

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

December 18, 2017

The regular meeting of the Board of Trustees was called to order at 7:00 P.M., with the Pledge of Allegiance, at 325 Hudson St., Cornwall-on-Hudson, N.Y.

The following Board Members were in attendance:

Mayor Brendan G. Coyne
Deputy Mayor Mark J. Edsall
Trustee James P. Kane
Trustee David Carnright
Trustee Kenneth A. Schmidt

Also present were: DPW Superintendent David Halvorsen, Water Superintendent Robert June, Code Enforcement Officer Ben Maggio, Police Chief Steven Dixon, Storm King Engine Co. #2 Asst. Fire Chief Michael Trainor, Attorney for the Village Joseph McKay, and Village Clerk Jeanne Mahoney.

Mayor Coyne announced that there is a binder on the back table for anyone interested in looking at resolutions and meeting-related documents that will be discussed this evening.

TRIBUTE: FORMER POLICE CHIEF RICHARD “RICK” DOUGLASS

Police Chief Dixon welcomed and thanked the following members of former Police Chief Richard “Rick” Douglass for being here this evening: Tom Douglass (brother) and his wife Sally Douglass, Brian Douglass (son) and his wife Jen Douglass, Donna Watson (niece) and her husband Kevin Watson. Also in attendance were former Police Chief Charles Williams (who served as Chief from 2001-2009), Police Detective Art Terwilliger, P.O. John Peña, and P.O. Jill Nye.

Chief Dixon stated that Rick Douglass was appointed Chief of Police in July of 1977. He was a well-respected and well-liked man who faithfully served the community and the police department until his retirement in 2001. Chief Douglass passed away on July 1, 2017.

Chief Dixon commissioned a sign dedicating the police headquarters in Chief Douglass’ name. The sign will be placed next to the police station door.

Chief Dixon introduced former Police Chief Charles Williams who worked with Chief Douglass and asked him to say a few words.

Chief Williams stated that he appreciates Chief Dixon and the Village Board for “thinking of” and “supporting this” sign. It is a wonderful tribute to a great guy. Rick Douglass loved his family, Mickey Mantle, the ladies in Village Hall for saving parking sticker #7 for him every year, his red Dodge Daytona, sports memorabilia, and White Castle hamburgers. Chief Douglass also loved police work,

this Village, and being chief. If he were here this evening, Chief Douglass would say that he was just doing his job, and that humility is what Chief Williams loved most about him.

Tom Douglass stated that he very thankful to the police department, fire department, and Village for their efforts in honoring Rick at his funeral. Tonight's tribute is "unbelievable" not only to him, but to Rick's entire family and they are all so very grateful to everyone involved.

On behalf of the Village Board, Mayor Coyne thanked Chief Dixon for spearheading this idea.

Deputy Mayor Edsall stated that he knew Ricky through high school, college, from the volunteer side of Highland Engine, and from being on the Village Board. Chief Douglass was a dedicated police officer and chief, and a wonderful guy. This is a "scratch" of the recognition that Rick deserves.

P.O. Nye stated that Chief Douglass hired her back in 2000. He was a "man's man", a "woman's man", and a "chief's chief". Chief Douglass dedicated himself to the police department and took great pride in his work. He loved his officers, this community, and his family. It was an "honor" to work for him.

PUBLIC COMMENT

Rick Gioia of 167 Hudson Street stated that every night since late September, his "safe, private and historical" neighborhood gets turned into an "industrial zone" because of the bright lighting at 172 Hudson Street (Village Auto Repair). The lot is usually empty; therefore Mr. Gioia doesn't understand the need for such lighting. Earlier today Mr. Gioia emailed an updated petition to the Village Clerk which now has 91 signatures. He stated that the signers represent a good cross section of the Village and he believes that it demonstrates a clear consensus to the objection to what is happening to this neighborhood and how it presents a "clear and present danger" in terms of "quality of life" going forward. Mr. Gioia is here tonight to "take a stand" to protect that quality of life. Currently there is nothing in Village Code that protects any part of the Village from being "victimized" by this kind of assault. At this point, there are 3 or 5 "hot spots" in the Village, next year there could be 10 and the number will continue to grow as technology of these high intensity lights "mushrooms". Mr. Gioia would like to see the Village Board to take some sort of a "public nuisance" action against Village Auto Repair.

PUBLIC HEARING

A LOCAL LAW AMENDING CHAPTER 153 OF THE CODE OF THE INCORPORATED VILLAGE OF CORNWALL-ON-HUDSON, NEW YORK AND REVISING THE DEFINITION APPEARING IN SECTION 153-2(b) OF CHAPTER 153 REGARDING REMOVAL OF DOUBLE UTILITY POLES

Mayor Coyne reported that the Village Board adopted a local law regarding "zombie" or double utility pole removal back in August and now would like to amend that law.

Attorney for the Village McKay reported that the purpose of the local law is to make sure that there isn't a proliferation of "old unwanted" poles attached to utility poles. The local law passed earlier this year placed the burden of explaining why an old pole needed to remain in place on the owner of the new pole. After consulting with Central Hudson representatives, Mr. McKay agrees that the burden should really be placed on the owner of the original (older) pole to explain why that pole should remain. The amended local law before the board this evening makes that one change.

Proof of Notice, Affidavit of Posting and Publication having been furnished, the Public Hearing on a Local Law Amending Chapter 153 of the Code of the Incorporated Village of Cornwall-on-Hudson, New York and Revising the Definition Appearing in Section 153-2(b) of Chapter 153 Regarding Removal of Double Utility Poles was called to order at 7:18 PM on a motion by Mayor Coyne, seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Hearing no one speak for or against the introductory local law, Deputy Mayor Edsall made a motion to close the public hearing at 7:19 PM which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

RESOLUTION OF ADOPTION – ADOPTING A LOCAL LAW AMENDING CHAPTER 153 OF THE VILLAGE CODE OF THE VILLAGE OF CORNWALL-ON-HUDSON

Deputy Mayor Edsall introduced the following resolution and moved for its adoption.

WHEREAS, a resolution was duly adopted by the Village Board of the Village of Cornwall-on-Hudson on November 20, 2017, scheduling a public hearing to be held by said Governing Body on December 18, 2017 at 7:00 p.m. at the Village Hall located at 325 Hudson Street, Cornwall-on-Hudson, New York to hear all interested persons on a proposed local law to amend Chapter 153 of the Code of the Village of Cornwall-on-Hudson; and

WHEREAS, notice of said public hearing was duly advertised in The Cornwall Local, the local newspaper of general circulation of said Village; and

WHEREAS, said public hearing was duly held on December 18, 2017, at or about 7:00 p.m. at the Village of Cornwall-on-Hudson Village Hall, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, the Board of Trustees is the Lead Agency with respect to the consideration, review and determination of the significance of the aforementioned legislative action pursuant to the State Environmental Quality Review Act (SEQRA) regulation section 617.6(b)(1); and

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the adoption of said proposed Local Law is an unlisted Type I action under SEQRA; and be it further

RESOLVED, that the Village Board finds that the proposed local law has no significant adverse environmental impacts and issues a negative declaration thereon, and that the adoption of the proposed local law is in the best interests of the residents of the Village; and be it further

RESOLVED, that the Village Board of the Village of Cornwall-on-Hudson hereby adopts said Local Law No. 5 of 2017 of the Village of Cornwall-on Hudson, a copy of which is attached hereto and made a part of this resolution; and be it further,

RESOLVED, that the Village Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Cornwall-on-Hudson, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

The foregoing resolution was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

CORRESPONDENCE

Mayor Coyne is in receipt of the following correspondence:

- A note from NYS Department of Public Service regarding programs to help people manage their winter energy bills.

MINUTES

Mayor Coyne made a motion to accept the November 20, 2017 Business Meeting Minutes as prepared which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes, 0 Nays, and 1 Abstain (Edsall-absent).

Mayor Coyne made a motion to accept the December 4, 2017 Special Meeting Minutes as prepared which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes, 0 Nays, and 1 Abstain (Kane-absent).

Mayor Coyne made a motion to accept the December 11, 2017 Special Meeting Minutes as prepared which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

TREASURER'S REPORT

The open utility balances report for the end of November read as follows:

Village water, sewer, garbage & penalties	\$248,606.06
Town water & penalties	264,175.51

which included 8 finals/adjustments for the Village and 8 for the Town.

Warrant #12 - Trustee Carnright made a motion to approve the December 2017 Warrant #12 and authorize payment totaling \$778,858.57, which was seconded by Trustee Schmidt and carried by a vote of 5 Ayes and 0 Nays.

Treasurer Mahoney reported that the Village is in receipt of \$6,124,625.59 (84%) in anticipated revenues and \$5,141,043.67 (69.49%) in anticipated expenditures through the end of November.

The Sewer Capital Fund balance is \$142,383.27 (including interest) through November 30.

Ms. Mahoney further reported that Village Hall is now able to accept credit/debit card payments, the Workplace Violence Prevention Program was accepted by the NYS Department of Labor (PESH) and all Village Hall citations have been “satisfactorily abated”. Installation of the new phone system began on December 14.

BOARD DEPARTMENT REPORTS

Building Department Trustee Carnright reported 7 building permits were issued, 16 certificates of compliance/occupancy were issued, 37 onsite inspections were performed, 2 violations were issued (23 Andrews St-expired building permit and 2 Idlewild Ave (Storm King Assoc)-property maintenance), 2 fire inspections were conducted, and 6 municipal searches were completed. Inspector Maggio worked 80 hours in November.

Trustee Carnright further reported that DB Mart (374 Hudson St) is in contact with Department of Environmental Conservation (DEC) for fuel tank removals and contaminated ground cleanup procedures, and Mr. Todd Silverman (owner of Riverside Apartments) is seeking a recommendation from Storm King Engine Co. #2 to alter the roadway leading to 8 Riverside Drive.

Fire Department Deputy Mayor Edsall reported 1 structure fire, 3 hazardous conditions, 2 mutual aid, 5 medical calls, 2 meetings, 4 drills, 1 NYS training class, 1 fire prevention detail, 2 work details, and 2 public relations details for a total of 23 events and 413.63 volunteer man hours.

Deputy Mayor Edsall further reported that the new Orange County text messaging system has been set-up and is expected to be rolled out to department members next month, installation of the new Orange County radio system is tentatively scheduled for spring 2018, Dormitory Authority State of New York (DASNY) execution documents are being reviewed by the Attorney for the Village and will then be executed by Mayor Coyne.

Storm King Engine Co. #2 will be celebrating its 150th Anniversary in 2018. The celebration will be a yearlong event including many community activities. The fire company will kick off the celebration by becoming a major sponsor of the annual New Year’s Eve event.

2018 LINE OFFICERS

Deputy Mayor Edsall reported that 2018 Storm King Engine Co. #2 elections were held earlier this month. Firematic Officers will be: Chief – Michael Trainor; Asst. Chief – Eric Chatfield; Captain – Chris O’Dell; 1st Lieutenant – Nick Loblanco; and 2nd Lieutenant – Andrew Stambaugh.

Deputy Mayor Edsall made a motion to approve the 2018 Storm King Engine Co. #2 Firematic Line Officers which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Deputy Mayor Edsall congratulated newly elected Chief Michael Trainor. He then thanked Jeff Armitage for serving as Fire Chief for “3 rounds”. Mr. Armitage is a dedicated member of the fire department who donated a lot of time to the Village quietly and efficiently running the department. Mr. Edsall also thanked Jeff’s family.

Mayor Coyne also thanked Jeff Armitage for his dedication. Jeff ran the annual Fireman’s Fair along with everything else he did for the fire department. Mayor Coyne welcomed Mike Trainor back as Fire Chief.

FIRE SIREN

Mayor Coyne reported that the Storm King Engine Co. #2 fire siren needs to be replaced. The cost will be covered by using the department’s capital reserve funds

Police Department Trustee Kane reported 1 felony criminal mischief, 1 fraud, 2 petty larceny, 1 misdemeanor assault, 2 harassment, 4 misdemeanor arrests, 2 warrant arrests (other P.D.’s), 3 property damage accidents, 38 traffic summons issued, 41 traffic warnings issued, 5 parking summons issued, 6 traffic enforcement posts, 4 speed/radar sign postings, 4 fire response calls, 1 domestic incident call, 8 alarm response calls, 2 suspicious person calls, 8 suspicious vehicle calls, 6 suspicious activity calls, 9 animal complaints, 1 disorderly adult call, 3 disorderly juvenile calls, 11 assists to the Town of Cornwall Police Department, 15 EMS assist calls, 2 assists to other agencies, and 1 welfare check for a total of 397 total calls for service.

Trustee Kane further reported that the police department participated in Orange County “STOP DWI” traffic enforcement, assisted with traffic and security for the Cornwall Lions Club “Harvest Run”, and participated in “TASER” training/re-certification at police headquarters. P.O.’s Peña and Dawydko attended “The Dynamics of Drugs & Opioid Trends” training at the Orange County 911 Center, Goshen, NY.

BUDGET AMENDMENT

Chief Dixon reported that the police department received an \$800.00 donation from Cornwall Chamber of Commerce (proceeds from their annual car show in support of Cornwall and Village of Cornwall-on-Hudson First Responders).

Upon the recommendation of Chief Dixon, Trustee Kane made a motion to increase General Fund Revenue Gifts/Donations (A2705) by \$800.00 and General Fund Police Expense (A3120.4) by \$800.00. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

DECLARE VEHICLE SURPLUS

Upon the recommendation of Chief Dixon, Trustee Kane made a motion to declare the 2006 Dodge Charger (VIN 2B3KA43H06H503483) with 88,746 miles surplus and authorize the Village Clerk to advertise the vehicle for sale. In addition to authorize proceeds of the sale be transferred to General Fund Police Expense (A3120.4) upon receipt. The motion was seconded by Deputy Mayor Edsall and carried upon a vote of 5 Ayes and 0 Nays.

Department of Public Works — Trustee Schmidt reported 99.48 tons of trash, 34.71 tons of recycling, and 125 yards of yard waste was collected. In addition, the department continued routine maintenance on Village vehicles, treated 2300 feet of sewer main for root control, performed routine sewer line inspection of previously treated lines, patched blacktop on Curie Rd, Deer Hill Rd and other areas, fall property cleanup of Village Hall, fire house, bandstand, and park areas, roadside leaf cleanup of gutter lines, cleaned catch basins of leaves for drainage, decorated the Christmas tree and prepared for the tree lighting, installed new 10” covert pipe on Mountain Rd at Deer Hill Rd and reshaped gutter, roadside mowing with new boom mower, and removed trees in rear of Village Hall parking lot and repaired lot and fence.

Trustee Schmidt further reported that the street sweeper is out of service for repairs. The main impeller needs to be replaced. The parts are in and it will be repaired over the winter.

BUDGET TRANSFER

DPW Superintendent Halvorsen reported that a budget transfer is needed to cover the cost of additional street paving done this year. He thanked the Village Board for supporting continued efforts to improve Village roads.

Upon the recommendation of DPW Halvorsen, Trustee Schmidt made a motion to transfer \$82,000 from General Fund Expenditure Contingency (A1990.4) to General Fund Street Maintenance Expense (A5110.4). The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Mayor Coyne thanked the DPW employees for cleaning up the Village Hall back parking lot area and Tom Lyons and Jim Sebesta for building a leaf collection box which was great help this year.

Deputy Mayor Edsall thanked the DPW employees for the “level of care” put in to roadside leaf removal. The quality of work from all Village departments certainly shows.

Water Department — Trustee Carnright reported an average daily production of 797,000 gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 54). A total of 65 utility mark outs were completed, 16 meters were replaced, 25 miscellaneous repairs were completed, and 16 final meter readings were done. The department located and repaired the curb box and shut off to 117 Main Street, repaired a fire hydrant at 24 Poplar Street, repaired curb boxes at 15 and 17 Frost Lane, inspected all reservoirs, completed hydrant flushing in Town and Village, inspected all pressure reduction valves (PRV’s), performed routine property maintenance, removed meter and backflow device from fire hydrant at Storm King

School, turned on new fire service line at Storm King School, and investigated a high water bill complaint at Camp Olmstead (found to be a possible leak in their building). In addition, Water Superintendent June attended “Supervisor Training for Reasonable Suspicion” conducted by Partners In Safety at the Orange County 911 Center on December 7.

WATER MAIN BREAK

Trustee Carnright further reported that the department repaired a water main break on Hasbrouck Avenue on December 10 and issued a boil water notice. Several water samples were collected and the boil water notice was lifted on December 13.

Deputy Mayor Edsall reported that this water main break involved a very difficult repair in a stream crossing. At last week’s work session, Water Superintendent June indicated that Village water main lines cross through 4 streams and he would like to evaluate the condition of our lines in each of these crossings next year to see if they need to be replaced or repaired.

Mayor Coyne thanked the Water Department for a job “well done” and Nannini & Callahan for helping us repair the water main break fairly quickly.

RESOLUTIONS

SOLICIT REQUEST FOR PROPOSALS/QUALIFICATIONS – ENGINEERING FIRM

Mayor Coyne made a motion authorizing the Village Clerk to advertise a request for proposals from qualified Professional Consulting Engineering firms licensed in New York State to act as the Village’s representative on engineering-related matters. Proposals must be received by the Village Clerk no later than 2:00 PM on January 16, 2018. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

2018-2019 DRAFT BUDGET – SET PUBLIC HEARING DATE AND TIME

Mayor Coyne introduced the following resolution and moved for its adoption.

WHEREAS, in accordance with the New York State Village Law § 5-508(3), the Village Board of the Village of Cornwall-on-Hudson wishes to set a time and place for a public hearing to obtain input and to consider the proposed budget for the Village’s 2018 fiscal year;

NOW, THEREFORE, it is hereby

RESOLVED, that a Special Meeting be scheduled by the Village Board for the purpose of conducting a public hearing in order to receive public comment regarding the proposed Village Budget on January 8, 2018 at 7:01 pm at the Village Hall located at 325 Hudson Street, Cornwall-on-Hudson, New York, and any other business that may come before the Board; and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

The foregoing resolution was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

FIRE HOUSE MECHANIC

Deputy Mayor Edsall made a motion to reappoint Eugene Conley, Sr. to the position of maintenance mechanic at Storm King Engine Co. #2 at \$14.06 per hour which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

APPROVE TRAINING FOR PLANNING BOARD AND ZONING BOARD OF APPEALS

Deputy Mayor Edsall introduced the following resolution and moved for its adoption.

WHEREAS, pursuant to Village Law § 7-712.7-a(a) each member of the Village Zoning Board of Appeals shall complete a minimum of four (4) hours of training each year designed to enable the Zoning Board members to more effectively carry out their duties; and

WHEREAS, according to Village Law §7-712.7-a(a) such training shall be approved by the Village Board of Trustees and may include, but not be limited to, training provided by a municipality, regional or county planning office or commission, county planning federation, state agency, statewide municipal association, college or other similar entity and it can also include training provided by the Village itself; and

WHEREAS, the training classes or courses offered for Zoning Board members are limited and it is difficult for the members to attend those limited classes; and

WHEREAS, it would be more effective to have the Board of Appeals' attorney provide the necessary training immediately after the regular monthly board meetings, or on special designated dates at Village Hall; and

WHEREAS, Catania, Mahon, Milligram & Rider, PLLC, is an experienced land use, zoning and municipal law firm that represents numerous Zoning Boards throughout the Hudson Valley and its attorneys have provided similar training for other Zoning Boards and its attorneys have also lectured on these topics for other municipalities and organizations; and

WHEREAS, Catania, Mahon, Milligram & Rider, PLLC, estimates these training sessions will last 4 hours;

NOW, THEREFORE, it is hereby,

RESOLVED, that the Village Board authorizes the law firm of Catania, Mahon, Milligram & Rider, PLLC, to provide the necessary training to the Zoning Board members.

The foregoing resolution was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

OTHER BUSINESS

BUDGET – 2018-2019

Mayor Coyne reported that he has prepared a draft budget for fiscal year 2018-2019 and it will be posted on the Village’s website shortly. He tabled this item for additional discussion regarding contractual matters in Attorney/Client session later this evening.

SAFETY COMMITTEE

Mayor Coyne reported that the next meeting is scheduled for January 17, 2018. A representative from the police department and the Village Clerk will be appointed to the safety committee along with representatives from the DPW and Water Department.

KIRYAS JOEL ANNEXATION LAWSUIT

Attorney for the Village McKay reported that upon the creation of the Town of Palm Tree (that would separate Kiryas Joel (KJ) from the Town of Monroe), KJ officials agreed to resolve pending litigation with Preserve Hudson Valley and the Orange County coalition of 8 municipalities (including the Town of Cornwall and Village of Cornwall-on-Hudson) involving an Article 78 proceeding on the 164 acre annexation. In addition they agreed to withdraw special proceedings with the Appellate Division involving the 507 acre annexation. However; Town of Monroe annexation petitioners (property owners in the Town of Monroe who are outside of the Town of Palm Tree and are statutory respondents in the Article 78 proceeding) made a motion and were approved to be included as “interveners” in the special public interest proceeding in the Appellate Division. Without their consent none of the lawsuits can be settled and therefore everything is “on hold” pending further discussions/settlement negotiations with the annexation petitioners.

Mayor Coyne reported that he spent a lot of time and the Village did “due diligence” in its efforts to resolve this issue. It is now “out of our hands” and he hopes that it settles shortly.

CSX: QUIET ZONE

Mayor Coyne reported that Assemblyman Skoufis secured a \$5,400 grant to have a study done that will provide options toward creation of a “quiet zone” at both Shore Road railroad crossings. Mayor Coyne has requested guidance from CSX on how to proceed.

DRUG TESTING – PRESCRIPTION DRUGS

Village Clerk Mahoney reported that on December 7 she attended a training session on “DOT Reasonable Suspicion Supervisor Training” along with DPW Superintendent Halvorsen and Water Superintendent June at the Orange County 911 Center. Effective January 1, 2018, random drug screenings will now include testing for 4 types of prescription opioid drugs (hydrocodone,

oxycodone, hydromorphone, and oxymorphone). Village employees who have been prescribed this type of drug are encouraged to contact their physician to see if another type of drug can be substituted for pain management.

PROPERTY TAXES

Mayor Coyne reported that residents may be able pay 2018 property taxes this year if the Federal tax reform bill is passed.

CATSKILL TREATMENT PLANT: TAX ASSESSMENT

Mayor Coyne reported that he is “making progress” in resolving the dispute involving a sharp increase in the tax assessment of our Catskill Treatment Plant. He tabled further discussion on this item for Attorney/Client session later this evening.

COMPREHENSIVE PLAN COMMITTEE

Mayor Coyne announced that the Comprehensive Plan Committee will not meet in December. The next meeting will be held in January.

WATER DEPARTMENT EMPLOYEE

Mayor Coyne tabled this item for discussion in Attorney/Client session later this evening.

VILLAGE AUTO REPAIR – 172 HUDSON STREET

Mayor Coyne reported that in response to safety concerns expressed about bright lighting located at 172 Hudson Street, he asked the Attorney for the Village to do some research regarding possible changes to the Village Code. He also referred this to the Comprehensive Plan Committee. In addition Mayor Coyne wrote a letter to the NYS Department of Transportation and has been told by Code Enforcement Officer Maggio that they are “looking into it”. When a response is received, Mayor Coyne will make that available to the public. The Village cannot help Mr. Gioia deliver the petition to the owner of Village Auto Repair.

Attorney for the Village McKay reported that the Village Board cannot pursue a private nuisance action against Village Auto Repair since the Village owns no adjoining property. This type of action would be between the garage owner and adjoining neighbors that are directly affected. A public nuisance action can only be initiated by the Village if a detriment to public health, safety, and welfare to the general public exists. Mr. McKay has “significant” concerns if this lighting issue meets the standards for a public nuisance complaint, if the Village has standing, and/or would prevail in this type of action. Mr. McKay’s office is researching whether a local law that addresses lighting might have potential “unintended consequences”. Any local law or laws would also apply to pre-existing uses, affect all Village properties, and modify the Village’s site plan regulations. A “sunset provision” would be required for pre-existing business and residential nonconformities. Mr. McKay recommends the Village consider hiring a planner to provide the specific language relative to outdoor lighting for such a local law.

Deputy Mayor Edsall disagrees with hiring a planner. He feels that a lighting engineer and/or lighting manufacturer are needed.

Trustee Kane asked Mr. McKay if more research is needed regarding a public nuisance action. Mr. McKay replied that additional research would result in the “same conclusion”. He would like to discuss this further in Attorney/Client session later this evening.

Trustee Carnright asked Mr. McKay is there is case law on this issue involving other small municipalities. Mr. McKay replied that his research found “lighting schemes” in some small communities on Long Island. More “sophisticated” codes promulgated by organizations such as “Dark Sky Association” exist as well.

Mayor Coyne reported that he and Code Enforcement Officer Maggio have dealt with this issue a number of times over the past few years. He previously wrote a letter to Mr. Gioia about their efforts. The owner of Village Auto had once agreed to mitigate the lighting issue but then changed his mind.

FILMING

Mayor Coyne reported that scenes for an upcoming HBO drama series entitled “Succession” were filmed in the Village on December 1 and everything went smoothly.

CHRISTMAS TREE LIGHTING

Mayor Coyne reported that the annual Christmas tree lighting celebration was held on Sunday, December 3rd. He thanked Trustee Schmidt and Village departments for their help.

Trustee Schmidt reported that event was well attended. He thanked Storm King School students for providing music, the police department for ensuring everyone’s safety, the department of public works for decorating the tree, and the fire department for hosting a reception after.

NEW YEARS EVE BALL DROP

Mayor Coyne reported that Chief Dixon has arranged to have 2 NYS troopers on hand that evening to assist the police department with public safety. Two DPW employees have agreed to clean-up afterward. Mike Trainor and his committee will meet on December 21st to make final arrangements for the event.

MUSEUM SIGN

Mayor Coyne reported that the Village Historian would like to have a museum sign placed outside of the Village Hall. He will discuss this request further with her.

FYI

EMPLOYEE HOLIDAY GATHERING

Mayor Coyne reported that the annual employee holiday gathering was held on Friday, December 15th at Painters. He was happy to have so many employees attend.

PUBLIC COMMENT

Rick Gioia of 167 Hudson Street stated that is disappointed to hear some of Mr. McKay's comments this evening. Mr. McKay talked about "equal protection" yet perversely it seems perpetrators have more rights than people on the receiving end. It is a "significant blow to the quality of life". Mr. Gioia suggested the Village look at information available from Dark Sky Reserve and Hudson Highlands Land Trust about light pollution. In addition he suggested that the Village Board speak with Deke Hazarjian, who not only owns property next door to Village Auto Repair but is a nationally renowned lighting designer. Mr. Gioia stated that he is willing to pay the cost to modify the lighting at 172 Hudson Street.

BOARD COMMENTS

Trustee Schmidt thanked Chief Dixon and police department for the "impressive and moving" tribute this evening to former Police Chief Rick Douglass. Mr. Schmidt congratulated Fire Chief Jeff Armitage on his retirement and newly elected Fire Chief Mike Trainor. In addition he thanked Mary Donahue who donates the bandstand decorations every year. Mr. Schmidt wishes everyone a Merry Christmas, Happy Hanukkah, and Happy New Year.

Trustee Carnright stated that he knew Chief Douglass for over 30 years and thanked Chief Dixon for a "fitting" tribute. It was good to see Tom Douglass, who was also a Village police officer for many years, here this evening. He thanked Trustee Schmidt, Mike Trainor, and Storm King Engine Co#2 for the tree lighting event. Mr. Carnright wishes everyone Happy Holidays.

Trustee Kane congratulated Mike Trainor and Jeff Armitage. He wishes everyone a Merry Christmas, Happy Hanukkah, and Happy Holidays.

Deputy Mayor Edsall wishes everyone a Merry Christmas, Happy Hanukkah, and Happy New Year. Mr. Edsall was sorry to have missed the employee holiday gathering, but he had another engagement that evening.

Mayor Coyne wishes everyone a Merry Christmas, Happy Hanukkah, and Happy New Year. He appreciates the good work of all Village departments.

Having concluded the business set before them, Mayor Coyne made a motion to adjourn the business meeting into a closed meeting at 8:30 P.M. to receive advice of counsel regarding a disciplinary issue involving a Water Department employee, contractual issues involving the draft 2018-2019 budget, the assessment of and tax bill for the Catskill Treatment Plant, a potential legal

issue involving Village Auto Repair, prepayment of 2018 property taxes, and a contractual issue involving the Water Department. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.