

The regular meeting of the Board of Trustees was held on 6/12/17 at 4:00 p.m. in the Council Room of Village Hall.

Present: Mayor John Barton
Trustee Thomas VanAernem
Trustee Robert Cook
Trustee Joelle Timms
Attorney William Nikas

Absent: Trustee James Gallagher, Jr.

At 4:00 p.m. time was set aside for a public hearing for the purpose of hearing public comments on the Village of Hudson Falls' community development needs and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications for the 2017 program year.

8 members of the public were present.

The NYS Office of Community Renewal (OCR) will make available to eligible local governments 20 million dollars for the 2017 program for housing, economic development, public facilities, public infrastructure and planning activities, with the principal purpose of benefiting low/moderate income persons.

The Mayor advised that the Board has discussed community development opportunities including creating a parking lot at the Paris Park property leaving green space on the Clark Street side; developing a trail system interconnecting the trails at Grace Park to the Hudson River and Feeder Canal; continuing replacement of waterlines through the CDBG grants opportunities.

The Mayor opened the public hearing up to public comment.

Diane Santa Croce inquired as to the status of Paris Park. The Mayor advised that the Village has permission from the State, it has been dealienate as a park, making it available for other uses. Trustee Cook pointed out it required an act of state legislation. The Village can now move forward with plans to create a parking lot.

Upon motion made by Trustee Cook, seconded by Trustee Timms and carried the public hearing was closed.

**RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR
GRANT FUNDS TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FY2017
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

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

RESOLVED, that the following resolution be adopted:

WHEREAS, the New York State Office of Community Renewal (OCR) is accepting applications from eligible communities to compete for funds available through the NYS administered Community Development Block Grant (CDBG) Program; and,

WHEREAS, the Village of Hudson Falls has reviewed its housing and community development problems and needs, and has developed a proposed program and application for funds; and,

WHEREAS, the OCR application process requires that the governing body of the applicant authorize the submission of the application and related actions; and,

THEREFORE BE IT RESOLVED, that the Village Board hereby authorizes and directs the Mayor to submit the application to OCR and to act in connection with the submission of the application, including execution of all required certifications and forms and to provide such additional information as may be required.

The Mayor opened the meeting to General Public Comment.

Brian Burnett, 5 LaCross Street reported he has been complaining about the noise at Dimensional Mills due to the machinery and equipment that was added last year. The loader is still around and it is unbelievable how loud it is, with the sound waves and vibrations coming through his house. Totally different when you're in a car. You can't compare being in a car because it is designed differently than a house. In a house the noise waves from the loader are unbearable. He has lived there 23 years. He noted they run a chipper in the parking lot. The original variance stated that the noise levels wouldn't exceed the original noise study. There were no problems from 1999 to 2012 they never had a problem, but since they added the Volvo loader which omits 104 decibels they have had issues. They are not supposed to exceed 74 decibels according to the original noise study. The company operated without a loader using a propane powered fork lift. Can't compare the two as far as noise scale. They opened their windows one day because they stopped running the loader for a while, in no time the loader was running and their house smelled like diesel fumes. When it is cold and they burn, the smoke is another issue. Log trucks cause diesel fumes. They far exceed light industrial use in his opinion. Dimensional Mills stops at 6 p.m. at night, but the other businesses are running fork lifts and other equipment which can be heard until 1 or 2 a.m. The Burnetts did not have these issues when they purchased their home or made improvements to their home. They are unable to sell their house for what they have invested in it. They planned on spending the rest of their lives here. He feels Dimensional Mills have violated the rules of their variance and asked where to go from here.

The Mayor advised that the Village Attorney has previously offered advice on how he could proceed – noise study. Mr. Burnett noted that the noise study would cost \$2,000.

Trustee Timms noted that the Village has tried to validate Mr. Burnett's concerns without success. She reported that she has herself gone by the property attempting to verify the complaints. Trustee Cook advised that the Board has an obligation to hear the complaints and concerns. The Board has asked Code Enforcement and Police Dept. to look into the matter to verify the complaints. To this point Code Enforcement has made in excess of 20 visits and has been unable to find any significant violation; our Chief of Police has gone door to door speaking to folks in the neighborhood. Cannot find another individual to verify Mr. Burnett's complaints. The Mayor has gone out before work and sat to watch and see if Dimensional Mills is starting before 7:00 a.m. Trustee Cook was at the building next door to Dimensional Mills and stood outside of their offices for one-half hour while one of the log trucks was being unloaded and could not hear anything while it was being unloaded. When the meeting was finished he asked the people who work in the building if they have had a problem with the noise from Dimensional Mills. They have no issues and they abut the property. He believes the Board has treated Mr. Burnett with respect, tried to look into the issues raised. All of the efforts made do not back up or support Mr. Burnett's complaints. Consequently, the Village is looking to Mr. Burnett to provide proof of the accusations. The Board also has the responsibility to treat the business with respect as well. To Trustee Cook's knowledge it is a well-run business that offers employment to people in the community and he sees no evidence from Code Enforcement or the Police Department or from his own observations ~~that Dimensional Mills has in any way violated the terms and conditions that allow them to operate. It was again~~ suggested that Mr. Burnett bring corroborating evidence of a violation. Mr. Burnett feels everyone should be treated equally. Trustee Cook advised that he has been treated more than fairly and noted it would not be fair to Dimensional Mills for the Village to issue a violation based on one complaint that has not been corroborated. Mr. Burnett feels it is not one complaint but daily complaints and his neighbors are lucky they are not home during the day. He noted the issues are not in a regular pattern so it is difficult to verify the complaints. The loader is what is causing all of the problems. He provided the Mayor with three more complaints.

RESOLUTION
Authorizing the Mayor of the Village of Hudson Falls to Execute
A Contract for Professional Services
By and Between
The Village of Hudson Falls
AND
CHAZEN COMPANIES, LLC

Upon motion made by Trustee Timms, seconded by Trustee Cook and carried

WHEREAS, the Village of Hudson Falls has been awarded a grant through the New York State Office of Community Renewal's (OCR) 2016 Community Development Block Grant Program (CDBG) to undertake a neighborhood infrastructure improvement program; and,

WHEREAS, the Village of Hudson Falls has solicited proposals from qualified community development consulting firms to provide grant management and application services; and,

WHEREAS, the Village of Hudson Falls has reviewed and evaluated consultant qualifications and services in accordance with the RFP selection process and criteria, and determined that the proposed services and costs are reasonable and necessary; and,

WHEREAS, the Village has the flexibility under the procurement process for professional services to retain firms which in the Villages judgement, best serve the interests of the Village; and,

WHEREAS, the Village of Hudson Falls desires to engage Chazen Companies, LLC to provide program administration and implementation services, consistent with their proposal dated March 2017; and,

NOW THEREFORE, the Board authorizes the Mayor to enter into a consultant services agreement with Chazen Companies, LLC.

**Resolution
Authorizing the Mayor of the Village of Hudson Falls to Execute
A Contract for Engineering Services By and Between
The Village of Hudson Falls and The Chazen Companies**

Upon motion made by Trustee VanAernem, seconded by Trustee Timms and carried

WHEREAS, the Village of Hudson Falls has been awarded a CDBG Block Grant through the NYS Office of Community Renewal (OCR) in the amount of \$750,000 to replace approximately 2,800 LF of water mains in the Maple Street/Pearl Street neighborhood; and

WHEREAS, the Village has previously solicited proposals through an RFP process for community development consulting firms to provide project engineering services; and

WHEREAS, the Village has previously selected and utilized The Chazen Companies for such services; and

WHEREAS, the Village has received and reviewed a proposal dated April 11, 2017 from The Chazen Companies to provide engineering services for the Village's FY 2016 CDBG award and determined that the proposed services and costs are reasonable and necessary; and

WHEREAS, the Village of Hudson Falls desires to engage The Chazen Companies to provide project engineering services, consistent with their proposal dated April 11, 2017; and

NOW THEREFORE, the Board authorizes the Mayor to enter into a professional services agreement with The Chazen Companies for the FY 2016 CDBG infrastructure improvement project.

**RESOLUTION AUTHORIZING TO EXPLORE THE SUBMISSION OF
APPLICATION FOR GRANT FUNDS TO THE GREEN INNOVATION GRANT PROGRAM (GIGP)
AND EMPIRE STATE DEVELOPMENT FUND**

Upon motion made by Trustee Cook, seconded by Trustee Timms and carried

WHEREAS, that the Village has explored and continues to explore funding opportunities to establish a surface parking lot at Paris Park to service several recent/planned developments including the Masonic Temple and the Strand Theater, as well as a multi-purpose pavilion that could serve as a farmer's market site or other use.

NOW THEREFORE BE IT RESOLVED that the Village of Hudson Falls be authorized to submit applications for grant funding under the NYS Environmental Facilities Corporation's Green Innovation Grant Program and Empire State Development (ESD), and it is

FURTHER RESOLVED, that The Chazen Companies be directed to prepare and submit a CFA funding request which combine both GIGP and ESD grant requests, and it is

FURTHER RESOLVED, that the Village Board hereby authorizes and directs the Mayor to submit the applications on behalf of the Village and to act in connection with the submission of the application, including execution of all required certifications and forms and to provide such additional information as may be required.

Upon motion made by Trustee Timms, seconded by Trustee Cook and carried the minutes of the regular meeting of 5/8/17 and the special meeting of 5/31/17 were approved as read.

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

RESOLVED, that the application for a corrected village tax bill in the amount of \$125,015.17 for Wheelabrator Hudson Falls LLC Tax Map No. 154.9-1-6 for 93 River Street be approved as recommended by Washington County Real Property Tax Services and that Wheelabrator be given 30 days after receipt of this corrected tax bill without penalty. The original tax bill was issued in error without reflecting the Order of Settlement of 9/18/2015.

Upon motion made by Trustee Cook, seconded by Trustee VanAernem and carried the meeting adjourned to executive session for the purpose of discussing a specific personnel issue. Dan Hogan was invited to attend.

Upon motion made by Trustee Cook, seconded by Trustee Timms and carried executive session was adjourned and the regular meeting commenced. No action was taken.

The Mayor announced receipt of the resignation of Trustee VanAernem.

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

RESOLVED, that the resignation of Trustee VanAernem be accepted.

~~Mayor Barton presented Tom with the following proclamation honoring him for his many years of service to the community.~~

PROCLAMATION

"Honoring THOMAS R. VANAERNEM"

WHEREAS, Thomas R. VanAernem has proudly served the Village of Hudson Falls as a member of the Village Board of Trustees for 17 years; and

WHEREAS, Thomas R. VanAernem was duly appointed as Deputy Mayor in 2008 serving in that capacity for the duration of his tenure with the Village; and

WHEREAS, Thomas R. VanAernem served on numerous committees and boards and has made significant contributions toward the betterment of the community, and

WHEREAS, Thomas R. VanAernem has provided valuable leadership, friendship and guidance to countless residents and those involved in Village government, and

WHEREAS, the Village Board of Trustees further extends its appreciation for Tom's many years of outstanding and dedicated service to the community.

NOW THEREFORE BE IT RESOLVED, that we, the Board of Trustees of the Village of Hudson Falls, take this opportunity to express our sincere and grateful appreciation and extend our best wishes for continued success, happiness and good health in the years to come.

Trustee VanAernem said it has been a privilege to represent the Village of Hudson Falls, his hometown. He has worked with some great people over the years – individuals, boards, department heads, and village employees. It has been a real pleasure. This Board is moving forward at a great pace. He thanked everyone for being with him on this fun journey.

The Mayor appointed Daniel Hogan, 15 Paris Avenue to serve as Trustee for the balance of Mr. VanAernem's term. The Mayor administered the Oath of Office and Mr. Hogan joined the Board at the table.

The Mayor announced that Matt Rozell was honored at an event on 6/10/17 and Trustee Timms presented him with the following proclamation.

PROCLAMATION

"Honoring MATTHEW ROZELL"

WHEREAS, Matthew Rozell is a history teacher, author, historian, and life-long resident of the Village of Hudson Falls; and

WHEREAS, Matthew Rozell is the author of *The Things our Fathers Saw and A Train Near Magdeburg*.

WHEREAS, Matthew Rozell founded the World War II Living History Project and through that project reunited over 225 Holocaust survivors with American soldiers who liberated them from a train in Nazi Germany on April 13, 1945.

WHEREAS, Matthew Rozell's work in Holocaust education is being modeled in education programs across the nation and he was awarded a Museum Teacher Fellowship at the US Holocaust Memorial Museum in Washington DC.

WHEREAS, Matthew Rozell through his teachings, writings and efforts has brought a greater awareness of the Holocaust not only to our community but globally.

WHEREAS, the community appreciates the work and effort Matthew Rozell has provided in order to raise awareness of the great sacrifices and sufferings of the Holocaust and

WHEREAS, the Village Board of Trustees of the Village of Hudson Falls would like to extend its appreciation for his many contributions.

NOW THEREFORE BE IT RESOLVED, that the Village of Hudson Falls hereby recognizes the invaluable contributions **Matthew Rozell** has made in educating the youth of our community, bring about a greater awareness of the Holocaust and in connecting victims of the Holocaust with the soldiers who rescued them, as well as Mr. Rozell's many other notable awards and achievements.

The Mayor announced that the 2016 Annual Water Report and 2017 Stormwater Report is available and public comment is welcome. See the village website at www.villageofhudsonfalls.com for copies.

The Mayor announcement the CDBG 2015 Waterline Replacement Project in the John Street/Elizabeth Street neighborhood will begin soon.

