

**Wawayanda Town Board Meeting 08/03/2006**

August 3, 2006

A Regular monthly business meeting of the Town Board of the Town of Wawayanda was called to order at 7:35 P.M., on Thursday, August 3, 2006, at the Town Hall, Ridgebury Hill Road, Slate Hill, New York.

Those present were:

John R. Razzano	Supervisor
Edward Krajewski	Councilman
Gail M. Soro	Councilwoman
Richard Penaluna III	Councilman
Richard Guertin	Attorney for the Town
Teresa Pierce	Town Clerk
Absent: David S. Cole	Councilman

Also Present: Joe Catalano - Attorney with Saratoga Associates; Michael K. Green - Highway Superintendent; Kathryn Sherlock - Deputy Town Clerk, Ann Yates - Planning Board Chairperson; Mary Markiewicz & Barbara Parsons - Planning Board Members; Gladys Hall - Historian; and approximately 60 other individuals.

**PLEDGE TO THE FLAG**

**Supervisor Razzano** read aloud a statement that he had posted on the Town of Wawayanda's website addressing the incident that took place at Councilwoman Gail Soro's home.

**PUBLIC HEARING ON PROPOSED LOCAL LAW ENTITLED "RESIDENTIAL SUBDIVISION LAW OF 2006" OF THE TOWN OF WAWAYANDA:**

**Supervisor Razzano** read the "Notice of Public Hearing" as it appeared in The Times Herald Record on July 19<sup>th</sup> & 27<sup>th</sup>, 2006.

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to open the Public Hearing.

**ALL IN FAVOR - CARRIED**

**PUBLIC COMMENTS & QUESTIONS:**

**David Whitworth** stated that his personal preference would be to revise the Comprehensive Plan and the Zoning together, but he understands the time constraints and the need for the use of the Local Law when the moratorium expires. Added that he is concerned about having to refer to three documents which are not compatible. Not sure why the Agricultural Preservation was picked up in the Local law, and said that it should be excluded. Also spoke about the 1/3 of an acre when clustering. Said people are looking to preserve open space, and if there are no corridors to link it to, it will be a waste of time. Concerned that conservation easements could go as low as 10 acre's. He would like to see a compromise of a minimum of 1/2 acre.

**Supervisor Razzano** announced that the reason why **Councilman Cole** is not in attendance this evening is because he is on a well deserved vacation.

**Deevey Greitzer** stated that one of the items missing is the setting aside of critical environmental areas before determining how many lots that can be in the subdivision. Voiced her concerns about the preservation of wetlands.

**Supervisor Razzano** responded to Ms. Greitzer's comments by stating that everyone must submit a conventional plan and the taking out of steep slopes and wetlands is part of the subdivision process.

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**Dan Myers** said that, in his opinion, the process has been exclusionary rather than inclusionary. Voiced his disappointment with the fact that the Town of Wawayanda's website did not have the Proposed Local Law or the completed Comprehensive Plan posted for review. He questioned, "How does the Board expect the public to be able to contact their local representatives with their concerns?"

**Erika Myers** spoke about the rationale of taking away the Planning Board's authority to require Cluster Development in 5 lot subdivisions, and said that she does not understand the increase to 8 lots versus 5 lots. In regards to Community Systems, Ms. Myers questioned why the Town Board is approving such a system when the last administration paid Stearns & Wheeler to come up with Water & Sewer Codes. Added that science should be making the determination and not the Town Board.

**Randy Hurst** commended everyone who was involved in the development of the proposed local law. Expressed that it is a small but vital step in the right direction for our town. Concurred with Mr. Whitworth that a better compromise would be a minimum of ½ acre lots and 50% for the other cluster lots. Voiced his concerns about the proposal to change the zoning in the AR (Agricultural Residential) district to allow duplexes and multiple dwellings. Right now they are permitted in all the zones with a special plan, along with a special permit, from the Planning Board. If we were to allow this development in the AR zone it would defeat the purpose of this law and sabotage everything that everyone has been working to accomplish. Urged passage of the proposed law and asked that the law be kept as it is now, and that multiple dwellings remain as an exception, subject to Planning Board approval of design. Said that we should not permit developers to come into the Town and do subdivisions of multiple dwellings.

**Connie Litchenberger** agreed with **Ms. Greitzer's** comments in regards to the protection of wetlands. Added that our local law has to adhere to this.

**Susan Wood**, Councilwoman for the Town of Greenville, referred to page 3, section 3, subsection b, the line that reads "The Planning Board may require a Conservation Subdivision only on subdivision applications that propose more than 8 lots." She then posed a rhetorical question of "What would happen if once all of the perks are done, along with everything else, developer could no longer get the 8 lots? Must they still cluster? In other words, would the Planning Board be allowed to back step?"

In reference to a question posed earlier regarding 5 lots, if an applicant wished to take the five parcels and cluster them, it has been her experience that there are many people who have moved up from the city who like the neighborhood setting. Suggested that if you have a large parcel of land, why not take the five homes and put them in one area thereby leaving a wide open space where they would be able to have a safe place to meet, rather than putting one house on five acres which would be a total of twenty five acres. Also spoke about land for parks and asked why it is being excluded, and asked "Isn't that what open space is?"

**John Crowley**, a resident, who has moved here nine months ago from the Bronx, and commutes 80 miles to his job as a New York City Policeman, expressed his desire for wide open space, and stated that 1/3 acre lots are not what people are looking for. Said that he does not want to see multi-family dwellings, and that the mother daughters are nothing more than landlord and tenant in which the tenants put an undo burden on the school system.

**Eileen Nyland**, commented that she agrees with Mr. Whitworth, Mr. Hurst, and Mr. Crowley's comments, and encouraged anyone in the audience who agrees with these comments to let it be known this evening.

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**Lucy Kunkle** stated that the two acre minimum should stay in place because that is the reason why she moved here. Added that she does not understand why the moratorium is not being extended to allow adequate time for the Zoning to be properly amended.

No other comments or questions.

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to close the Public Hearing.

**ALL IN FAVOR - CARRIED**

**Supervisor Razzano** informed the members of the audience that the Board has to respond to comments from the Orange County Planning Department and some other SEQRA issues on the Comprehensive Plan, so this is still a work in progress. The Attorney for Saratoga Associates, **Joe Catalano**, is going to walk us through and go over some of the documents regarding this process.

**Joe Catalano**, Attorney for Saratoga Associates, informed the Board that they have two major items on the agenda this evening. One is the Proposed Local Law #3, and the second is the Comprehensive Plan.

**Mr. Catalano** recommended that the Local Law be put to the side at this time to enable the Board to first concentrate on the Comprehensive Plan. There are a couple of issues that have to be addressed regarding the Comprehensive Plan, with the first item being the completion of the SEQRA (State Environmental Quality Review Act) process. The Board has previously accepted the final Generic Environmental Impact State (GEIS), and according to SEQRA there is a ten day wait period before the Board can adopt a Statement of Findings. The ten day wait period has expired and Saratoga Associates has forwarded to the Town Board a written Statement of Findings on SEQRA for which the Comprehensive Plan would be the first item addressed. If the Board agrees with the Statement of Findings as presented, all that would be needed is a motion to adopt.

**Mr. Catalano** advised that the Statement of Findings summarizes many items that have already been discussed in the Comprehensive Plan/GEIS. He then referred to page 5, Section F in the Statement of Findings, entitled '**Potential Adverse Impacts and Proposed Mitigation**' which talks about the potential adverse impacts and proposed litigations which are the essential portions, and takes every category of what area of environmental concern that the Town Board looks at as a Lead Agency to determine if the action, which is the adoption of the plan, could result in any potential significant environmental impact. The Statement of Findings says, in summary, that by adopting the plan, it does not create any potential or significant environmental impact. This is because of two things. One is the adoption of a plan or policy statement, goal statement, and recommendations which does not implement anything by itself. Second, the recommendations that it makes, it is in the opinion of Saratoga Associates, that it is more beneficial to the environment than if you do not adopt it. But, it goes through every category of natural resources such as geology, water, public health, air quality, transportation, land use, zoning, cultural and historical resources, and alternatives. The alternatives are adopting the plan as is, not adopting the plan at all which is called the 'No action alternative', and the last would be to adopt the plan with some sort of modifications to it. However, it is very difficult to identify what modifications there are because it's a multitude of modifications that could be applied. The no action alternative would not be considered the appropriate alternative, and not adopting the plan would be an inappropriate action.

The last two paragraphs describes the good that the plan would do if adopted, and lastly, the Town Board has certified that the requirements of SEQRA have been met by adopting the findings.

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**Councilwoman Soro** commented that she is concerned that this information was received on August 3, 2006, at the last minute, and asked how is the Board expected to review and digest all the information and be expected to make comments on it this evening.

**Mr. Catalano** responded by stating that the information they are reviewing was delivered to the Town Hall on Thursday of last week.

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to adopt the Statement of Findings and the Comprehensive Plan as presented.

### VOTE

Supervisor Razzano	-	Aye
Councilman Cole	-	Absent
Councilman Krajewski	-	Aye
Councilwoman Soro	-	Nay
Councilman Penaluna	-	Aye

### MOTION CARRIED

The Board and Attorney Catalano reviewed the document which had been prepared by Saratoga Associates dated August 3, 2006 which summarizes the comments from the Orange County Planning Department. They addressed each comment and the corresponding response, and made adjustment in the text where it was deemed necessary as listed below.

\* **Section 4 Residential Areas:** Orange County Planning, Reference is made to the 2005 Local Law creating Inclusionary Housing where, as an incentive, densities are permitted if a developer constructs sidewalks, pocket parks or other amenities. The inclusion of sidewalks, common sitting areas, pocket parks and similar amenities should be a required, integral part of any "Inclusionary Housing" application since the proposed population will warrant such essential quality of life services.

**Saratoga Associates Recommendation:** The majority of the Board agreed that the verbiage would read: 'Amenities such as sidewalks and pocket parks should be required in the site design of all Inclusionary Housing applications.'

Also discussed the County's comment 'While the County agrees with the effort to preserve mature tree lines, stonewalls, and farm roads, we also emphasize the preservation of barns and agricultural buildings as a way to safeguard our agricultural heritage.'

**Attorney Catalano** stated that the issue of the preservation of barns has already been addressed in the comprehensive Plan, under Section 10, subsection 10.3.2 'Historic and Cultural Facilities', and that the Board does not have to modify the plan because the recommendation is already in it.

**Supervisor Razzano** discussed page 8.3 of the Comprehensive Plan, the last paragraph entitled '**Recommend that Require new Town Facilities and residential developments be sustainable**'. Suggested that the word 'Require' be deleted so that the title will read "Recommend that a new Town Facilities and residential and commercial developments be sustainable." Added that this is addressed later in the document under Section 13.

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to remove the word 'Require' from Comprehensive Plan on page 8.3, subsection 8.3.2 last paragraph.

### VOTE

Supervisor Razzano	-	Aye
Councilman Cole	-	Absent
Councilman Krajewski	-	Aye
Councilwoman Soro	-	Aye
Councilman Penaluna	-	Aye

### MOTION CARRIED

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\*On page 7 of **Saratoga Associates' memo**, on the top of the page, the first Comment in section 9.3 the reference to "**Orange County**" should be improved to reference "**Orange County Transportation Council.**"

\***Section 11 - Agriculture:** The comment reads 'Consistent with the County Open Space efforts, and as previously noted, we encourage Wawayanda to establish Farmland and Open Space Conservation Program with local funding so as to offer farmers an opportunity to preserve their land and continue in agriculture. We also encourage better linkage of this section's text with Section 6; Economic Development.

**Supervisor Razzano** commented that this is an issue, and that the committee has been established, but more work needs to be done.

**Attorney Catalano** reminded the Board that the comment from the County is not a specific recommendation for Plan modification.

**Attorney Catalano** stated that if the Board is comfortable with the analysis of the Orange County Planning Department letter, it would be in his opinion that the Board is following the recommendations of the letter, and they could proceed to the Resolution to adopt the plan. After all of this time, that is the point of where the board is at.

**Councilwoman Soro** spoke about the comment made by Orange County Planning regarding the lack of accurate information available on the Town's website, and about the document that is being reviewed this evening that was not made available on the website. Added that when she went out on the Town's website, as of yesterday, all the information was outdated. Commented that the public should have better access to updated documents than what is being provided.

**Attorney Catalano** replied that he had no personal knowledge of that, and the reason why he did not bring that up is because it was not a recommendation to modify the plan. It was an outside commentary of the process.

**Councilwoman Soro** said that the Town Board is supposed to be representing the people of the Town, and that the people should be able to have access to all of this information so that they can get back to the elected officials with their concerns.

**Randolph Hurst** stated that today he tried to obtain information on two particular issues and no one could point out what changes were made. Suggested that changes be indicated before the Board takes a vote, and asked that the Agricultural Residential zone be left as is, and that duplexes be allowed only as a special use by review of the Planning Board.

**Supervisor Razzano** referred to the Comprehensive Plan on page 4.2, Section 4.3 Recommendations, paragraph entitled '**Promote the development of a variety of housing for various ages and income levels.** In that paragraph it reads 'The Plan recommends that the Town allow two-family homes in the AR district pursuant to special use permit.'

**Attorney Catalano** discussed the proposed resolution which reviews all of the actions that the Town Board has taken regarding the Proposed Comprehensive Plan. Added that, at this point, all that needs to be done is to add the modifications that the Board decided on this evening.

**A formal resolution was provided, as follows:**

RESOLUTION 10-2006  
TOWN BOARD OF TOWN OF WAWAYANDA  
ADOPTION OF COMPREHENSIVE PLAN

The following resolution was duly presented to the Town Board on August 3, 2006:

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WHEREAS, in early 2005 the Town of Wawayanda undertook the development of a comprehensive plan update in response to imminent residential and commercial development that could have significant impacts on the environment, quality of life and community character; and

WHEREAS, the development of the Comprehensive Plan (the "Draft Plan"), led by the Master Plan and Zoning Committee (MPZC) and the Town's consultant Saratoga Associates, was an open and transparent process that included committee meetings, public input and public hearings by both the MPZC and the Town Board; and

WHEREAS, pursuant to the requirements of Town Law §272-a, a Draft Plan was prepared and made available for public review and was subject to a public comment period and public hearing during which comments were received by MPZC; and

WHEREAS, pursuant to the requirements of Town Law §272-a, upon review of the comments received, the draft Plan was revised by the MPZC and Saratoga Associates and forwarded by resolution to the Town of Wawayanda Town Board (the "Town Board") for consideration in May 2006; and

WHEREAS, on May 16, 2006, the Town Board by resolution accepted the Draft Plan as complete and suitable for public review; and

WHEREAS, pursuant to the requirements of General Municipal Law §239-m, a copy of the Draft Plan was referred to the Orange County Planning Department for their consideration and recommendation; and

WHEREAS, the Orange County Planning Department has provided the Town Board with a letter, dated July 28, 2006, that provided the County General Municipal Law §239-m recommendation as approved subject to certain modifications and additional continual research; and

WHEREAS, on May 16, 2006, the Town Board by resolution undertook the proposed action of the adoption of the Town of Wawayanda Comprehensive Plan, a Type I Action under the State Environmental Quality Review Act (SEQRA) ( 6 NYCRR Par 617) regulations and as the only involved agency declared itself Lead Agency for the purpose of conducting an environmental review of the Proposed Action in accordance with SEQRA; and

WHEREAS, a public hearing was duly scheduled and held on the proposed Comprehensive Plan on June 8 and June 21, 2006; and

WHEREAS, Pursuant to SEQR: (1) The Town Board directed the preparation of, and, subsequently, accepted the Draft GEIS (DGEIS) as complete for purposes of public review and comment; (2) The DGEIS was released for public comment and was subject to a public hearing; (3.) After reviewing all substantive comments, the Town Board directed the preparation of, and then reviewed, revised and accepted, the Final GEIS (FGEIS); and (4) The Town Board directed the preparation of and has issued the SEQRA Statement of Findings; and

WHEREAS, all of the requirements of SEQRA have been met; and

WHEREAS, the Town Board has reviewed the proposed Comprehensive Plan and has considered the public comments it received on the proposed Comprehensive Plan.

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NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1: The Town Board has reviewed and considered the Orange County Planning Department recommendation letter noted above and has identified the modifications to the proposed Comprehensive Plan as set forth on Schedule A attached hereto and made a part hereof. The Town Board hereby decides to follow the County recommendation as it applies to the Comprehensive Plan and to modify the proposed Comprehensive Plan accordingly. The Town Board also finds that where the County recommends further research as soon as is practicable subject to budget and other Town business considerations.

Section 2: The Town Board, after careful consideration of all public and agency comments and the findings of the DGEIS, FGEIS and Statement of Findings, the Town Board hereby adopts the Comprehensive Plan, with the revisions noted on the Schedule A attached hereto and made a part hereof.

Section 3. The Town Board directs its consultant, Saratoga Associates, to incorporate the revisions into the Comprehensive Plan draft dated July, 2006, and to provide the Town Board with a final version of the Plan, August 3, 2006, as revised and officially adopted herein.

Section 4. The Supervisor of the Town of Wawayanda is hereby authorized and directed to distribute copies of this Resolution to all appropriate parties and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution,

Upon motion made by **Supervisor Razzano**, and seconded by **Councilman Krajewski**, the foregoing resolution was duly adopted by a majority of the members of the Town Board of the Town of Wawayanda at its meeting held on August 3, 2006, by roll call vote as follows:

Board Member	Aye	Nay	Absent
John Razzano, Supervisor	X		
Dave Cole, Councilman			X
Edward Krajewski, Councilman	X		
Gail Soro, Councilwoman		X	
Richard Penaluna, Councilman	X		

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to take a five minute break.

**ALL IN FAVOR - CARRIED**

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to re-open the meeting.

**ALL IN FAVOR - CARRIED**

**Attorney Catalano** explained that the next item on the agenda is Local Law #3-2006, with the first step being to complete the Environmental Assessment form. Reminded the Board that Part I of the EAF has been completed as of July 6, 2006, and at that time the Board decided not to make a SEQRA determination until after the public hearing in case any environmental issue may arise. Advised that the Town Board is listed as the Lead Agency and a negative declaration would have to be declared. It also describes the action as not having any large potential impacts and explains that the law would have beneficial effects.

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**Mr. Catalano** stated that as far as the process goes he does not see how the Town Board has enough time to implement the changes that the County is recommending prior to the expiration of the moratorium, for two reasons. One is that it is his opinion that the County recommendations are something that, if the Board agreed with, would require another public hearing because it would make substantial and material changes to the proposed law. In addition, if the Town Board does not want to vote on the proposed law as it is presented tonight in the exact form, they would have to wait another eight days after revisions are made, in order to vote again. So, the board does not have enough time to follow the County recommendations.

The County identifies issues that the Board discussed at the meeting on July 6<sup>th</sup>, 2006, and so there are issues that he would think the Town Board would want to deliberate over for a longer period of time, and perhaps have the Master Plan and Zoning committee also take a look at these recommendations.

The purpose of this local law is to address, in an immediate fashion, deficiencies in the current law so that the moratorium, once it expires, the residential subdivisions that are pending, would have something to comply with, which would be an overall benefit to the Town.

In a process issue the Town Board would either have to vote to override the County recommendations which would require four vote versus three because the town is not going to have the time to implement the recommendations prior to the expiration of the moratorium. At this point, he informed that Board, they cannot extend the moratorium in a timely fashion, because there is going to be gap because a public hearing would have to be held and a new local law would have to be adopted on the moratorium extension. So, the County has really created a situation for the Board.

**Mr. Catalano** confirmed that the proposed local law effectively provides a basis to address immediate issues concerning residential subdivisions.

Added that he disagrees with some of the recommendations that the County made, and is unsure if the County had a complete understanding of the process and procedures that have been taken to this point. He recommended that the Town Board adopt the SEQRA which issues the negative declaration

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to adopt the SEQRA resolution in reference to Local Law #3, along with the Environmental Assessment Form (EAF) and the Negative Declaration.

### VOTE

Supervisor Razzano	-	Aye
Councilman Cole	-	Absent
Councilman Krajewski	-	Aye
Councilwoman Soro	-	Nay
Councilman Penaluna	-	Aye

### MOTION CARRIED

**Supervisor Razzano** stated that Local Law #3 is a good law which will achieve the goals for the citizens of the Town. Stated that he agrees with a couple of small aspects of the County response letter, and added that even though the changes may appear to be minor in scope it would make substantial changes to the document. The Board has been working diligently on this law and it is a good law that will address the issues in our zoning right now, and that this is what the people have been asking for, and it alarms him to think of what could happen if it is not passed.

**David Whitworth** asked Mr. Catalano to read the County letter aloud so they could here there the comments.

**Mr. Catalano** proceeded to read the County letter aloud. (Copy filed in the Town Clerk's office)

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**MOTION** by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to adopt a resolution to adopt the Local Law entitled “Residential Subdivision Law of 2006 of the Town of Wawayanda”.

**VOTE**

Supervisor Razzano	-	Aye
Councilman Cole	-	Absent
Councilman Krajewski	-	Aye
Councilwoman Soro	-	Nay
Councilman Penaluna	-	Aye

**MOTION CARRIED \*\*\***

**\*\*\* Technically the law could not be considered to have been adopted since a super majority of affirmative votes was required to override the Orange County Planning Board’s recommendation on revisions.**

**Councilwoman Soro** explained that she voted against the law because she had concerns about the comments from the County and went into further detail.

**Randolph Hurst** said that he was totally appalled that a Board member did not enough wisdom to understand that the law was a step in the right direction. In the best interest of the Town, he asked the Board to consider extending the Moratorium.

**Supervisor Razzano** explained that there was not enough time to follow legal requirements..

**Ann Yates**, Planning Board Chairperson, asked if the Board could discuss some modifications to the law that could require an additional Public Hearing.

**Supervisor Razzano** replied that first of all Councilwoman Soro referenced the letter from County which had been previously discussed. Their recommendation, while minor in nature become substantial when revising the law.

**Ms Yates** asked for Attorney Guertin’s opinion.

**Richard Guertin**, Attorney for the Town, explained that a Local Law has to be in its final form in order to schedule a Pubic Hearing on it, and that there is a certain time frame for that. Any changes that have been recommended by the County which the Board may wish to implement, and if this local law were to be amended, the public hearing process would have to start again, The changes that would be made are substantial enough to change the local law to require another public hearing. There would not be enough time between now and the expiration of the moratorium to meet all requirements.

**NEW BUSINESS:****THOMAS MOONEY / SOLICITOR PERMIT:**

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to authorize the issuance of a solicitor's permit, not to exceed 1 year, to Tom Mooney to operate a hot dog vending unit on the Soons’ property which is located adjacent to County Route 12.

**ALL IN FAVOR - CARRIED****STENOGRAPHER FOR PLANNING BOARD:**

**Ann Yates**, Planning Board Chairperson, explained her reasons for hiring a stenographer to attend meetings and do minutes for the Planning Board. Said that it was done after careful consideration of a suggestion by Pat Hines, our engineer from McGoey, Hauser & Edsall. Added that the matter was discussed with members of the Planning Board at the meeting on June 26, 2006. The consensus of that Board was positive.

After some further discussion, it was determined that a stenographer would not be present at the Planning Board meetings until further information is received, and a positive decision is rendered by the Town Board.

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**MARGUERITE LOWRY, RECREATION COMMITTEE MEMBER:** Supervisor **Razzano** advised that **Marguerite Lowry** asked that it be mentioned that the Recreation Committee is looking for new members.

**LIBRARY AGREEMENT:** **Attorney Guertin** explained that we cannot sign a contract with the Goshen Library at this time. They feel that their hands are tied because, according to the director from the State Education Department, there cannot be any charge to individual town residents for a Library card.

Advised that the Goshen Library is willing to enter into a contract and have the town pay for the cards, but the town would not be able to charge residents to re-coup the money. The Goshen Library has received a directive from the New York State Education Department that they cannot enter into a contract where the fee will be passed on to an individual who will be receiving library services.

Discussion took place. The Board agreed to further research this matter.

**HUBERTH CONSERVATION EASEMENT:**

**MOTION** by **Councilwoman Soro**, seconded by **Supervisor Razzano**, to approve the Huberth Conservation Easement, as presented, in regard to certain real property located on Echo Lake Road and Golf Links Road, and to authorize the Supervisor to sign the paperwork.

**ALL IN FAVOR - CARRIED**

**SUPERIOR IMPROVEMENTS/SIGN ORDINANCE:**

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to grant George Felter permission to install a sign (20ft. X 32in.) that exceeds the dimensions as set by our sign ordinance.

**ALL IN FAVOR - CARRIED**

**REGULAR BUSINESS:**

**PRESENTATION OF BILLS AND DEPARTMENT REPORTS:**

Reports from the Supervisor, Town Clerk, Planning Board, Assessor, and the Building & Fire Inspector/Code Enforcement Officer, and the bills from the General Fund, Highway Fund, and Water & Sewer Districts were presented to the Board for review.

**APPROVAL OF DEPARTMENT REPORTS:**

**MOTION** by **Councilman Krajewski**, seconded by **Councilman Penaluna**, to accept the various departmental reports, as submitted.

**ALL IN FAVOR - CARRIED**

**PAYMENT OF BILLS:**

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to authorize the payment of bills in the amount of \$2,625.74 from the General Disbursement Account, representing bills that were payable upon receipt. Breakdown as follows:

PPWS1099	2,625.74
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**ALL IN FAVOR - CARRIED**

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to authorize payment of bills from the General Disbursement Account in the amount of \$125,052.14 Breakdown as follows:

General Fund	G1014-1060,1071+1072,1096, 1100-1126	\$40,854.07
Highway Fund	H1061-1070, 1074-1095, 1097+1098	41,378.24
Water/Sewer Districts.	WS1127-1152	42,819.83

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(\*\* No voucher #1073)

**WATER/SEWER BREAKDOWN:**

Robinn Meadows Sewer District	\$4,217.53
Ridgebury Lake Acres Sewer District	1,019.16
Ridgebury Lake Water District	18,382.53
Denton Hills Water District	17,095.03
Arluck Water District	356.90
Water/Sewer Dist. #1	1,748.68

Water/Sewer Total = \$42,819.83

**ALL IN FAVOR - CARRIED****APPROVAL OF MINUTES:**

**MOTION** by **Councilman Krajewski**, seconded by **Councilman Penaluna**, to approve the minutes of the June 8<sup>th</sup>, June 21<sup>st</sup>, and July 6<sup>th</sup>, 2006 Town Board meetings as prepared.

**VOTE**

1 - Abstain - Razzano\*  
 2 Ayes - Krajewski, Penaluna  
 1 Nay - Soro

**MOTION DENIED**

\*Supervisor Razzano noted that he has not had the opportunity to review the minutes which is why he abstained from voting.

**CORRESPONDENCE:****Slate Hill Fire Company:**

A letter was received from the **Slate Hill Fire Company** thanking Michael K. Green, Highway Superintendent, and the Town Board for the use of two Town Army 6X6's trucks to assist with the flood water rescue in the City of Port Jervis.

**Deborah Glover / Resignation from Economic Development Committee:**

Deborah Glover submitted a letter of resignation from the Economic Development Committee effective August 1, 2006.

**MOTION** by **Councilman Krajewski**, seconded by **Supervisor Razzano**, to regretfully accept Deborah Glover's resignation from the Economic Development Committee.

**ALL IN FAVOR - CARRIED****PUBLIC COMMENTS & QUESTIONS:**

**David Whitworth** read aloud a copy of Deborah Glover's letter of resignation.

Mr. Whitworth also voiced his concerns and opinions regarding the Ethics Policy as well as the enforcement of the recusal policy.

**Belinda Meere** asked Supervisor Razzano what he has done regarding the noise ordinance, and was advised that he had forwarded the request to the Master Planning/ Zoning Committee for consideration during the Zoning re-write.

**Richard Guertin**, Attorney for the Town, announced that he is also the Attorney for Thrall Library, but does not see a conflict of interest in serving as the Attorney for Wawayanda.

**Councilwoman Soro** read aloud a section of Wawayanda's Ethics Law, but did not explain why she felt that it was pertinent to the ensuing conversation.

**Wawayanda Town Board Meeting 08/03/2006**

**An Unidentified Town Resident** used a vulgar word to express his dissatisfaction over Councilwoman Soro's failure to vote in favor of adoption of the proposed Residential Subdivision Local Law. Basically, he stated that because of the incident which recently occurred at her residence, she was taking her anger out on the people of the town.

Infuriated by the man's statement, **Edward Soro**, Councilwoman Soro's husband, confronted the individual on his insensitivity about the seriousness of the matter. He then directed his anger at the Town Board, particularly Supervisor Razzano, for not supporting and standing up for his wife. Stated that the Supervisor, as well as other Town Board members, should have publicly condemned a previous act of harassment which involved Mrs. Soro's car which was parked by the Town Hall while she was attending a Town Board meeting.

As **Mr. Soro** continued shouting, Supervisor Razzano attempted to respond, but was not given an opportunity to do so.

After venting his anger, **Mr. Soro** proceeded to leave the room, and with an expression of intimidation, he challenged Supervisor Razzano to take the matter outside, unless he did not have the (blank) to do so.

**NO OTHER BUSINESS OR COMMENTS.**

**MOTION** by Supervisor Razzano, seconded by Councilman Krajewski, to adjourn.

**ALL IN FAVOR - CARRIED**

**MEETING ADJOURNED: 11:22 P.M.**

**PREPARED BY KATHRYN SHERLOCK  
RESPECTFULLY SUBMITTED,**

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**Teresa E. Pierce, Town Clerk**