

The regular meeting of the Board of Trustees was held on 12/8/14 at 6:00 p.m. in the Council Room of Village Hall.

Present: Mayor John E. Barton
Trustee Thomas VanAernem
Trustee Robert Cook
Trustee Michael Horrigan
Trustee James Gallagher, Jr.
Attorney William L. Nikas

The Mayor opened the meeting to General Public Comment – none was given.

The Mayor reported that the Engineers Proposal to study the stormwater and drainage issues in the King Avenue, Fourth, Fifth Street areas has been reviewed by the Board. The proposal from Kenneth Martin P.E. in the amount of \$6,640 is to conduct a study to review the scope of what can be done and what would need to be done to take care of the drainage problems. The Board will consider whether to approve the proposal and authorize the engineer and surveyor to proceed with the study and expend to the \$6,640. Attorney Nikas pointed out that the Village may be able to deduct \$540 if the Village engages the surveyor independently.

The Mayor reported that he met with the engineer, Superintendent Fiorillo and Attorney Nikas on this matter and it was determined that the proposal and drainage issue is all encompassing – includes looking down to the Feeder Canal, and the drainage coming from the Notre Dame side of King Avenue. The drainage issue is far reaching – not just an issue on one property (proposed Foglietta Subdivision). Attorney Nikas advised that most of the cost is on surveying. It will essentially provide a topographical survey of that area to determine where grading or ditching would have to be restored to open up what used to be the natural drainage way. The Mayor read the “Scope of Work” from the proposal.

Trustee Horrigan advised that this proposal does not include design or implementation. If this gets too expensive, the Village is not certain it will be able to do it. Maybe the Department of Public Works can get the culverts and ditches open, at a minimum, to alleviate some of the problems. But we have to be realistic about the expense and feasibility.

Brian Parsons, 45 King Avenue questioned where the funds for the initial investment were coming from? He was advised that the Village would be responsible for the cost of the study.

A discussion ensued with regards at what the study will provide.

Brian Parsons advised that the group’s main concern is that all of this stems from the development of this corner (proposed Foglietta Subdivision). Attorney Nikas advised that the two issues are somewhat tied together. That project isn’t moving forward until they resolve their own stormwater issues which exacerbates the drainage problems in that neighborhood. Part of the cost will be allocated to the Foglietta Subdivision – Item 3 of the proposal. The group’s concern is that the Village will incur costs and pave a golden road for this developer to build five (5) houses in their neighborhood out of “our” pockets. Mr. Parsons further advised that as a community they are willing to deal with their current drainage issues rather than use taxpayers money in an effort to allow them to develop their property.

The Mayor advised that the drainage issue is a larger issue than the proposed subdivision. The proposed subdivision simply brought the issue to light.

Mr. Parsons is not willing to resolve the water issues at the expense of allowing the developer to develop whatever they want with no questions asked. Trustee VanAernem advised that it wouldn’t be right to tie the two together, whoever owns that property has a right to develop it just like anyone else. If we can fix the drainage issue it will benefit all of the taxpayers.

Lester Moublo, 10 Fourth Street does feel it not will benefit him to have to look at five (5) homes, it would be an eye sore for him. He doesn't want the developer to be able to build five (5) homes just because the water issue is resolved.

Attorney Nikas advised that the subdivision is a Planning Board issue. The members of the Planning Board are very in tune with what the issues are and will not do anything without the neighbors' input.

Paul Dashnaw is concerned with the ponding of water at the intersection of King and Third Avenues. Also concerned with roadways that have dips in them due to drainage ditches because they are hard on your car – noted one on Notre Dame Street. His neighbors, the Stanton's, have a lot that is nothing but a pond after a rain storm. Their houses sit on bedrock and even though he is on the high side of Third Avenue his sump pump runs all the time, even during the dry season.

Upon motion made by Trustee Horrigan, seconded by Trustee Gallagher and carried it is

RESOLVED, that the Village engage Kenneth Martin, P.E. and R. Howard Surveying to conduct a Study to outline recommendations for alleviating the storm water flooding that is occurring in the King Avenue, 3rd, 4th, 5th Street areas.

The Mayor reported that the grant from the Community Mapping Project – Creating Healthy Places to Live, Work and Play funded by NYS Dept of Health is moving forward. The Village was required to spend \$6,000 of the funds by mid-December – benches, trash receptacles and a kiosk for Village Park have been ordered. The balance of the funds is earmarked for Derby Park. The Village is looking at replacing the 20+ year old Ark in the Park with some new modern equipment. An organization who is interested in assisting with this project has met with Village officials and has engaged a playground architect to come back with a plan. Trustee VanAernem advised that the architect was back today taking measurements, so the project is moving right along. This is all part of a grant for healthy living.

Trustee Horrigan commented that Derby Park as a whole needs an upgrading – fencing, painting the light poles, bleachers, water fountain, etc... – we're going to get it cleaned up.

The Mayor advised that the Board has been considering amending and restating the definition of "family" in Section 215-8 of the Zoning Code.

Dr. Potvin advised that this definition of family does not address rooming houses – what zone can they be located in; are they are required to be licensed; is there adequate parking, etc... Trustee Horrigan advised that it does address the number of occupants you can have, which is the issue. The issue the Village wanted to address was someone taking a large single family home and renting it out room by room. By limiting the number of non-family occupants addresses this issue.

Mayor Barton advised that the proposed local law does state it "shall provide adequate off-street parking for all vehicles of the occupants".

The Board agreed that Code Enforcement Officer Cortese and Attorney Nikas would review the additional Zoning Code issues that may be a concern and attempt to include them in the revisions to the Zoning Code.

Upon motion made by Trustee VanAernem, seconded by Trustee Cook and carried it is

RESOLVED, that a public hearing be scheduled for 1/12/14 at 6:00 p.m. for proposed Local Law No. 1 of 2015 to Amend and Restate the Definition of "Family" in Section 215-8 of Article II of Chapter 215 Zoning.

The Mayor reported that Attorney Nikas drafted a local law to replace the resolution the Village Board adopted earlier in the year creating a Fire Council and Fire Council Code of Ethics. The Mayor reported that the

Fire Chief has reviewed the draft and was satisfied. Assistant Chief Santa Croce advised that the Fire Department had no issues with the local law as drafted.

Upon motion made by Trustee Horrigan, seconded by Trustee Cook and carried it is

RESOLVED, that a public hearing be scheduled for 1/12/14 at 6:00 p.m. regarding proposed Local Law No. 2 of 2015 Chapter 106 of the Village Code - Fire Council of the Village of Hudson Falls and Fire Council Code of Ethics.

Upon motion made by Trustee Gallagher, seconded by Trustee VanAernem and carried the minutes of the regular meeting and public hearing of 11/10/14 were approved as read.

Upon motion made by Trustee Cook, seconded by Trustee Gallagher and carried it is

RESOLVED, that the request of Chief Diamond to appoint Blake MacWhinnie, 1602 Lake Avenue, Lake Luzerne, NY as a PT Patrolman and to sponsor him in Phase II Basic Police Academy in Fort Edward be approved.

**RESOLUTION
ACKNOWLEDGING THE JUSTICE COURT'S
FINANCIAL AUDIT FYE 5/31/2014**

Upon motion made by Trustee VanAernem, seconded by Trustee Gallagher and carried it is

RESOLVED, that the Village Board of Trustees hereby acknowledges the audit performed by Whittemore, Downen & Ricciardelli, LLC of the Hudson Falls Justice Court Records FYE 5/31/2014.

**RESOLUTION
INCREASING THE THRESHOLD FOR CAPITAL ASSETS/FIXED ASSETS**

Upon motion made by Trustee Cook, seconded by Trustee VanAernem and carried it is

RESOLVED, that effective 12/8/14 Capital Assets/Fixed Assets of the Village of Hudson Falls shall be defined as follows

Capital Assets or Fixed Assets

Capital assets or Fixed Assets are defined by the Village as assets with an initial unit cost of \$3,000 or more and have an estimated useful life in excess of ten years.

Trustee Cook would like the Village Board to consider addressing the lack of off-street parking. He advised that we always knew that the Route 4 Project would spur some economic development downtown. We are beginning to see that with the Strand Project looking like it may get off the ground soon, a new law firm recently moved into Bank Commons; former Hudson Falls graduate David Martin has just started a new business across the street and it looks like there is renewed interest in redeveloping the Masonic Temple building. One of the issues which could stall further economic development is the lack of off-street parking. The Village actually lost some parking with the Route 4 Project in order to improve the traffic flow. New businesses and performance venues will need to accommodate their patrons and if you want some of the 20,000 cars that travel up and down Main Street every day to stop, we need to provide a place for them to park.

Trustee Cook suggested that the Village research what legislative action might be necessary to allow for all or part of the property immediately adjacent to Village Hall to be redeveloped for municipal parking and that as part of that study we ask Shelter Planning to explore what grant opportunities may be available to offset the cost of that redevelopment. He further suggested that we take a serious look at our parking ordinances in the Village. In doing so ask a couple questions: 1. Do our current codes encourage or discourage economic development? 2. How have other communities addressed parking issues? For example we should take a look at what the City of Glens Falls has

done. Trustee Cook also suggested that as part of the study we talk to our current business owners for their input on parking issues.

The Board agreed there is a need to consider addressing off-street parking in the Village and would like to move forward with Trustee Cook's suggestions.

Upon motion made by Trustee Horrigan, seconded by Trustee VanAernem and carried the resignation of Patrolman Strattman was accepted.

Upon motion made by Trustee VanAernem, seconded by Trustee Cook and carried approval is granted of the Fire Council's request to approve Thomas Bover of 28 Springbrook Way, Hudson Falls as a firefighter and member of the Hudson Falls Fire Council.

Mayor Barton advised that he had several conversations with Code Enforcement Officer Cortese and Superintendent Fiorillo regarding the sidewalk on River Street Hill. It has been a concern for some time that the side walk is a dangerous situation during the winter months. It is impossible to keep the sidewalk clear. It has been suggested that the sidewalk be closed during the winter months. Washington County is responsible for the sidewalk and has asked the Village to approve the closing of the sidewalk for the season and the placement of signs or barricades at the top and bottom of that area for safety purposes. Code Enforcement Officer Cortese advised that the County will make signs to detour the pedestrians up Walnut Street to Wall Street to Main Street. Ian Miller for NYS DOT also was consulted and agreed to closing the sidewalk for the winter months.

Trustee Horrigan advised that it has always been a dangerous situation in the winter. Mr. Horrigan would also like to see a decent sign installed.

Upon motion made by Trustee Gallagher, seconded by Trustee Cook and carried the following budget appropriations be approved as submitted:

Budget Appropriation:	<u>Debit</u>	<u>Credit</u>
A-5110.1 Street Maintenance	\$4,000	[Installation of New Power]
A-7140.1 Village Parks		\$4,000

Upon motion made by Trustee Horrigan, seconded by Trustee VanAernem and carried, the following monthly reports were approved as read: Police Department, submitted by Chief Diamond; Justice Court submitted by Justice Matthew Mabb; Code Enforcement submitted by Francis Cortese; and Fire Department, submitted by Chief Michael Fitzgerald.

Upon motion made by Trustee VanAernem, seconded by Trustee Gallagher and carried the following abstracts were audited and ordered for payment:

General Fund	Check Nos.	28594 - 28656
Water Fund (General Fund)	Check Nos.	28594 - 28656
Water Fund	Check Nos.	5476 - 5478
Drug Fund	Check No.	1300
Trust Fund	Check Nos.	6368 - 6384
Payroll Fund	Check Nos.	28543 - 28561

The Mayor asked the Board for their comments.

Trustee Horrigan thanked Superintendent Fiorillo, the Department of Public Works and the Water Department for their tireless work in getting the park lit for the Christmas Celebration which was held Friday, December 5, 2014. Those men worked "crazy hard" getting the lights up. They were working in some really bad weather conditions running wires, etc... Great job and thanks for all your hard work.

Trustee Horrigan congratulated Brenda LaPorte of A Shear Experience for winning the window decorating contest.

Mayor Barton added that most people don't know that the Village crew worked hard all day on getting the park ready but Mike Fiorillo was coming in after hours on his own time to continue to work in order to make the park safe for Friday's tree lighting ceremony. Thanks to Superintendent Mike Fiorillo for all his efforts.

The Mayor congratulated the Hudson Falls Girls Volleyball players for making it to the State Finals at the Glens Falls Civic Center.


The Mayor opened the meeting up to General Public Comment.

Paul Dashnaw, 13 Third Street asked the Board when the lights on Main Street will be completed. Mayor Barton advised that the lights are to be shipped tomorrow and will be installed as practical. There are a total of 36 lights to be installed, they are all wired and ready to be installed. The four lights that are up were borrowed from Glens Falls.

Brian Parson, 45 King Avenue inquired as whether a portion for the cost of the study being expended for the Engineering Study in the Third, Fourth, King Avenue areas is being allocated to the developer of the Fourth Avenue property and is the applicant aware of it? Attorney Nikas advised that the developer will be charged a portion of the study. When the applicant filed for the Site Plan Review they agree to pay for the Village's independent review.

The Mayor reported that the next regular Board meeting will be held 1/12/15 at 6:00 p.m.

Upon motion made by Trustee Gallagher, seconded by Trustee Cook and there being no further business to come before the Board the meeting was adjourned at 6:58 p.m.



Ellen M. Brayman, Clerk/Treasurer

