

The regular meeting of the Board of Trustees was held on 3/9/15 at 6:00 p.m. in the Council Room of Village Hall.

Present: Deputy Mayor Thomas VanAernem

Trustee Robert Cook

Trustee Michael Horrigan

Trustee James Gallagher, Jr.

Attorney William L. Nikas

Absent: Mayor John Barton

Max McDonnell of the Senior Center of Kingsbury and Fort Edward Area, Inc. gave his annual report. The Senior Center's goal is to introduce new and interesting ways for older adults to stay independent and age well in their community. Visit the Senior Center's website at www.seniorkfe.com. Check out their calendar and newsletter for various activities and events. Goals for this year include community action and involvement, reach out to the community to get the word out about the Senior Center; reach out and connect with senior apartments, adult care facilities, retirement living, nursing homes, churches, libraries, schools, clubs, American Legion, AARP, Rotary, VFW, Elks, Eagles, Roger Island Visitors Center, Museums, restaurants and attractions. The plan is to market the center through aggressive advertising and promotional campaigns, increase volunteering at the center with creative fund raising ideas and informed presentation. The Senior Center facility is available for small gatherings, parties, family reunions, special occasions – a full kitchen is available and the room has a capacity for 50 people. Contact Max for more information at 747-9352. Senior Volunteer hours for 2014 totaled 1,826; total in kind cash \$1,740; total value in dollars totaled \$41,176; meals service in 2014 was 4,452; bus transportation pickup and delivery totaled 2,740; website visits in 2014 totaled 15,705. Fund raising events scheduled for 2015 include Spring Card and Board Game Party – April 25th; Spring Bake and Craft Sale at Earl Towns on May 14th; 2nd Annual Chicken BBQ on May 31st; 4th Annual Spaghetti Dinner on September 26th; Fall Card and Board Game Party on October 17th; Fall Bake and Craft Sale at Earl Towers on November 12th. Help the Senior Center make a difference – donate and volunteer. The Senior Center is open Monday thru Friday 8:30 a.m to 1:30 p.m. Bus transportation is available and lunch is served at Noon. Max thanked the Village of Hudson Falls for the funds provided to the Senior Center.

Deputy Mayor VanAernem addressed the members of the public regarding the Petition for a Permissive Referendum regarding the Town of Kingsbury Resolution No. 3 of 2015 authorizing the issuance of \$650,000 to pay the costs associated with the renovation and addition of a new Town Hall. Deputy Mayor VanAernem advised that the misinformation on Facebook and out in the public couldn't be any more from the truth. He asked Mike Horrigan to address the public.

Mike Horrigan advised that he circulated a Petition to the Permissive Referendum regarding a resolution adopted by the Town of Kingsbury associated with spending upwards of \$650,000 on the renovation and additions to the Solomon building on Michigan Avenue. He explained the permissive referendum – once the Board adopted the resolution you have 30 days as a citizen to garner signatures if you would like to challenge that resolution. By challenging the resolution you are merely bringing it to a vote among the citizens who are registered voters in the Village of Hudson Falls and Town of Kingsbury. It was not the Village Board who circulated the Petition, he did it himself as a citizen. He felt the matter should be brought to a vote. Mr. Horrigan attended the Town's Board meeting the night the \$650,000 Bond Resolution was adopted. He circulated the Petition and obtained 146 signatures, he needed 5% of the residents who voted in the last Governor's Race or 120.3 per the Board of Elections. He submitted the Petition this morning to meet the deadline. He did this as a citizen not as a Village Board Member. He is a citizen and resident of the Village of Hudson Falls, residing at 4 Rogers Street; he has two daughters and three grandchildren in town and has lived here his entire life. His personal opinion is the expenditure of up to \$650,000 is extraordinary. In the households he visited he made it clear – he is not representing the Village.

Mr. Horrigan further advised that there were two resolutions adopted at the Town of Kingsbury's meeting, the first was the sale of the Town Hall to the Hudson River Music Hall for \$175,000 – he did not get a Petition to stop the sale of Town Hall because he wants the sale to go through. His only disagreement is the cost of rehabbing the Solomon building and an addition for \$650,000. He is not against the Strand Theatre, he is 1,000% for the Strand Theatre. As Peter Hoffman said of the Strand Theatre "is the game changer for the community of Hudson Falls". No different than the Wood Theater was for the City of Glens Falls, businesses will build around it. Mr. Horrigan's only complaint is the amount proposed to be spent on the new building.

Deputy Mayor VanAernem advised that the Town of Kingsbury owns the Strand Theater. It is not a village issue – the Town can sell or do whatever they want to do with their building. Personally Mr. VanAernem is excited about the revitalization of the Strand Theatre - he wants it to happen. It is disingenuous for anybody to say that the Village is trying to stop the sale of Town's building. Deputy Mayor hopes the air has been cleared and continued with the rest of the Village's business.

The Deputy Mayor opened the meeting to General Public Comment.

Jane Havens, Chairperson for the Strand Revival Committee advised that she represents and works for a community of people within the Town of Kingsbury and others far beyond our borders to support the dreams of the Hudson River Music Hall and the actions of the Kingsbury Town Board to repurpose the Town Hall building and bring a theatre back to life. Each one of these people have their own view but they all have a common goal and support the direction of the Hudson River Music Hall and the Kingsbury Town Board's actions. She reminded the Village Board of their duty to represent the interest of their constituents. She is part of a cross-set of people who feel that the Strand revival is one of the most important opportunities that this Village and the surrounding communities have had in the past 25 years or more. They feel that the Town Board have conducted good, solid, honest business to bring back arts and entertainment to the Village. The Town Board is made up of hardworking, straight forward and fiscally responsible people. When building the town barn they showed great fiscal integrity, by resolving to borrow no more than \$1.6 – but only borrowed \$800,000. They also saved the taxpayers \$40,000 to \$80,000 on a salt shed by doing the concrete themselves. The projects were overseen by Councilman, Paul Bromley. They purchased a building for Town offices and paid a reasonable amount for it, the proposed renovations are extremely less than any other new facilities going up all around the area – Town of Moreau, Town Northumberland. Paul Bromely has a track record in private industry and municipal work that speaks to the unmatched integrity, resourcefulness, quality and ability to save within his budget. As a resident of the Town of Kingsbury and a representative of the supporters of the Strand project they are offended by any misguided actions that will do anything to stall or hurt the process. Mrs. Havens asked Mr. Nikas if he prepared the Petition since Mike Horrigan has clearly stated he submitted the Petition as a private citizen.

Mr. Nikas advised that the Petition was prepared by him when the Village Board was considering a permissive referendum. Mr. Nikas explained, last Thursday the Village Board and Town Board conducted a joint workshop because the Village Board had concerns about the amount of money being spent on the Solomon property. It was a very good meeting, where the Village Board accepted the rationale given by the Town Board as to what was being spent and why it was being spent. The Petition had already been drawn, because of the tight time-frame involved. The meeting was very informative, consequently the Village Board was satisfied with the outcome of the meeting and took no action. Mr. Horrigan had a different opinion.

Mr. Horrigan advised that this is not Village business, if anyone has further questions concerning this he will answer them after the Village Board meeting is over.

Mrs. Havens questioned whether the meeting was with full Boards. Mr. Nikas advised that both boards (Town and Village) were present with all members participating. The Village Board was satisfied with the results of the meeting and took no action. Mrs. Havens inquired as to when the public was aware of this workshop. Clerk Brayman advised that a Notice of a Workshop was posted and that the Town would have been required to do the same. [The joint Workshop was held at Town Hall on Thursday, February 26, 2015 at 5:00 p.m. The workshop was posted on The Post Star website]. Mrs. Havens questioned whether the petition was discussed at the meeting. Mr. Nikas and Mr. Horrigan verified that the petition was most certainly discussed at the workshop. Mr. Horrigan provided Mrs. Haven's with a copy of the Petition – it has the exact resolution from the Town's minutes.

Mrs. Havens asked Mr. Horrigan if he mentioned Mr. Bromley when he presented his Petition? Mr. Horrigan confirmed that he did because people asked him where the \$650,000 figure came from and he explained that Paul Bromely named himself Project Manager and he is the one who came up with the figure because Mr. Bromley said this is what he does for a living. Mrs. Havens explained that Mr. Bromely did not come up with the figure – Mary Ordway came up with the figure. Mr. Horrigan advised that the information provided at the workshop was that Mr. Bromley came up with the figure. She further inquired if Mr. Horrigan told people Mr. Bromely was

hiring his cronies? Mr. Horrigan said absolutely not and asked if that person was here tonight he will address that person directly. Mrs. Havens moved on.

Mrs. Havens advised that the group is here to support the Kingsbury Town Board. They feel that the Village Board, either individually or collectively do not represent their interests or wish to see the project proceed without being stalled in any way, especially to force any discussion on the concept of moving Village Court and Town Court into the John Street property. There are members of the group who have no interest in seeing the Court on John Street. They are also in support of the Judges and employees that have not been included in this discussion. They do not support the request for the Town to spend money to evaluate John Street and they do not support your attempts to force a Special Election on a resolution to borrow funds to renovate the Town Hall.

Deputy Mayor VanAernem advised that the meeting will continue with General Public Comment but the Board will not take any more comments regarding the sale of the former Strand Theatre as the Village has nothing to do with that business. The Village Board has nothing to do with the Petition that has been circulated therefore it is not Village business. The Village Board does have an obligation to the Village taxpayers to present information to the public. He thanked all in attendance and feels this will certainly bring a great deal of attention to the issue.

Tom Remsen, Spruce Street asked the Board and all who are members of the Village and the Town to support any type of program for the youth of this community. As a young person he chose to stay in this community. He hopes that as the future progresses we can inspire the youth of our community to stay in this community and help it grow. He hopes that things like this could be done in a less aggressive way, with less anger. He would love to see the Village and Town grow and thrive as it once did. It is his wish that programs, meetings and other information is presented to the public in other forms, not just at meetings, because technology is growing.

Tim Havens, Sr. advised that he has 23 veterans in his family who fought so that Mr. Horrigan could circulate the Petition. He further advised that he started a business 32 years ago in the Town of Kingsbury and is a serious advocate for the taxpayers in his community. He has no qualms with the Town investing in the renovation of Solomon property, therefore vacating the former Strand Theatre and allowing the Hudson River Music Hall to take possession of it and creating something that is probably the last life-line that this "seedy little Village" is ever going to have. Mr. Havens stated that he doesn't say that we disrespect.

Mr. Havens agrees with the restoration of the Solomon building, he feels it is a prudent move at this time. He does take serious exception with the Petition that was circulated. He does believe the concept started with the Village Board and the Village Board did not choose to move forward with it. He takes exception with the associated costs of the Petition and the time delay. He also takes exception with the person who circulated the Petition indicating that Mr. Bromley would be hiring his cronies to accomplish the renovations. He feels the Village Board is not in a position to accuse anyone of cronyism.

Deputy Mayor VanAernem interrupted Mr. Havens and advised him the Board was not going to continue listening to such statements.

Mr. Havens asked if he could wrap up his comments. Deputy Mayor VanAernem agreed to allow him to finish his statement. Mr. Havens feels that the delay could cause the undoing of this project and the demise of this great opportunity for the greater Hudson Falls Community. He asked Mr. Horrigan, personally and the Village Board collectively to support Mr. Horrigan, in doing what is right and asked that the Petition be withdrawn immediately to allow the project to move forward.

Deputy Mayor VanAernem advised that one project has nothing to do with the other. The Board has nothing to do with the sale of the Strand Theatre.

Sarah Dimmick, a student at the Hudson Falls High School advised that she is here in support of the Strand Theatre. The theatre could rebuild this town. She has done studies of Hudson Falls, has seen pictures of what it used to look like. She understands this town could be a beautiful place. This is where her grandmother grew up, her mother grew up and where she has grown up. She feels this opportunity for the arts could build the community and bring it closer together.

Deputy Mayor VanAernem moved the meeting on to old business.

Attorney Nikas reported that he provided the Board with a letter from Engineer Ken Martin concerning the drainage issue between 3rd Street and 4th Street at King Avenue. He has not provided a price tag but will need to confer with Superintendent Fiorillo to make sure he is on board with the engineers report. There will be a proposal provided by the next board meeting.

Brian Parsons, King Avenue inquired as to whether there will be more detailed plans provided? Attorney Nikas advised that the topographical maps have been provided. These maps show drainage and if all agree the plan will be proposed to the Village Board for consideration. The Village may be contributing material and time to the project. Mr. Parsons questioned where the basements in the proposed subdivision would drain to. Attorney Nikas advised that the developers would be responsible for their individual issues. Mr. Parson inquired as to what the next step is. Attorney Nikas advised that the overall plan is something the Village Board will consider. There are two separate issues, if the subdivision can satisfy Ken Martin Engineering and it will not exacerbate the issue, the developer would then present its plan to the Planning Board for their consideration. Mr. Parsons inquired whether he would be notified of any work done on his property. Attorney Nikas advised that anything proposed would require property owners to sign off on it. Trustee Horrigan advised that the letter indicates that the "subdivision presently works as a detention basin". Attorney Nikas advised that they are looking to put the detention center at the Intermediate School area. Mr. Parsons pointed out, as Mike Fiorillo said, you will need to keep any swale clear or provide the Village with the ability to maintain it, so it isn't clogged up in the future. Trustee Cook advised that that was the original problem in that area where property owners often times filled in natural drainage ways. That is Mr. Parsons's concern, he wants to see it done right.

The Board scheduled a workshop to discuss Zoning Amendments for April 6, 2015 at 5:00 p.m. immediately prior to the Village Board meeting.

Upon motion made by Trustee Cook, seconded by Trustee Gallagher and carried the minutes of the regular meeting and public hearings of 2/9/15 were approved as read.

RESOLUTION

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

RESOLVED, that the Village Board hereby approves and ratifies the agreement between the Village of Hudson Falls and NYS Department of Transportation, accepting compensation in the amount of \$900 for the temporary easement to be used during the reconstruction of the Feeder Canal Bridge; and it is

FURTHER RESOLVED, that Ellen Brayman, Clerk/Treasurer of the Village of Hudson Falls be authorized to sign said agreement and designated to execute the closing papers on behalf of the Village of Hudson Falls.

Assistant Chief Santa Croce explained the Fire Departments request to reallocate their budget accounts. He further advised that the new ladder truck will be placed on the road in the next two to three weeks. If anyone from the public would like to stop by to see the truck they are all welcome - "it is a magnificent truck".

Upon motion made by Trustee Horrigan, seconded by Trustee Cook and carried the following budget appropriations were approved:

	<u>Debit</u>	<u>Credit</u>
A-3410.2 Fire Equipment	\$13,250	
A-3410.4 Fire Contractual		\$13,250
A-1990.4 Contingency	\$3,244	
A-9010.8 Retirement	\$5,756	

A-1420.4 Law \$9,000

A-3121.4 Crime Proceeds \$3,000

A-4320 Crime Control \$3,000

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

General Fund	Check Nos.	28932 - 28996
Water Fund (General Fund)	Check Nos.	28932 - 28996
Water Fund	Check Nos.	5487 - 5489
Drug Fund	Check No.	130 5
Trust Fund	Check Nos.	6419 - 6435
Payroll Fund	Check Nos.	28647 - 28663

Deputy Mayor's Comments – thanked everyone for coming. He hopes the information provided was helpful. Things like this are good, that's why we live in a democratic country. He feels we all want the same thing, he ended his comment because of interruptions from the floor.

The Deputy Mayor asked the Board for their comments – none given.

The Deputy Mayor opened the meeting up to General Public Comment.

Jim Burns, Derby Street asked Mr. Horrigan's opinion on what he feels the cost of rehabbing Solomon's Office should be. Trustee Horrigan advised that it is his opinion as a citizen that \$650,000 is too high, he does not have a specific figure. Mr. Burns agreed.

Gisselle Montanez, Glens Falls advised that she is a well-known singer and entertainer. She is ashamed because she feels the Strand is part of village business. Deputy Mayor VanAernem explained that the sale of the Strand Theatre is a private matter between the Town and the purchaser. She feels that if it is a private matter a Petition shouldn't have been circulated. She feels there is power behind the Petition that influences the people's vote. She feels this project cannot be stopped because people deserve to have a decent, beautiful building to entertain in and \$650,000 is a pittance compared to what it will be when it is finished.

Jane Havens addressed the Board indicating that if they believe the Strand Theatre will impact just the Village of Hudson Falls, the Board doesn't understand the far reaching benefits that the Village, Town and community will receive. She feels the Board has to be more welcoming and not so short-sited.

Deputy Mayor VanAernem again reiterated that the Village is not trying to stop the Strand.

Jonathan Newell, Executive Director of the Hudson River Music Hall inquired as to why the Town and Village cannot share the Court space. Deputy Mayor VanAernem advised that the Village and Town have discussed sharing space with the Town. Several options have been discussed - one being the Town move their offices to the Solomon Building and the Courts move to John Street. After the very productive joint workshop with the Town of Kingsbury they boiled it down to three options. The Village wanted to give the Town of Kingsbury options to avoid the cost of building a new court room. One of the things the consolidation committee suggested was that the Village and Town consolidate courts and buildings. The Village has since consolidated Code Enforcement, Dispatching, etc... a little bit at a time to try to make things work for the taxpayers in this community.

Deputy Mayor VanAernem expressed his genuine support of the Strand Theatre project. He reported that he has lived in this Village for 64 years, he has run a business, his father ran a business here, he raised his children here and his kids still live in the area and attend Hudson Falls Schools.

A lengthy discussion ensued with regards to the options discussed with the Town of Kingsbury regarding consolidating courts and offices and the Village's offer of the John Street property for Town Court and/or a joint court for town and village.

Jonathan Newell inquired how long it will take to put the vote regarding the Petition to a vote. Attorney Nikas reported that the vote would be held within 60 days.

Trustee Horrigan reiterated that he did not circulate the Petition to stop the Strand he circulated the Petition because in his personal opinion he feels \$650,000 is excessive. He told the people he approached that the Petition does not stop the town's project (to renovate the Solomon building and put an addition on it for court) it merely brings it to a vote amongst the registered taxpayers in the Village and Town.

Jonathan Newell is looking to get information out and be better distributed to the public. He feels the source of the aggression and the tension is because not everyone knows what the facts are.

Attorney Nikas advised that, on behalf of the Village, documentation has been submitted to NYS DEC and NYS Historic Preservation to convert Paris Park for public parking for the Strand Theatre. Trustee Cook advised that the Board has been looking to find more municipal parking for the past several months – and the Strand was one of the reasons parking is a concern. Attorney Nikas reported that NYS Historic Preservation must verify that there were no federal grants awarded to the Village of Hudson Falls for the purchase of Paris Park – even though there is a deed that shows it came out of a mortgage foreclosure. Same is the case for any State grants. Once they confirm there were no federal or state funds that were used for Paris Park, then it must go to NYS DEC where public hearings will be held regarding it; then it goes on to the State Legislature as a Home Rule message to allow the Village to redesignate the use of Paris Park. A lot of effort has gone into this, the Village even had to get the school district to sign off on it because they had a long-term lease of the property. This has been on-going since September and will hopefully help with the problem of municipal parking and alleviate the issues the Strand will be facing with regards to parking.

Mr. Newell asked that the Town and Village please get the information out to the residents.

Dr. Potvin, 50 Pearl Street feels that it would be smart to determine the cost of renovating John Street quickly before the vote. Attorney Nikas reported that Councilman Bromley picked up the keys to the John Street property last week with the intention of having their engineer take a look at the property and come up with an estimate. The plan was to take the plans they had for the addition at Michigan Avenue and see if it could be accommodated in the John Street property.

Josh Kelly, County Line Road, Kingsbury inquired as to why the Town would put money into a place they did not own. Without control the Village could pull the plug on the Town at any time. He inquired as to what happen to the Fire Department's 99 year lease for John Street. Trustee Cook reported that the Fire Department leased the building for \$1 per year on an annual basis (no 99 year lease). There could be a 99 year lease for the John Street property between the Town and the Village.

Mr. Kelly inquired if the paperwork for the Petition was drafted by the Village Board? Attorney Nikas reported that he used a form from the Board of Elections – it's a standard form that can be Googled. You simply plug in the proper information. The Petition was drafted before the joint meeting with the Town because the Village had concerns about the amount of money potentially being used for the rehab and addition of the Michigan Avenue property. In preparation for the meeting the documents were completed, and after the meeting the Village Board decided not to take any action. That paperwork is a public document. Trustee Horrigan reported that he Googled Permissive Referendum and NYS Government has a Citizens Guide to a Petition for Permissive Referendum. He used this guide to assist in obtaining the proper submission of the Petition.

Tim Havens, Sr. advised that in or around 1968 Village Hall was built for the purpose of a full Court facility. He understands the kinds of people the Court has to deal with but he didn't hear about a separate entrance for the Court at Village Hall. If nobody submits a Petition concerning the sale of the Strand Theatre by March 12th then the matter is closed. The Town has already purchased Solomon's building. He inquired the opportunity for a separate entrance to share the court? Trustee Cook feels that isn't an option at this point. Mr. Havens further advised that Councilman Bromely did a lot of work around the John Street property yesterday. Mr. Havens feels the Village and Town need to have their own physical plants. He has listened at length that the Village Justice is entitled to the right of his position until the end of his term next year. He asked if the State would allow an early consolidation of the Courts if the Judge were to allow it. Attorney Nikas advised that the Village Justice doesn't have jurisdiction outside of the Village. A discussion ensued regarding the court costs.

Mr. Havens stated to the Board "the first one to get their hackles up is usually the one that's on the defensive. We saluted the flag of the United States of America, this is one community. Your Village is in our Town, and we are letting you keep it here as Town members. You put the rubber to the road, Trustee Horrigan, and you went and beat on some doors and got some people signing your Petition personally. We as a Town could do the same thing to dissolve your Village." He is not threatening it but he feels this project is the greatest economic catalyst that has faced the Village in over two decades. Although you say you are not against the Strand a 60 day delay pushes the project back. He wants to move this project forward because we are one community.

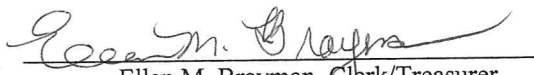
Tom Remsen, inquired if the Village has a website. In terms of getting the information out there, whether it be from this meeting or other issues he suggests that through face book or other social media so that people in the community could use it to ask questions. Maybe provide a phone number or contact person. Trustee Horrigan advised that every meeting is posted to our website (www.villageofhudsonfalls.com) or you can walk in Village Hall and ask the Village Clerk for copies of the minutes. Mr. Remsen referenced Sheriff Murphy's Community Page – it works well in terms of getting information out.

Brian Parsons, King Avenue inquired as to whether a workshop has been set for the Zoning Amendments. The Board scheduled a Workshop for April 6, 2015 for the purpose of discussing the Zoning Amendments.

A Budget Workshop is scheduled for Monday, March 16, 2015 at 5:00 p.m.

The Deputy Mayor reported that the next regular Board meeting will be held 4/6/15 at 6:00 p.m. The Public Hearing for the Budget will be conducted April 6, 2015 at 6:00 p.m.

Upon motion made by Trustee Horrigan, seconded by Trustee Gallagher and there being no further business to come before the Board the meeting was adjourned at 7:40 p.m.


Ellen M. Brayman, Clerk/Treasurer

