

The regular meeting of the Board of Trustees was held on January 8, 2024, at 6:00 p.m. in the Council Room of Village Hall.

Present: Mayor John Barton
Trustee Michael Horrigan
Trustee Daniel Hogan
Trustee James Gallagher, Jr.
Trustee Jeffrey Gaulin
Attorney Bill Nikas

Mayor Barton began the meeting with the Public Hearing for the Water Department Rate and Fee schedule changes. He briefly explains the reason to increase the rates including upcoming water line replacement, rate increases from the Queensbury water plant, increase security in the future, and a technology upgrade. Meeting opened for public comment: none given.

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

RESOLVED, to close the Public Hearing for the Water Department Rate and Fee schedule changes.

Upon motion made by Trustee Hogan, seconded by Trustee Horrigan and unanimously carried it is;

RESOLVED, to approve and Water Department fee schedule as presented effective January 8, 2024.

Next, Mayor Barton moves to the next Public Hearing on the agenda for Water Department upgrade/repair project disbursement request to withdrawal funds from the Water Equipment Reserve Funds in the amount of \$80,000. The meeting is opened for public comment: none given.

Upon motion made by Trustee Horrigan, seconded by Trustee Hogan and unanimously carried it is;

RESOLVED, to close the Public Hearing for Water Department Upgrade/Repair Project Disbursement request from the Water Equipment Reserve Funds in the amount of \$80,000.

Upon motion made by Trustee Hogan, seconded by Trustee Gallagher and unanimously carried it is;

RESOLVED, to approve to expend \$80,000 from the Water Department Reserve Fund to be used towards the Water Department Upgrade.

Upon motion made by Trustee Hogan, seconded by Trustee Gallagher and unanimously carried it is;

RESOLVED, to approve regular meeting minutes from November 13, 2023, and December 11, 2023, as submitted.

Upon motion made by Trustee Hogan, seconded by Trustee Horrigan and unanimously carried it is;

RESOLVED, to accept Membership into the Hudson Falls Fire Department, Michelle Gadway as a Volunteer Fire Fighter, contingent upon successful completion of required screening.

Upon motion made by Trustee Hogan, seconded by Trustee Horrigan and unanimously carried it is;

RESOLVED, to accept Membership into the Hudson Falls Fire Department, Tyler King as a Volunteer Fire Fighter, Junior Fire Fighter Program, contingent upon successful completion of required screening.

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

RESOLVED, to approve the appointment of Michael Breault as a member of the Planning Board for the term of 1/8/24 – 3/31/31.

Upon motion made by Trustee Hogan, seconded by Trustee Gallagher and unanimously carried it is;

RESOLVED, the following monthly reports were approved as read:

Police Department, submitted by Chief Kibling

Fire Department, submitted by John Santa Croce

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

General Fund

Check Nos. 36167 - 36224

Water
Trust
Payroll
2% Fire

Check Nos. 5952 - 5954
Check Nos. 7981 - 7989
Check Nos. 31256 - 31272
Check No. 1013

Next topic to be shared with the public is the status of Warren Street. Trustee Horrigan provides some back information that has led up to the open discussion. Starting with NYS 254, River Street, it has been down for bridge repair and during this time Warren Street has been being used as an unofficial detour. Due to the increase in traffic the road is beginning to be damaged with potholes. Now that the road is falling in disrepair, the Town of Queensbury has stated that it is not the Town's road any longer, that it is now the Villages road. It is Trustee Horrigan's understanding that in the history of the Village of Hudson Falls it has never been the Village's road. It has always belonged to or maintained by the Town of Queensbury. Even during public water line installation, the Village had to obtain permission from the Town in order to install water lines. There has been a couple of meetings with the Queensbury Board to find out who is responsible for snow removal, police jurisdiction, ect. and the response that the Village received was that it is no longer a concern to the Town of Queensbury. Mayor Barton explains we do have some previous history proof that Warren Street is not in the village, and we have made the attempt to come up with an intermunicipal agreement to fairly handle the situation and they have not been willing to cooperate.

With the recent weather conditions, public safety is our main concern at this point. Attorney Nikas gives the Board their two options in the discussion, to either accept Queensbury's position or take the next step for a legal standpoint and have the courts decide. Attorney Nikas recommends taking care of the road with regard to snow removal and to not rely on a private citizen to plow, much like the most recent snow storm. Trustee Horrigan explains that Queensbury is stating that the houses on the left belongs to them but all of the road and the houses on the right belong to the Village. Therefore, requiring the village to take ownership of the road. Mayor Barton mentions the Village's response letter back to Queensbury's Board, requesting for them to continue to maintain the road until everything can be figured out and unfortunately, Queensbury declined that request. Trustee Horrigan mentions CHIP funding, it is a New York State highway funding source provided to the municipalities to maintain, repair and pave the roads. Queensbury has been claiming this road all along on their Highway Report and collecting the funds to maintain the road, but now that it is beginning to crumble due to increase in traffic, they are choosing to not use those resources to repair it. Attorney Nikas explains that it really calls for an intermunicipal agreement because it is being discussed that the boundary line may be down the center of the road where the town owns 10 feet and village owns 10 feet. To clarify Trustee Hogans inquires of the residency separation. Queensbury residents are on the north side of the road and the Village residents are on the south side. He explains the line comes from the 1960 litigation, and when they found out there was a possibility, they had a survey match it.

Thomas Eastwood, resident of Maple Street comments specifics on the topic. Mr. Eastwood states he was the county attorney at the time and Lanfear was the county surveyor at the time dealing with this matter. He believes, the problem is that the county line was never established correctly or definitively. They tried to use the survey done in 1906 but turned out to have difficulties. The reason being is because there was never an IP established south of River Street. Although it ran up Warren Street there is another point west of the BOCES building it says CL, a large marker. The other marker is up by the airport and that is where things began to diverse. There is a conjunction up on Sanford Ridge, that is where they established another point and then goes all the way up to Allen Road. He reminisces that Judge Remison had a place on Allen Road and that's what started it all. He was taxed partially in Queensbury and partially in Fort Ann, Washington County. The Town of Queensbury and Fort Ann was tearing apart the landfill in Fort Ann, what was also found there is a marker from 1792 for the County line. There should've been a point on the island as well. He refers to Dahliah's spec for the points throughout. That point was also established on Patten Mills Road. He recommends looking at the agreement from 1905 or 1906 that was made with the water company, Village of Hudson Falls and Queensbury, but it does not include the bridge but a temporary agreement was made to handle the water. The board thanks Mr. Eastwood for the information.

A member of the public asks why begin to maintain it. Trustee Horrigan explains that this depute has been going on for several months and with the recent storm, and no action taken by Queensbury, we basically have to step in for the safety of the residents. A brief discussion ensued.

It is concluded and reiterated by Mayor Barton that the Village will plow the road for this winter, Attorney Nikas will move forward with the necessary actions to legally reconcile the dispute.

Mayor Comment:

No Comment

Board Comment:

No Comment.

Public Comment:

Jason McCann, McCann's Pharmacy, approached the board to discuss Center Street Parking lot. He is inquiring if there is any action being taken. Mayor Barton explains that there are three parking lots that we can lease parking spaces. Trustee Horrigan adds that a local law was passed in 2021 to address permitting parking for the three parking spots. Center Street parking lot was not included in that. Mayor Barton states there has been no determination on how many or where we plan to lease spots in that parking lot. It is up for discussion on how we are going to handle leasing those spots. Mr. McCann expresses his concern how much the parking lot has changed for the worst over the years because of the new property owners and it is unfortunate that customers and tenants can no longer use the parking lot the way they always have. Trustee Horrigan reminds Mr. McCann that a while back we surveyed the parking lot and which resulted in the finding that other property owners are encroaching on Village owned property but it hasn't been decided in which direction we plan to move in. Mayor Barton reassures that if the Village was to lease parking spaces to Bill Smith,

Everything Under Foot, that it will not take up all of the parking lot, the discussion is for about 10 spaces. Mr. McCann understands entirely and is just looking for a courtesy from the Board that when the time comes, and the option is there to lease spots throughout the lot, that they are given an equal opportunity to also lease spots. Trustee Horrigan says it will probably be offered to everyone as a fair opportunity, if we are able to lease out enough spots, or it could come down to leasing out the entire parking lot.

Mr. McCann also inquires about 15-minute parking on Main Street in front of their store. A few months ago, two cars were parked in front of their store and did not move for two months. He said he called the police to see if they could remove the car for over night parking and was told that they can't. Attorney Nikas responds that it is a state road and we do not have jurisdiction, that perhaps if he was to call the county sheriff, they may be able to issue them a ticket. He adds that we can not add the signage for the 15-minute parking or any parking changes without going through NYS DOT. The local DOT on Burgoyne may be of assistance.

Chris Connelly, TOPS Furniture, approaches the Board to also discuss the parking concerns. The parking on Main Street, is a hinderance and inconvenience for his business, customers and offloading trucks. A sign is up for two-hour parking on the other side of the street, it just needs to be enforced. Going back there has always been signs there. He has requested signs for parking three times already because there were signs up prior to the construction on Route 4, they just weren't put back up. Trustee Horrigan says he will look into it. He expresses his concerns about tenants who occupy the upstairs of the businesses on Main Street that are using the Main Street parking spots for their all the time parking rather than using the outback parking like they always have. He has also reported it to the police for the consistent all day or over night parking and received the same response or was told that they have been asked to move to the other side of the street. Confused at that decision, the other side of the street says two-hour parking, so why would they allow them to park next to the sign that says two-hour parking?

Trustee Horrigan asks about the other business owners agreeing to two-hour parking, places like The Strand Theatre, it would affect there shows.

He switches topic to plowing the back of the Center Street parking and explains how important it to remain bias with all of the business owners as he is land locked. As a courtesy he has always removed the snow from some of the surrounding property owners and pushed it to his own property and in return he is able to use their property to load and unload his trucks. He has never pushed his snow to Village property. One of his concerns is that when you start leasing these spots of the parking lot and requiring them to do their own snow removal, where are they going to push the snow? To one of their parking spaces that they are leasing? Or are you allowing them to push it to another Village owned spot and then the Village will be hauling it away. Mayor Barton explained that those are the details that the Village needs to work out prior to leasing spots. The Board thanks him for his time and sharing his concerns.

Shawn Lipscomb, Greenwood Industries General Manager, approaches the Board to discuss the parking lot further. He states that the Board previously noted that they inquired from all parties about the parking lot situation, but he has not been approached at all. He says no one came to his office although they own the majority of the parking lot. He would like to see the businesses succeed and help open up his parking spaces to the other property owners. He begins to describe boundary lines and footage. Trustee Horrigan adds that it is like a puzzle. Everyone owns a little bit. Trustee Horrigan explains that in years prior he has made the greatest attempt to get everyone on the same page and was unsuccessful. Mr. Lipscomb, on behalf of Greenwood Industries, he would like to offer as many spaces as he can to accommodate the other business owners with of course proof of insurance. He would just have to run it through his corporate office for approval but believes it won't be a problem. Next, he brings up the parking on Main Street. Ever since they have been in the building, they have been able to pull up to the side of the building (Locust Street) but now they have no parking signs. It was also nice for his customers or trucks to be able to pull quick as well to load or unload and now they have to park all over the place. Trustee Horrigan states it was changed for Fire Safety. The Fire Trucks are unable to make the turn. Mr. Lipscomb says for 75 years they have been pulled out of that and now they can't.

Mayor Barton circles back around to the parking spaces that Greenwood would be able to offer of assistance regarding their property lines. Attorney Nikas adds that Bill Smith will need a long-term lease that cannot be terminated. A brief discussion ensued.

Mayor Barton requests for Mr. Lipscomb to come back next month and give us an update on the acceptance from his corporate office. He agrees and says he will make the call tomorrow. Attorney Nikas ask for him to please talk to his counsel as when the conversation was had, Greenwood council would not allow them to lease any portion of that property. There were questions of insurance and is sure there is still a paper trail that can be shared with him to learn the conversations and the details that were discussed about two years ago. The Board collectively thanks him for joining and appreciates his efforts to assist in the parking lot discussion.

The next meeting will be held on Monday February 12, 2024, at 6:00 p.m.

Upon motion made by Trustee Gallagher, seconded by Trustee Horrigan and there being no further business to come before the Board the meeting was adjourned at 7:05 p.m.

Cassandra Allen, Village Clerk-Treasurer