your consultants to evaluate out of district users that does include the County Jail as well as some others. Some of that was driven in light of improvements and changes to the water treatment plant**

**MR Does that include Golden Hill**

**EC No that does not include Golden Hill. However, that part is in analysis. We were putting folks on notice that we are undertaking that analysis. There is a legal and statutory process for ending water use. We did adopt it is currently the Village’s policy say for a developer in the Town of Warwick or the Town of Goshen say I’m going to tap into your water. We are not going to be entertaining those right now as we are undergoing water improvements and working on that. So, it’s an evaluative process. We are putting folks on notice particularly if folks can evaluate other sources of water and there was a study at the jail for other potential well sources because that water has to go pretty far away to get there. That’s for the long range.**

**There was a brief discussion regarding Golden Hill and out of district water between Board and Village Engineers**

**Dana Castine 46 Farries Ave We’ve been living there for how long? We’re not considered old Florida by any means; we’ve been there for 27 years? As of September. I am only 25 (laughter). In the 27 years that we’ve lived there, we’ve seen tremendous growth on Farries Ave. I’ve attended a ton of meetings; Susan Court was not in existence whatsoever when we first moved in constructed, I’m gonna say somewhere around 2002 because I was on bedrest with my twins and literally that side of our house is an easement and they had to dig through so much shale. So 2001-2002 so I spent a lot of days listening to tap tap tap, with that said so Susan Court was something that became a reality for us on Farries. There was a lot of rumbles about the ? property and the other property that’s along Farries Ave connecting to Robert Drive so we attended a lot of meetings back in the day. We’ve seen the development at the end of Farries Ave(inaudible) the market now we have a bank across the street we used to have a bus garage and now we have some senior housing. So, we’ve seen a tremendous increase in traffic. Especially towards the end of the road here. Seward we all know we configured the parking lot so know we have (inaudible) on that road as well which increases the traffic. When we have graduation I know the school, we park along Farries Ave that’s the overflow parking for the school. I don’t know how this law would impact that with this law of no parking. Inaudible. Back in the day, we went to our meetings we were informed that the access to Kaye Drive would always be an emergency access. It was an emergency road. The chain that was up prior to that was a dirt road whatever. The dog got out a few times we had to go run after up there so we are kind of intimate with the surroundings up there. With that said, I implore the Board to find a way to have a breakaway, to have some other alternative to continue that for those that purchased in Beazer and those that are on Farries or whether its Robert Drive or Susan Court, that was a dead-end road for emergency access so to Mr. DeRosa’s point assemblance in a medical emergency, if there is something breakaway something there people can get through by all means that should be the case. However, for those of us that have been living there for a long time, that has been emergency access. Why that changed why it shifted from to on the books an emergency access to not, I’m not aware of that occurring. But I would implore the Board to look at some alternatives that are out there. The infrastructure we know is very old on Farries Ave. The connections from Susan Court again are on our side of the house the water and sewer pipe that ties into Farries Ave is right there, there’s a drain, when it’s raining, you can hear the retention ponds on the side of their house all the water empties out that way, it’s a lot there’s a lot going on for the infrastructure that’s there. I implore the Board look for alternatives.**

**Trustee Olejniczak I was not on the Board when both of those projects you are referencing Susan Court and Beazer began. Am I correct in assuming that you and Mrs. O’Brien, in reference to were there other committees? I assume you are referencing the Planning Board that you sat in question and answer.**

**Unknown planning zoning**

**CO and the ZBA? Both**

**Sue Obrien and there was Ethics. There were so many Board meetings. I used to come home from work in Manhattan have a cup of tea and go out the door. Just to add one thing that Dana said that is extremely true the property directly across from me almost to Dana that is subdivided into 12 lots. The owners are planning on developing there. It opens out to 94 I think you guys have to really rethink it. Get some traffic counting. Hearsay.**

**Unknown chatter**

**Unknown Female Flawed its too late. You can’t do the traffic thing now(inaudible) and as far as your point, I do not see any more traffic from people coming on 94 a lot of it is people inside the development especially coming down the first left that family flies down. The child in the first house on the right on Kaye Drive flies down the road. I also wanted to ask you is you had also mentioned to Blaise it was an extra mile and a half, where was your point from (to Mayor Harter) start to finish to Beazer**

**Mayor Harter Village Hall**

**Female ok so I did the Fire Department through my google app and if I took the fire department through Kaye Drive to the first house on Kaye, I think its 8 through Farries it is 1.3 miles. If I did the fire department through 94 up to the same point 1.8 or 9 miles technically only a .8 difference not a mile and a half.**

**Unknown chatter**

**Mayor Harter thank you very much, we will let you go first and then you and then Mr. Ubides yes**

**Tony Durante Once again I didn’t know it was going to be this intense but it gives me time to do some due diligence on the paperwork that I have. Initially when we bought our homes there was supposed to be a second road that was led out of that development so I’m gonna look at the contract and see what was presented there. I can’t say that I was in these meetings before hand with them. I sympathize with them. If traffic is a problem, you’re going to have people coming down because you have the school there. If it’s speeding, then you put stop signs and you use other access or means of doing that. The other developments you’re going to bring traffic no matter whichever that as you expand the area and sell lots. Later on, if that lot that you are talking about is going to be developed about and you are gonna put a road in and you want to do that that is fine but until then for us to have a secondary access into the development is a plus to us. It’s an asset. I’m not here to just be go against you. You have that one stop sign when I come down that hill. If you need another stop sign, put another stop sign down there and put some speed bumps. But the traffic that’s coming down, if you have 70 houses up there and people are coming down to the school, to town you’re gonna get traffic, that’s going to be it. So, it’s not about stopping the traffic. You’re always gonna have traffic going back and forth. And to close that road, I’ve never seen that road open. Before you took that chain down inaudible. If you have ever been stuck it’s a problem or had a child stuck, it’s a problem coming up that hill. No disrespect to you if your truck comes up there 3 in the morning, I get up at 3 in the morning to go to work and a lot of times those roads are never plowed that early in the morning.**

**Conversation among audience members**

**Aaron Ubides I can tell you on the SEQR report there is potential for a second entrance and exit to 94 in the original plans.**

**Not the emergency access. Built in segments**

**Conversation among audience members**

**Dana Castine there’s one thing to take into consideration too is if that road will be open it (the 2 mile walking radius) to the school so those students that live in Beazer in that development inaudible that’s a shift**

**Unknown audience member they can walk**

**Unknown audience member except it is dangerous to walk**

**Unknown male audience member easiest solution, put in an electric gate up snow storm, you open it up they have access in and out for emergency. Keep it closed in the summer you’ve got the traffic going in and out easiest thing fire trucks ambulances they have a button they press it they don’t have to stop.**

**Unknown what if there’s a power failure**

**Male battery backup solar**

**Heather Ubides I believe that at one the previous meetings June and July our Village Engineer also suggested a swing through gate that goes both ways was also an option.**

**Unknown and then a sign at the bottom of the road on 94 stating no through traffic only the people that live up there would know inaudible**

**Inaudible chatter**

**Aaron Ubides so I can comment Fire Department and the Village Police Department use what’s called ROVER, a lot of people don’t know what that ROVER is, we get a call and it will dispatch us directions and crossroads to the fastest route, the fastest way up there is straight down 94 through the light. The problem is making the right turn to Farries the ambulance and all the trucks have to go all the way onto oncoming traffic and hope nobody is there then because the road is narrow, if a moving van is there, they have all they can do to get our truck through there so it actually takes us longer to run up there. The Deputy Mayor did a do a test and rode from my street down and rode the other way they actually said there is no time savings that’s why its suggested emergency access. That’s why Florida Fire Department sent you the letter. It’s hard (inaudible)you have a 75-foot entrance going up a hill and I understand what he said, that’s a good point to talk to DPW. They’re just going to have to be more diligent about salting and sanding. Inaudible chatter**

**That’s the reasons why the ambulances and the Fire District and everybody know to go straight down 94, it’s clear it’s wide it’s done. But if something ever happened, they would go up through the chain.**

**Unknown male fire trucks and ambulances can’t get up Farries, if I lived on Farries Ave and the fire trucks couldn’t get up the street, I would be storming Village Hall**

**Aaron Ubideswe can get up Farries it’s difficult to get up Farries, you were saying it’s a minute faster it isn’t. It’s a more difficult thing Knowing the route that’s safe that’s formally 20 feet wide is a home run. God forbid something happens they can navigate a lot faster through Farries. We’ve had the firetrucks and we’ve had some issues up there. They make it up there but it takes a little longer so you’re not saving time.**

**Mayor Harter take it on the Board not amongst each other**

**Unknown Male is there a way for you guys to look into what that road was designed for, if I could answer the question was it only intended for emergency access? Just looking at the road it is a fully engineered road, right? I mean it has cobblestone on the side, catch basins that go into retention ponds inaudible. If there’s a way to get an answer to that, that would be great. And get feedback from it. Can you read the letter You mentioned there was a letter from the ambulance Corp can you read the letter.**

**Mayor Harter Do we have to do it now**

**Unknown female I have a question for you as far as finding out what was the road prior to an emergency road but you have a development so does that negate it being an emergency road.**

**Clerk Wierzbicki read the letter from the Warwick Community Ambulance Corp into the record**

**Unknown male Based on what study metrics that they came up with that decision**

**AU can you read the one from the Florida Fire District**

**Unknown chatter**

**Clerk Wierzbicki read the letter from the Florida Fire District into the record**

**Unknown Female I feel that emergency access has always been there so we are not saying to take away emergency access. I don’t know why that is up for discussion. The discussion should be by taking away the emergency access and leaving it an open road, we are increasing traffic on Farries, increasing speeders and we were promised that that emergency access would never be opened. We were promised that, I don’t know about you guys but most of my surrounding neighbors said I’ll bet you anything from 15 years they are gonna renege on that deal. I feel that is what is happening here. It’s not about emergency access, we want you guys to have that of course we want you to be safe. We feel the exact same way. If you feel you can’t get up your hill from Glenview Hills off of 94, I get you that’s why the gentlemen in front of me said we need to make sure that we plow better so they can get up. It should not be a through street especially for nonresidents. That’s the problem we do not have the sidewalks we don’t have the safety. Once you get past New St at least most of the kids that were walking back and forth had some bit of semblance of safety from the kids speeding up and down the road but you felt somewhat safer walking there into Kaye Dr Now that’s not going to happen. Once more people find out traffic will increase We need to keep it emergency access or for residents to get in and out during storms.**

**SO being a recipient of all the emergency vehicles coming to a house on a regular basis now EMT people are busy last few times they come from Chester if you put in a breakaway gate is fine. The EMT know exactly where they are going.**

**There was a brief conversation regarding Orange County Emergency personnel, speeding.**

**XIII. ADJOURNMENT**

Motion made by Trustee Werner seconded by Trustee Roach to adjourn the meeting at 9:11 PM.

**VOTE: YES 4 NO 0 1 absent**