

**“PLEASE TURN OFF CELL PHONES OFF PRIOR TO START OF MEETING.
THANK-YOU”.**

Welcome to the Village of Wappingers Falls Second Monthly Meeting of the Mayor and Board of Trustees today Wednesday, April 27, 2022, 6:00 PM.

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 Village Board of the Village of Wappingers Falls will conduct a PUBLIC HEARING on the 27th day of April 2022, at 6:00 p.m. at the Village Hall, Village of Wappingers Falls, 2582 South Avenue, Wappingers Falls, New York, at which time all parties in interest and citizens shall have an opportunity to be heard as to whether the Village Board of the Village of Wappingers Falls shall adopt a proposed local law entitled “Local Law No. ____ of the Year 2022, to Override the Tax Levy Limit for Fiscal Year 2022.”

PLEASE TAKE FURTHER NOTICE that the purpose of the proposed Local Law is to override the limit on the amount of real property taxes that may be levied by the Village of Wappingers Falls and authorize the Village Board to adopt a budget for fiscal year 2022 in excess of the “tax levy limits” as defined by General Municipal Law § 3-c.

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 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: April 13, 2022

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

JOHN KARGE, VILLAGE CLERK

VILLAGE OF WAPPINGERS FALLS

LOCAL LAW NO. ___ (PROPOSED) OF 2022

**A Local Law Authorizing a Property Tax Levy in Excess of the Limit
Established in General Municipal Law § 3-c**

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

SECTION 1. TITLE.

This Local Law shall be known and cited as “Local Law No. ___ of the Year 2022, Authorizing a Property Tax Levy in Excess of the Limit Established in General Municipal Law § 3-c.”

SECTION 2. LEGISLATIVE INTENT.

It is the intent of this Local Law to allow the Village of Wappingers Falls to adopt a budget for the fiscal year commencing 2022 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

SECTION 3: AUTHORITY.

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a Local Law approved by a vote of sixty percent (60%) of said governing body.

SECTION 4. TAX LEVY LIMIT OVERRIDE.

The Board of Trustees of the Village of Wappingers Falls, County of Dutchess, is hereby

authorized to adopt a budget for the fiscal year commencing 2022 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

SECTION 5. 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 6. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

JOHN KARGE, VILLAGE CLERK

RESOLUTION NO. _____ of 2022

**RESOLUTION ADOPTING LOCAL LAW TO OVERRIDE THE TAX LEVY
LIMIT FOR FISCAL YEAR 2022**

WHEREAS, a Resolution was duly adopted by the Village Board of the Village of Wappingers Falls introducing a proposed Local Law entitled "LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT FOR FISCAL YEAR 2022" for consideration by the Village Board; and

WHEREAS, a Public Hearing was duly advertised in the official newspaper of the Village as required by law; and

WHEREAS, a Public Hearing was held on April 27, 2022 and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law or any part thereof; and

WHEREAS, the Village Board determined that the proposed Local Law was not subject to environmental review; and

WHEREAS, the Village Board of the Village of Wappingers Falls after due deliberation, finds that it is in the best interest of the Village to adopt said Local Law; and

WHEREAS, said Local Law has been on the desks of the members of the Village Board of the Village of Wappingers Falls for at least seven (7) days, exclusive of Sunday, prior to the adoption of this Resolution; now, therefore

BE IT RESOLVED, that the Village Board of the Village of Wappingers Falls hereby adopts the Local Law entitled “LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT FOR FISCAL YEAR 2022” a copy of which is attached hereto and made part of this Resolution; and

BE IT FURTHER RESOLVED, that the Village Clerk is directed to enter said Local Law in the minutes of this meeting and into the Local Law book for the Village of Wappingers Falls and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

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	_____	_____
John Tyliczszak – Trustee	_____	_____
Adam Lauricella – Trustee	_____	_____

Dated: Wappingers Falls, New York
April 27, 2022

The Resolution is hereby duly declared adopted.

JOHN KARGE, VILLAGE CLERK

Legal Notice
Notice of Public Hearings
Village of Wappingers Falls

Please be advised that the Village of Wappingers Falls Mayor and Board of Trustees will hold a Final Hearing to adopt the 2022– 2023 budget on April 27, 2022, 6:00 PM. The purpose is to have public participation.

Public may view and or participate by following instructions on the village website.

<https://www.wappingersfallsny.gov/village-board-meeting-page/>

John M. Karge

Village Clerk

4/13/2022

Motion to approve 2022 / 23 Village Budget.

RESOLUTION NO. 072022 of 2022

RESOLUTION ADOPTING ANNUAL BUDGET FOR FISCAL YEAR 2022-2023

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

WHEREAS, on April 20, 2022, the Village Board, pursuant to and in accordance with the provisions of Section 5-504 of the Village Law and other applicable provisions of law, accepted the Tentative Budget; and

WHEREAS, a Public Hearing on the Tentative Budget was held on April 27, 2022 and all parties in attendance were permitted an opportunity to speak on behalf or in opposition to the proposed Annual Budget for the fiscal year 2022-2023; and

WHEREAS, the Village Board has taken into consideration the comments made by the public at the Public Hearing; now, therefore

BE IT RESOLVED, that pursuant to and in accordance with the provisions of Section 5-508 of the Village Law and other applicable provisions of law, the annexed detailed statement of expenditures and revenues of the Village of Wappingers Falls is hereby approved and adopted as the Annual Budget of the Village of Wappingers Falls for fiscal year 2022-2023; and

BE IT FURTHER RESOLVED, that the Village Clerk is hereby directed to enter the Annual Budget adopted herein in the minutes of the Village Board; and

BE IT FURTHER RESOLVED, that the Village Board further directs that the amounts identified in the Annual Budget adopted herein shall be appropriated.

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	_____	_____
John Tyliszczak – Trustee	_____	_____
Adam Lauricella – Trustee	_____	_____

Dated: April 27, 2022
Wappingers Falls, New York

RESOLUTION NO. ____ of 2022

**RESOLUTION INTRODUCING “LOCAL LAW NO. ____ OF THE YEAR 2022,
ADDING CHAPTER 102 ENTITLED ‘OUTDOOR DINING, TEMPORARY’ TO
THE CODE OF THE VILLAGE OF WAPPINGERS FALLS TO INCLUDE
PROVISIONS FOR TEMPORARY OUTDOOR RESTAURANT DINING
FACILITIES”**

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

WHEREAS, the Village Board of the Village of Wappingers Falls is considering the adoption of Local Law No. __ of 2022 which would add Chapter 102 entitled “Outdoor Dining, Temporary” to the Code of the Village of Wappingers Falls with respect to permitting outdoor seating for existing food service establishments (the “Proposed Action”); and

WHEREAS, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Proposed Action is as defined above; and

WHEREAS, the Village Board has determined that the Proposed Action is a Type I action pursuant to Article 8 of the Environmental Conservation Law, Part 617 NYCRR (commonly known as "SEQRA"); and

WHEREAS, the Village Board has determined that the proposed Local Law is an action for which there are no other Involved Agencies and that the Village Board is therefore, by default, the Lead Agency for this action; and

WHEREAS, a Determination of Significance has not yet been made with respect to the Proposed Action; now, therefore

BE IT RESOLVED, that the Village Board hereby introduces for consideration of its adoption proposed Local Law No. ___ of 2022 in the form annexed hereto; and

BE IT FURTHER RESOLVED, that the Village Board hereby schedules a Public Hearing regarding the adoption of the annexed proposed Local Law No. __ of 2022 for _____ PM on the ___ day of _____, 2022, and the Village Clerk is hereby directed to post the notice of the Public Hearing in the form annexed hereto and to publish same in the Southern Dutchess News and the Poughkeepsie Journal not less than ten (10) days prior to said Public Hearing date; and

BE IT FURTHER RESOLVED, that the Village Board hereby directs the Village Clerk to act as follows with respect to the proposed Local Law:

- a. To serve a copy of this Resolution, the annexed proposed Local Law, and the Public Hearing Notice to the municipal clerk of each abutting municipality not less than ten (10) days prior to said public hearing; and
- b. To serve a copy of this Resolution, the annexed proposed Local Law, and the Public Hearing Notice to the Dutchess County Department of Planning and Development for advisory review in accordance with Section 239 of the New York State General Municipal Law.

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	_____	_____
John Tyliszczak – Trustee	_____	_____
Adam Lauricella – Trustee	_____	_____
Dated: Wappingers Falls, New York April 13, 2022		

The Resolution is hereby duly declared adopted.

JOHN KARGE, VILLAGE CLERK

DRAFT LOCAL LAW” Parking”

VILLAGE OF WAPPINGERS FALLS

LOCAL LAW NO. _____ OF 2022

A Local Law entitled “Local Law No. _____ of the Year 2022, Amending Chapter 143. Vehicles and Traffic. Article V. Schedules of the Code of 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

This Local Law amends Chapter 143. Vehicles and Traffic. Article V. Schedules. §143-42. Schedule IV: One-Way Streets, § 143-50. Schedule XII: Parking Prohibited At All Times and § 143-56. Schedule XVIII: Time Limit Parking of the Code of the Village of Wappingers Falls.

SECTION 2. APPLICATION

This Local Law shall apply within the Village of Wappingers Falls.

SECTION 3. AMENDMENT TO CHAPTER 143. VEHICLES AND TRAFFIC. ARTICLE V. SCHEDULES. §143-42. SCHEDULE IV: ONE-WAY STREETS

Chapter 143. Vehicles and Traffic. Article V. Schedules. §143-42. Schedule IV: One-Way Streets shall be amended to remove Clinton Street and Convent Avenue and add Reservoir Place, which shall read as follows:

“§ 143-42. Schedule IV: One-Way Streets

Name of Street	Direction of Travel	Limits
Clapp Avenue	South	From Franklin Street to Prospect Street
East Academy Street	East	From South Avenue (9D) to Remsen Avenue South
Franklin Street	East	From Market Street to the merger Point with Clapp Avenue
Pell Place	North	From Clinton Street to Convent Avenue 4:30 p.m. Saturday to 1:30 p.m. Sunday
Prospect Street	East	From South Avenue (9D) to Remsen Avenue South Sundays

		Only
Prospect Street	West	From South Avenue (9D) to Fulton Street
Reservoir Place	South	From East Main Street to Franklin Street”

SECTION 4. AMENDMENT TO CHAPTER 143. VEHICLES AND TRAFFIC. ARTICLE V. SCHEDULES. §143-50. SCHEDULE XII: PARKING PROHIBITED AT ALL TIMES

Chapter 143. Vehicles and Traffic. Article V. Schedules. §143-50. Schedule XII: Parking Prohibited At All Times shall be amended to read as follows:

§ 143-50. Schedule XII: Parking Prohibited At All Times

Name of Street	Side	Location
Church Street Extension	North/South	West of Hillside Avenue
*Walker Place	North/South	No On-Street Parking including Gravity Water Tank Parcel
West Street	North	From West Main Street to Brown Avenue
West Street	North	From West Main Street to Hillside Avenue

SECTION 5. AMENDMENT TO CHAPTER 143. VEHICLES AND TRAFFIC. ARTICLE V. SCHEDULES. § 143-56. SCHEDULE XVIII: TIME LIMIT PARKING

Chapter 143. Vehicles and Traffic. Article V. Schedules. § 143-56. Schedule XVIII: Time Limit Parking shall be amended to include Hillside Avenue and shall read as follows:

Name of Street	Side	Time Limits	Location
Hillside Avenue	West	2-hour parking	From West Street to Walker Place

SECTION 6. RATIFICATION, READOPTION AND CONFIRMATION

Except as specifically modified by the amendments contained herein, Chapter 143. Vehicles and Traffic. Article V. Schedules. § 143-42. Schedule IV: One-Way Street and § 143-50. Schedule XII: Parking Prohibited At All Times of the Code of the Village of Wappinger Falls as adopted and amended from time to time thereafter is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

SECTION 7. 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 sub-sections 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 word “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 8. SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

SECTION 9. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Discussion compensatory pay for Heather McCormick to assist the Village Treasurer.

Approval to relevy RGD/Water/Sewer , RGD: \$33,974.89 Water: \$71,103.72, Sewer: \$62,906.20

Total: \$167,984.81

Discussion moratorium. Trustee Lauricella

Discussion “Norma’s Corner Shoppe” Grease Trap. Zoning

Approval to hire a P/T Court Clerk. Clerk.

Reappointment of Alan Firstenberg as Chair Person to ZBA. Mayor / Trustees

Accept resignation of PO Martinez effective immediately. Board

Approval to hire Amanda Dolcemascolo as P/T Police Officer.

Approval to hire Shane Egan as conflict attorney. Building Department.

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 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
- the financial history of a particular corporation
- matters leading to the appointment of a particular business
- matters leading to the termination of a particular business
- 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 04/27/2022 Village Board Meeting