**VILLAGE OF COXSACKIE**

**BOARD MINUTES**

**January 11, 2018**

Mayor Evans called the Board Meeting to order at 7:00 p.m. Present were Trustee Stephen Hanse, Trustee Donald Daoust, Trustee Joseph Ellis and Trustee Dianne Ringwald.

A motion to approve the minutes from the December 1, 2017 Executive Session and dispense with reading of the same was made by Trustee Hanse and seconded by Trustee Daoust. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The motion carried.

A motion to approve the minutes from the December 7, 2017 Workshop Meeting and dispense with reading of the same was made by Trustee Hanse and seconded by Trustee Ellis. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The motion carried.

A motion to approve the minutes from the December 11, 2017 Local Law #6-A of 2017 Public Hearing and dispense with reading of the same with the understanding that the minutes are subject to future amendment was made by Trustee Hanse and seconded by Trustee Ringwald. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The motion carried.

A motion to approve the minutes from the December 11, 2017 Local Law #7 of 2017 Public Hearing and dispense with reading of the same was made by Trustee Hanse and seconded by Trustee Daoust. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The motion carried.

A motion to approve the minutes from the December 11, 2017 Local Law #8 of 2017 Public Hearing and dispense with reading of the same was made by Trustee Ringwald and seconded by Trustee Ellis. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The motion carried.

A motion to approve the minutes from the December 11, 2017 Board Meeting and dispense with reading of the same was made by Trustee Ellis and seconded by Trustee Ringwald. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The motion carried.

**Correspondence Received**A letter was received from NYS Department of Corrections regarding a meeting to discuss the Wastewater Upgrade Project.

A letter was received from the Department of State advising the Village that the CFA application was not approved.

A letter was received from Greene County advising that the Village still has no one appointed to the County Planning Board.

A letter was received from UMH Properties regarding the Mountain View Estates and various issues raised.

A letter was received from NYS Board on Electric Generation Siting and the Environment, regarding the application of Hecate Energy Greene 1, 2 & 3 LLC, regarding a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10, and nominations of members to a siting board.

A letter was received from Whitbeck, Benedict & Smith LLP regarding their interest in becoming the Village’s attorney firm.

A 2018 yearly contract was received from the Town of Coxsackie and Hose Company #3.

A letter was received from Greene County regarding abandoned homes and how the County can be of service in demolishing those homes at a much cheaper cost.

**Correspondence Sent**

A letter was sent to NYS Department of Corrections requesting a meeting to start discussing the details of DOCCS funding for the Wastewater Plant upgrade.

**Liaisons & Board Reports**

Trustee Ringwald reported that the Public Works Department has been busy with the holiday season. There was the Christmas by the River, the Live Nativity, Christmas Day and New Year’s. Snow season has been keeping them busy as well. There were five snow storms already this year, and the arctic blast has hit producing subzero temperatures. The men started picking up Christmas trees, and they put out street signs for traffic control for the Live Nativity. They salted and plowed roads during the snow storms, and they took the leaf box off truck #4 and put the salt spreader on. There was 70 tons of salt delivered during December. Trustee Ringwald reported that the men also plugged up the skate park drain for flooding for ice skating.

Trustee Daoust reported that both the Water and Wastewater Departments have been working on their monthly routine maintenance. There was a power outage at the Water Plant and the Plant had to be run manually until the generator functioned properly. Trustee Daoust reported that there were no problems at the Wastewater Plant this month.

Trustee Ellis reported that the D.M. Hamilton Fire Department lost heat during the cold snap and had water pipes freeze and burst. The Fire Chief ordered an automated alert system which would call a programmed number should the temperature drop too low in the building. He stated that Engine 5-2 has been repaired, and the Fire Chief is still waiting to hear word from Garrison’s about the hydrant fittings that were ordered. Trustee Ellis reported that the new Scott air packs are in and training has already begun. The packs should be put into service soon.

Trustee Ringwald reported that the Police Department has filed for the NYS/Federal Protective Vest Reimbursement Program. The sum of $ 3,500.00 should arrive over a 90-day period which is due back to the Village. She stated that Officer Mirando has attended three town hall meetings regarding the opioid dependence problem surrounding the tri county area. Officer Mirando is planning on another training session here in the Village which will be open to the public. The date will be announced shortly and will be available to residents of the Village as well as residents of the County. Trustee Ringwald stated that the Police Chief will solicit for installation of surveillance cameras for the Police Department, Village Building Hall, and rear parking lot. She stated that she would like to see one installed at the parks one day as well. Trustee Ringwald reported that the Police Chief has been working with Frank Dixon, who is an aide to Pete Lopez, on approaching the Civil Service Commission regarding amending the hiring practices commensurate with the other counties in NYS.

Trustee Hanse reported that both the Planning Board and Historic District Committee did not meet in December since there were no new projects submitted before them. Tyrone Coleman submitted his resignation to the Historic District Committee, so the committee will be discussing plans for a new member to fill the vacancy. Trustee Hanse reported that the Building Inspector has issued 3 building permits in the month of December, with a total of 55 permits issued this calendar year.

Mayor Evans reported that the Village is in the process of paying back the General Fund what is owed from the Water Fund. He said that the Village is making good progress, and that the Sewer Fund has paid everything back that was owed. He stated that the Village is aggressively installing radio read meters, and that the finances are in great shape. Mayor Evans reported that the McQuade Park playground is in rough shape, and that the company who sold the Village the equipment has recently provided a quote of $ 100,000 to make improvements to the park. The Board is looking at the possibility of transitioning from a wooden playground to a composite material which would not splinter, would easily last 20 years, and would be safer. The Board feels that it is not a wise decision to put $100,000 into an aging wooden playground. The Mayor and a couple of the Board Members recently met with Miracle Playground, the company that installed the playground at Riverside Park, and discussed potential replacements and pricing was discussed. One option would be to phase the project out over a few years span if needed. The Board would also like to have input from local children on what they would like to see done.

Trustee Ringwald stated that she would like to hear input from parents and grandparents on their ideas for the playground, and she would like to see it be handicap compatible as well.

Trustee Hanse stated that when the Village Board did the playground project at Riverside Park they considered input and pictures from local children. He said that he would like to involve the children in the McQuade Park playground project as well.

**Motions & Resolutions**

A motion to approve the monthly amount to move from Water & Sewer Funds to the General Fund: Water: $35,000.00 Sewer: Paid Up was made by Trustee Hanse and seconded by Trustee Ellis. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The motion carried.

A motion to approve the request received from the Town of Coxsackie to waive the building permit fee for the Town Highway Garage/Town Hall project was made by Trustee Hanse and seconded by Trustee Ellis. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The motion carried.

A motion to approve the Village to take part in a free LED Lighting Replacement Program offered by Central Hudson to upgrade certain higher use buildings with LED lights at no cost to the Village was made by Trustee Hanse and seconded by Trustee Ellis. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The motion carried.

A motion to approve up to $10,000 for a heating system at D.M. Hamilton Firehouse was made by Trustee Hanse and seconded by Trustee Ellis. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The motion carried.

A motion to approve the 2018 Senior Citizen & Disabled Tax Exemption Maximum Income Limits in the amount of $27,500 was made by Trustee Hanse and seconded by Trustee Ellis. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The motion carried.

A motion to approve Local Law #1 of 2018-To Amend a Real Property Tax Exemption for Cold War Veterans was made by Trustee Hanse and seconded by Trustee Ellis. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The motion carried.

A roll call vote was taken on Resolution No. 12018-To change the mileage reimbursement rate from $ .53.5 (fifty-three and a half cents) per mile to $ .54.5 (fifty-four and a half cents) per mile per the IRS recommendation. Mayor Evans voted yes. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The resolution was approved.

* Attorney Genevieve Trigg read the EAF Type 1 action description, as well as the EAF Part 2 questions aloud pertaining to Local Law #7 of 2017 amending Chapter 75 of the Village Code. The Board responded with the answers which declared that there were no adverse impacts. Attorney Trigg read the Negative Declaration aloud.

A roll call vote was taken on Resolution No. 22018-Adoption of Local Law #7 of 2017-To Amend Chapter 75-Historic Districts of the Village Code of the Village of Coxsackie. Mayor Evans voted yes. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The resolution was approved.

* Attorney Genevieve Trigg read the Short EAF questions aloud pertaining to Local Law #8 of 2017 repealing Chapter 122 of the Village Code. The Board responded with the answers which declared that there were no adverse impacts. Attorney Trigg read the Negative Declaration aloud.

A roll call vote was taken on Resolution No. 32018-Adoption of Local Law #8 of 2017-To Repeal Chapter 122-Site Plan Applications of the Village Code of the Village of Coxsackie. Mayor Evans voted yes. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The resolution was approved.

* Attorney Genevieve Trigg read the FEAF Type 1 description stating the legislative intent, as well as the FEAF Part 2 questions aloud pertaining to Local Law #6-A of 2017 repealing Local Law No. 4 of 2008 and amending the Village Code. The Board responded with the answers which declared that there were no adverse impacts. Attorney Trigg read the Negative Declaration aloud which states the reasons for supporting the determination.

A roll call vote was taken on Resolution No. 42018-Adoption of Local Law #6-A of 2017-To Repeal Local Law No. 4 of 2008 and Amend the Village of Coxsackie Code. Mayor Evans voted yes. Trustee Hanse voted yes. Trustee Daoust voted no, stating that he feels there are both pros and cons of the UMH Project which would be affected by this code change, and that being a new Trustee he feels that he has a lot of questions about this. Trustee Ellis voted yes. Trustee Ringwald voted yes. The resolution was approved.

A motion to approve the Mayor to sign the new contract with Hose Company #3 and the Town of Coxsackie was made by Trustee Hanse and seconded by Trustee Ellis. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis votes yes. Trustee Ringwald voted yes. The motion carried.

A motion to approve water/sewer adjustments from December 1-31, 2017 was made by Trustee Hanse and seconded by Trustee Daoust. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The motion carried.

A motion to approve the bills on General Fund Abstract #8, vouchers 584-657 totaling $106,543.30; Water Fund Abstract #8, vouchers 197-233 totaling $ 74,495.85; Sewer Fund Abstract #8, vouchers 190-223 totaling $ 55,214.54; Capital Projects Fund Abstract #8, voucher 5 totaling $ 55,409.91 was made by Trustee Ringwald and seconded by Trustee Daoust. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The motion carried.

**Public Comment Period**

Dave Engel, present on behalf of United Mobile Homes, stated that he would like to address concerns UMH has with the passing of Local Law #6-A of 2017. He stated that he feels that the local law is intended to apply only to, and take aim at the UMH project. UMH owns the only property zoned as Medium Density Residential-3 which this code change directly affects. Because of this fact, UMH feels that this change is aimed at reducing their project lot sizes so that it makes their project unfeasible. He stated that if this local law is enacted, the Village can expect a legal challenge which will be costly to the taxpayers. He said that the proposed code changes are inconsistent to the Comprehensive Plan in 2008, which allowed for development by a manufactured home park. He stated that the Board should reject the law since Chapter 87 of the Village Code is not outdated and was just reviewed in 2008 or 2009 and has never been used in relation to any other developments. He said that UMH’s proposal is explicitly synced with the Village’s Wastewater Improvement Project, and that UMH will develop their homes in phases. The Village’s previous claim that UMH’s application is inadequate is false. He stated that he recently received a letter from the Village’s Attorney, Genevieve Trigg, stating that the intention of the local law is to ease licensing requirements for development. He said that to believe that is the sole purpose of the local law is to engage in fantasy. He stated that he also feels that Mayor Evans should recuse himself from any further votes on the matter since he is affiliated with State Telephone who may have an interest in the outcome of the project. He stated that during a discussion with Attorney Trigg, the issue of minimum lot size being 10,000 square feet, and how UMH has a major problem with this was brought up. He said that density and minimum lot size are not the same thing, and the fact that it seems that Attorney Trigg does not understand the difference is upsetting.

Mayor Evans asked Mr. Engel to please be seated since he has exceeded the allowable time to speak.

Sam Landy, present on behalf of UMH, stated that UMH would like to help make the Village of Coxsackie a beautiful community. He brought pictures of the proposed project housing which were distributed amongst the Board members. He said that it was never the intent of UMH to bring about litigation and cost taxpayers money. He stated that a good community development project can no be built based on the proposed local law.

J.D. Fielding, of Van Dyck Street, stated that he is familiar with the opposition to UMH amongst residents in the community. It is understandable as to why a developer would like the parcel of land on Van Dyck Street. However, the Village is already dealing with a struggling infrastructure and taking on a major housing project would not help matters. Coxsackie is already a charming community without a development coming in. He said that he has great concern with the project and UMH’s intentions. He feels the representatives from UMH do not empathize with living in a quiet community, and are often insulting. He stated that Mr. Engel treats residents of the Village as if they are backwoods. He also stated that anyone who wants this project to go through just to fuel their own political agendas should be ashamed of themselves. He sees a lot of opposition to this project from residents, and he feels that the Board should pass the local law.

Gregg Ursprung, present on behalf of UMH, stated that the 10,000-square foot minimum lot size for a manufactured home park is a disadvantage, especially since there is also a requirement of no less than 25% of the area having to be reserved for green space. He stated that these parameters would force the company to reduce its plan to build 160 homes on 47 acres to 80 homes on 110 acres. This makes the project financially infeasible. The code also mandates the homes have 1,000 feet of square floor space instead of 320 square feet which is uniform with a standard subdivision.

Laura Best-Macia, of 33 Noble Street, stated that she feels that UMH has not been interested in what residents have to say. She said that the fact that UMH claimed that they did not want litigation is not believable. If that were the case, then they would have moved on to another community to build their project. She stated that it is very hard to figure out what UMH’s plans are. She said that UMH has been spreading rumors throughout the community, and stating that there was never any mention of trailers going in. There is a lot of confusion about whether they are talking about modular homes or a trailer park. She feels that they are intentionally misleading. She attended the open house and every time she asked a question she never got a clear answer. It seemed that they didn’t have any information on prices of the homes or how many were going to be built. She asked representatives of UMH about addressing water and sewer problems and if they were going to install all new water pipes and sewage. She was told that the pipes leading up to the property is the Village’s responsibility. She said that the sewage on Van Dyck Street and Lafayette Avenue is already bad, and they had no plan to address the issue. She stated that she is happy to see the Village Board continue to act in the best interest of the community.

Leo Van Valkenburgh, of 31 Wayne Drive, stated that UMH’s online Better Business Bureau is only rated a 1.5. He said that he believes that that is low and wonders why. He also would like to know if the company has ever been sued by residents of their home parks and why, and if there are any problems in the parks.

Cynthia Vanstone, of 60 Mansion Street, stated that she attended the first meeting with UMH back in 2004 or 2005. Mayor Evans wasn’t on the Board yet. At the time, it was believed that people from the city would move to Coxsackie to downsize, but then the economic crash came along with the sewer moratorium. She stated that she feels that Van Dyck Street is not going to get any wider, and Lafayette Avenue is not going to get any larger. She said that no one is against future development in the Village, and she loves seeing involvement in the community, but remember that it takes a long time to fix something and a short time to break it.

Rodney Levine, of 28 Matthew Lane, stated that he feels that the Mayor should be able to have a say in the passing of the local law since he is a village resident just like everyone else.

John Kudlack, of 26 Van Dyck Street, stated that Van Dyck Street is a narrow street. He wants to know why in UMH’s proposed plans they don’t have traffic come out onto Lawrence Avenue. As a resident close to the proposed project site he is worried about hearing heavy equipment running on Van Dyck Street. He wants to know if they would be responsible for maintaining the sidewalk and snow removal. He stated that he is also concerned about the infrastructure on Van Dyck Street not being able to handle the excess development.

Betty Bellnier, of 47 Van Dyck Street, asked why UMH doesn’t develop in their own backyards.

Jennifer Holmes, of 12 Lafayette Avenue, stated that McQuade Park playground could use some work and would love to see it fixed up. She is worried that should the housing project move forward there would be an increase in traffic and children entering into the school system.

Mayor Evans stated that the Village Board is currently considering options to upgrade the playground.

Matoaka Garner, of 39 Washington Avenue, stated that she chose to move to the Village of Coxsackie because it is charming and beautiful. She is looking to raise her son here in a small town and safe community. She is concerned with this project going in and how it will change the Village. She loves local businesses and would love to see current existing buildings restored instead of building new.

David Wiley, of 65 Van Dyck Street, stated that UMH’s proposed 160 homes won’t work with the Village’s current infrastructure. 160 more families would negatively impact the community. He said that he does not want to see that kind of heavy development.

Laura Best-Macia stated that she feels that the number of houses UMH is looking to put in are always changing. She was told it was around 100 when she attended the open house. She said that they did say they would build gradually over time and that it would increase real estate revenue. She doesn’t feel the revenue it would generate would be adequate to keep up with infrastructure repairs. She said that UMH should speak to the community and tell the truth.

Sam Landy, present on behalf of UMH, stated that the original application submitted years ago was for 280 lots and the community would be for residents aged 55 and older. At that time the SEQR was pending. Now, UMH is looking to build 160 manufactured homes, each with a crawl space, garage, and stone/brick façade. The homes should retail between $220,000-$260,000, with lot rent about $600/month. After financing the average monthly cost would be around $2,000. This means an average income of around $60,000/year will be needed. UMH would develop about 50 lots a year, and wants to help the Village with their infrastructure, so would contribute $5,000 a unit towards such upgrades. If Van Dyck Street needs things like lights and sidewalks, UMH will work with the Village on this.

Jessica Sorozan, of 41 Water Street, stated that she is from Buffalo but has moved to Coxsackie. She is concerned that if the development moves forward it will be taxing on the school. If more students are added this will take a toll on the school. She feels that this development will ruin Coxsackie and the Village will lose its charm. There will be more people and more traffic. She would like to see the Board pass the local law.

Peggy Quigley stated that she is a local realtor and is curious about UMH’s proposal that a homeowner won’t own the land the home is on. The sheer volume of houses they are looking to build is concerning. She said that the land will depreciate in value. She said that she is very familiar with the Town Comprehensive Plan and can say that those who fail to plan, can plan to fail. The Village needs to continue to look ahead to see where Coxsackie can be in the future.

Kathy Hanse, of 51 Sutton Place, stated that she is concerned with how the school will be impacted if they need to take on more children. She feels that the extra children would really strain the school’s resources.

Rodney Levine, of 28 Matthew Lane, stated that he is surprised about UMH’s prices on their proposed homes. He said that anyone can buy a house in Coxsackie for far less than $2,000/month. He feels that UMH would have to reduce their prices to attract residents to fill their homes.

Dan Quinion, of 45 Van Dyck Street, stated that drainage on Van Dyck Street is already an existing issue. Money will need to be spent on fixing the drainage, and a large-scale development will just make things worse.

No further public comments were offered.

A motion to enter into Executive Session at 8:50 p.m. for the purpose of discussing two personnel matters was made by Trustee Hanse and seconded by Trustee Daoust. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The motion carried.

A motion to come out of Executive Session and return to the Board Meeting at 9:25 p.m. was made by Trustee Hanse and seconded by Trustee Daoust. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The motion carried.

A roll call vote was taken on Resolution No. 52018-Approve Fire Chief Barry Rausch’s Disciplinary Settlement Agreement. Mayor Evans voted yes. Trustee Hanse voted yes, since Barry Rausch admitted to violations. However, the document does not include language as to what the Fire Chief will do to address these issues in the future. Trustee Daoust voted yes. Trustee Ellis voted yes, only because he feels the process has been unfair and untimely, and he understands that Barry Rausch just wants the matter to be resolved. Trustee Ringwald voted yes. The resolution was approved.

A motion to adjourn the Board meeting was made by Trustee Hanse and seconded by Trustee Daoust. Trustee Hanse voted yes. Trustee Daoust voted yes. Trustee Ellis voted yes. Trustee Ringwald voted yes. The motion carried.

The meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Nikki Bereznak

Clerk