

Welcome to the Village of Wappingers Falls monthly regular meeting of the Mayor and Board of Trustees today Wednesday, November 10, 2021, 7PM.

PLEDGE OF ALLEGIANCE TO THE FLAG:

RECOGNITION / ANNOUNCEMENTS / SPECIAL EVENTS

ROLL CALL BY THE CLERK OF THE VILLAGE: Mayor Cerino, Trustee Sidote, Trustee Ponte, Trustee Niznik, Trustee Huber, Trustee Ruffen, Trustee Lauricella. Village Attorney Wallace.

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING
VILLAGE OF WAPPINGERS FALLS**

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Wappingers Falls will conduct a PUBLIC HEARING on the 10 day of November, 2021, at 7 p.m., at which time all parties in interest and citizens shall have an opportunity to be heard as to whether the Board of Trustees of the Village of Wappingers Falls shall adopt a proposed Local Law entitled “Local Law No. 1 of the Year 2021, A Local Law Adopted Pursuant to Cannabis Law § 131 Opting Out of Licensing and Establishing On-site Cannabis Consumption Establishments Within the Village of Wappingers Falls”.

PLEASE TAKE FURTHER NOTICE that the purpose and intent of the proposed Local Law is to allow for the Village of Wappingers Falls to opt-out of hosting on-site consumption establishments within its boundaries.

PLEASE TAKE FURTHER NOTICE that the Village Board of Trustees has determined that pursuant to 6 NYCRR 617.5 (c) (20) the proposed adoption of the aforementioned Local Law is a Type II action not requiring environmental review pursuant to the State Environmental Quality Review Act (SEQRA) and, accordingly, no environmental review has been undertaken.

PLEASE TAKE FURTHER NOTICE that the adoption of this Local Law is subject to a permissive referendum.

PLEASE TAKE FURTHER NOTICE that a copy of the proposed Local Law is available for review and inspection at the Office of the Village Clerk on weekdays from 8:30 a.m. to 4:00 p.m., at the Village Hall, 2582 South Avenue, Wappingers Falls, New York.

Dated: October 27, 2021

BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF WAPPINGERS FALLS

JOHN KARGE, VILLAGE CLERK

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING
VILLAGE OF WAPPINGERS FALLS**

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Wappingers Falls will conduct a PUBLIC HEARING on the 10 day of November, 2021, at 7 p.m., at which time all parties in interest and citizens shall have an opportunity to be heard as to whether the Board of Trustees of the Village of Wappingers Falls shall adopt a proposed Local Law entitled “Local Law No. 2 of the Year 2021, A Local Law Adopted Pursuant to Cannabis Law § 131 Opting Out of Licensing and Establishing Retail Cannabis Dispensaries Within the Village of Wappingers Falls”.

PLEASE TAKE FURTHER NOTICE that the purpose and intent of the proposed Local Law is to allow for the Village of Wappingers Falls to opt-out of hosting retail cannabis dispensaries within its boundaries.

PLEASE TAKE FURTHER NOTICE that the Village Board of Trustees has determined that pursuant to 6 NYCRR 617.5 (c) (20) the proposed adoption of the aforementioned Local Law is a Type II action not requiring environmental review pursuant to the State Environmental Quality Review Act (SEQRA) and, accordingly, no environmental review has been undertaken.

PLEASE TAKE FURTHER NOTICE that the adoption of this Local Law is subject to a permissive referendum.

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Dated: October 27, 2021

BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF WAPPINGERS FALLS

JOHN KARGE, VILLAGE CLERK

ACTION ON MINUTES

October 8, 2021

October 13, 2021

October 27, 2021

AUTHORIZATION TO PAY BILLS AS PER APPROVED WARRANTS

REGULAR SESSION:

VILLAGE OF WAPPINGERS FALLS

LOCAL LAW NO. 1 OF 2021

A Local Law Adopted Pursuant to Cannabis Law § 131 Opting Out of Licensing and Establishing On-site Cannabis Consumption Establishments Within the Village of Wappingers Falls

Be it enacted by the Village Board of Trustees of the Village of Wappingers Falls as follows:

Section 1. Legislative Intent

It is the intent of this local law to opt the Village of Wappingers Falls out of hosting on-site cannabis consumption establishments within its boundaries.

Section 2. Authority

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes cities and villages to opt-out of allowing on-site cannabis consumption establishments to locate and operate within their boundaries.

Section 3. Local Cannabis On-Site Consumption Opt-Out

The Board of Trustees of the Village of Wappingers Falls, County of Dutchess, hereby opts-out of allowing on-site cannabis consumption establishments from locating and operating within the boundaries of the Village of Wappingers Falls.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, 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 5. Numbering for Codification

It is the intention of the Village of Wappingers Falls and it is hereby enacted that the provisions of this local law shall be included in the Code of the Village of Wappingers Falls; that the sections and subsections of this local law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this local law; that the words "local law" shall be changed to "Chapter," "Section," or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this local law or the provisions of the Code affected thereby.

Section 6. Effective date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.

Motion to approve LL # 1, 2021

RESOLUTION NO. 1 of 2021

RESOLUTION INTRODUCING "LOCAL LAW NO. 1 OF THE YEAR 2021, A LOCAL LAW ADOPTED PURSUANT TO CANNABIS LAW § 131 OPTING OUT OF LICENSING AND ESTABLISHING ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN THE VILLAGE OF WAPPINGERS FALLS"

The following resolution was introduced by _____ and seconded by _____.

WHEREAS, pursuant to Cannabis Law § 131, the Village Board of the Village of Wappingers Falls desires to opt-out of hosting on-site consumption establishments within its boundaries; and

WHEREAS, the Village Board has determined that pursuant to 6 NYCRR 617.5 (c) (20) the proposed adoption of the aforementioned Local Law is a Type II action not requiring environmental review pursuant to State Environmental Quality Review Act (SEQRA) and, accordingly, no environmental review has been undertaken; now, therefore

BE IT RESOLVED, that the Village Board hereby introduces for consideration of its adoption proposed “Local Law No. ____ of the Year 2021, A Local Law Adopted Pursuant to Cannabis Law § 131 Opting Out of Licensing and Establishing On-site Cannabis Consumption Establishments Within the Village of Wappingers Falls”, in the form annexed hereto; and

BE IT FURTHER RESOLVED, that the Village Board hereby schedules a Public Hearing regarding the proposed adoption of the annexed Local Law for 7:00 P.M., on the ____ day of _____ 2021, to be held at Village Hall, 2582 South Avenue, Wappingers Falls, New York, and the Village Clerk is directed to post the Notice of Public Hearing in the form annexed hereto and to publish same in the newspaper not less than ten (10) days nor more than twenty (20) days prior to the Public Hearing as required by law; and

BE IT FURTHER RESOLVED, that this Local Law is subject to a permissive referendum.

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

	Yay	Nay
Mayor Rick Cerino	_____	_____
Kevin Huber – Trustee	_____	_____
Patrick Sidote – Trustee	_____	_____
Jennifer Niznik – Trustee	_____	_____
Michael Ruffen – Trustee	_____	_____
Anne Ponte – Trustee	_____	_____

VILLAGE OF WAPPINGERS FALLS

LOCAL LAW NO. 2 OF 2021

A Local Law Adopted Pursuant to Cannabis Law § 131 Opting Out of Licensing and Establishing Retail Cannabis Dispensaries Within the Village of Wappingers Falls

Be it enacted by the Village Board of Trustees of the Village of Wappingers Falls as follows:

Section 1. Legislative Intent

It is the intent of this local law to opt the Village of Wappingers Falls out of hosting retail cannabis dispensaries within its boundaries.

Section 2. Authority

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes cities and villages to opt-out of allowing retail cannabis dispensaries to locate and operate within their boundaries.

Section 3. Local Cannabis Retail Dispensary Opt-Out

The Board of Trustees of the Village of Wappingers Falls, County of Dutchess, hereby opts-out of allowing retail cannabis dispensaries from locating and operating within the boundaries of the Village of Wappingers Falls.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, 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 5. Numbering for Codification

It is the intention of the Village of Wappingers Falls and it is hereby enacted that the provisions of this local law shall be included in the Code of the Village of Wappingers Falls; that the sections and subsections of this local law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this local law; that the words “local law” shall be changed to “Chapter,” “Section,” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this local law or the provisions of the Code affected thereby.

Section 6. Effective date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.

Motion to approve LL # 2, 2021

RESOLUTION NO. 2 of 2021

RESOLUTION INTRODUCING “LOCAL LAW NO. 2 OF THE YEAR 2021, A LOCAL LAW ADOPTED PURSUANT TO CANNABIS LAW § 131 OPTING OUT OF LICENSING AND ESTABLISHING RETAIL CANNABIS DISPENSARIES WITHIN THE VILLAGE OF WAPPINGERS FALLS”

The following resolution was introduced by _____ and seconded by _____.

WHEREAS, pursuant to Cannabis Law § 131, the Village Board of the Village of Wappingers Falls desires to opt-out of hosting retail cannabis dispensaries within its boundaries; and

WHEREAS, the Village Board has determined that pursuant to 6 NYCRR 617.5 (c) (20) the proposed adoption of the aforementioned Local Law is a Type II action not requiring environmental review pursuant to State Environmental Quality Review Act (SEQRA) and, accordingly, no environmental review has been undertaken; now, therefore

BE IT RESOLVED, that the Village Board hereby introduces for consideration of its adoption proposed “Local Law No. ____ of the Year 2021, A Local Law Adopted Pursuant to Cannabis Law § 131 Opting Out of Licensing and Establishing Retail Cannabis Dispensaries Within the Village of Wappingers Falls”, in the form annexed hereto; and

BE IT FURTHER RESOLVED, that the Village Board hereby schedules a Public Hearing regarding the proposed adoption of the annexed Local Law for 7:00 P.M., on the ____ day of _____ 2021, to be held at Village Hall, 2582 South Avenue, Wappingers Falls, New York, and the Village Clerk is directed to post the Notice of Public Hearing in the form annexed hereto and to publish same in the newspaper not less than ten (10) days nor more than twenty (20) days prior to the Public Hearing as required by law; and

BE IT FURTHER RESOLVED, that this Local Law is subject to a permissive referendum.

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

	Yay	Nay
Mayor Rick Cerino	_____	_____
Kevin Huber – Trustee	_____	_____
Patrick Sidote – Trustee	_____	_____
Jennifer Niznik – Trustee	_____	_____
Michael Ruffen – Trustee	_____	_____
Anne Ponte – Trustee	_____	_____
Adam Lauricella – Trustee	_____	_____

Dated: Wappingers Falls, New York
October 27, 2021

Approval to hire Salim Agha and Daniel Corchado as Hourly Police Officers up to 39 hours per week consistent with DC Personnel Civil Service guidelines.

Approval Budget Amendments.

Budget Amendments 2022			
Acct. #	Account Title	Debit	Credit
A2801.000	Interfund Revenue		\$ 54,249.21
A1325.400	Treasurer - Equipment		\$ 4,377.00
A1410.200	Clerk - Equipment		\$ 1,884.00
A1620.440	Building - Zoning		\$ 10,000.00
A1620.410	Building - Cobbler	\$ 6,000.00	
A1620.450	Building - Mesier	\$ 1,000.00	
A1620.460	Building - PD		\$ 8,000.00
A3120.160	PD Training Salaries	\$ 5,000.00	
A3120.200	PD - Equipment	\$ 4,000.00	
A3120.450	PD - Contra Training	\$ 4,000.00	
A3410.240	FD - Lease Chief's car		\$ 12,027.00
A3410.280	FD - Lease Radios		\$ 16,345.00
A3410.450	FD - Lease Turnout		\$ 10,677.00
A5182.400	Street Lighting		\$ 4,500.00
A7110.410	Parks - Contractual	\$ 6,000.00	
A7230.100	Lake - Salary		\$ 6,273.00
A7180.410	Rec Fac - Mesier	\$ 1,000.00	
A9025.800	LOSAP	\$ 1,000.00	
A9716.600	BAN Principal	\$ 100,000.00	
A9716.700	BAN Interest	\$ 332.21	

RESOLUTION NO. 252021 of 2021

RESOLUTION EMPLOYING CONFLICT ATTORNEY TO THE VILLAGE OF WAPPINGERS FALLS FOR SPECIAL PROSECUTIONS

The following Resolution was introduced by _____ and seconded by _____.

BE IT RESOLVED, that Angel I. Falcon, Esq., be and he hereby is employed and retained as Conflict Attorney to the Village of Wappingers Falls for Special Prosecutions,

whenever Craig M. Wallace, Esq., or anyone from the firm of Wallace & Wallace, LLP, is unable to provide legal services because of any professional conflict; and

BE IT FURTHER RESOLVED, that Angel I. Falcon, Esq., shall be paid for such services at the rate of \$175.00 per hour.

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

	Yea	Nay
Mayor Rick Cerino	_____	_____
Kevin Huber – Trustee	_____	_____
Patrick Sidote – Trustee	_____	_____
Jennifer Niznik – Trustee	_____	_____
Michael Ruffen – Trustee	_____	_____
Anne Ponte – Trustee	_____	_____
Adam Lauricella – Trustee	_____	_____

Dated: Wappingers Falls, New York
November 10, 2021

RESOLUTION NO. 262021 of 2021

RESOLUTION AUTHORIZING MODIFICATION AND EXTENSION AGREEMENT TO CONTRACT FOR GARBAGE COLLECTION SERVICES

The following Resolution was introduced by _____ and seconded
by _____.

WHEREAS, the Village of Wappingers Falls has previously entered into Agreements with Panichi Holding Corp. d/b/a Royal Carting Service Co. (“Royal Carting”) for garbage collection services within the Village of Wappingers Falls; and

WHEREAS, said Agreement has been amended and extended from time to time; and

WHEREAS, Royal Carting has presented a proposal to the Village to provide such garbage collection services through April 30, 2022 (“2022 Renewal Term”) as set forth in a proposed 2020 Modification and Extension Agreement, a copy of which is annexed hereto; and

WHEREAS, the Village desires to enter into said Modification and Extension Agreement on the terms and conditions as set forth in the Agreement; now, therefore

BE IT RESOLVED, that the Board of Trustees of the Village of Wappingers Falls hereby accepts the terms and conditions set forth and contained in the 2020 Modification and Extension Agreement in effect through April 30, 2022 and retroactive to May 1, 2020, in the form annexed hereto and authorizes and directs the Mayor to execute the Agreement by and on behalf of the Village of Wappingers Falls and to provide a fully executed copy of the Agreement to the Village Clerk.

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

	Yea	Nay
Mayor Rick Cerino	_____	_____
Kevin Huber – Trustee	_____	_____
Patrick Sidote – Trustee	_____	_____
Jennifer Niznik – Trustee	_____	_____
Michael Ruffen – Trustee	_____	_____
Anne Ponte – Trustee	_____	_____
Adam Lauricella – Trustee	_____	_____

Dated: Wappingers Falls, New York
November 10, 2021

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

Dated: November 10, 2021
Wappingers Falls, New York

RESOLUTION NO. 272021 of 2021

RESOLUTION CREATING 2ND ALTERNATE FOR THE BOARD OF COMMISSIONERS FOR THE VILLAGE OF WAPPINGERS FALLS WATER BOARD

The following Resolution was introduced by _____ and seconded by _____.

WHEREAS, the Board of Commissioners for the Village of Wappingers Falls Water Board currently consists of a Chairperson, two Commissioners and one Alternate ; and

WHEREAS, in the instance that one of the Board of Commissioners has a conflict or is unable to attend a meeting, the Water Board would like to create a 2nd alternate to ensure a quorum; and

WHEREAS, the Village Board of Trustees is desirous of creating a 2nd alternate for the Board of Commissioners; now, therefore

BE IT RESOLVED, that the Board of Trustees of the Village of Wappingers Falls hereby creates a 2nd alternate for the Board of Commissioners for the Village of Wappingers Falls Water Board.

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

	Yea	Nay
Mayor Rick Cerino	_____	_____
Kevin Huber – Trustee	_____	_____
Patrick Sidote – Trustee	_____	_____
Jennifer Niznik – Trustee	_____	_____
Michael Ruffen – Trustee	_____	_____
Anne Ponte – Trustee	_____	_____
Adam Lauricella – Trustee	_____	_____

Dated: November 10, 2021
Wappingers Falls, New York

Monthly updates.

Police

Finance, Trustee Lauricella

Highway, Trustee Sidote

Fire & Lake. Trustee Huber

Safety. Village Clerk

- Trip hazards east side of West Main Street, light post knocked down.

- Stairwell enclosure Village Hall first floor...quotes from \$10.0k to \$4.8k. Pete Windheim low bidder.

Recreation, Trustee Ponte

Water, OPEN

Personnel, Trustee Niznik

- Letter received from Water Department member Ms. Marie White notifying the mayor of her intentions to retire 1/3/2022.

Sewer OPEN,

EXECUTIVE SESSION Personnel

_____ I need a motion to adjourn into Executive Session at: _____ [time] for the purpose of discussing (pick one or more below):

- ☒ pending litigation in the matter(s) of – _____ v. _____
- ☒ negotiations conducted pursuant to the Taylor Law
- _____ the medical history of a particular person
- _____ the employment history of a particular person
- ☒ matters leading to the appointment / hiring of a particular person
- _____ matters leading to the promotion of a particular person
- _____ matters leading to the demotion of a particular person
- _____ matters leading to the discipline of a particular person
- _____ matters leading to the termination of a particular person
- _____ matters leading to the pay increase of a particular person /s
- _____ a disciplinary matter involving a particular employee
- _____ the proposed sale of real property
- _____ the proposed lease of real property
- ☒ seeking legal advice from the Village's Attorney
- _____ matters that would impact public safety

Motion made by _____, seconded by _____

All In Favor: _____ Opposed: _____ Abstain: _____

Motion passes [] – []

I need a motion to exit Executive Session and return to the Public Meeting at _____ (time)

Motion made by _____, seconded by _____

All In Favor: _____ Opposed: _____ Abstain:

Motion passes [] – []

REGULAR SESSION:

Motion to adjourn the 11/10/2021 Village Board Meeting

Adjourn