

**VILLAGE OF COXSACKIE
BOARD MINUTES
February 12, 2024**

Mayor Mark Evans called the Board Meeting to order at 7:00 p.m. Present was Trustee Donald Daoust, Trustee Katlyn Irwin, and Trustee Rodney Levine. Trustee Rebecca Vermilyea was absent.

A motion to approve the minutes from the January 4, 2024 Workshop Meeting was made by Trustee Levine and seconded by Trustee Irwin. Trustee Daoust voted yes. Trustee Irwin voted yes. Trustee Levine voted yes. The motion carried.

A motion to approve the minutes from the January 8, 2024 Board Meeting was made by Trustee Daoust and seconded by Trustee Levine. Trustee Daoust voted yes. Trustee Irwin voted yes. Trustee Levine voted yes. The motion carried.

A motion to approve the minutes from the January 15, 2024 Special Meeting was made by Trustee Irwin and seconded by Trustee Daoust. Trustee Daoust voted yes. Trustee Irwin voted yes. Trustee Levine voted yes. The motion carried.

Correspondence Received

The Mountain View Estates Draft Supplemental Environmental Impact Statement (SEIS) was received from Colliers Engineering & Design CT, PC, on behalf of UMH of Coxsackie, LLC.

Correspondence Sent

A letter was sent to the Greene County IDA regarding savings on electric costs from the solar array on Stacy Road.

Liaisons & Board Reports

Mayor Evans stated that the Village Board will dispense with the reading of the monthly department head reports, but that all monthly reports are on file with the Village Clerk.

Mayor Evans stated that last Thursday during the Workshop Meeting, the Board had the opportunity to review the Mountain View Estates Project SEIS that was submitted on behalf of UMH. The SEIS in paper form is around 1,200 pages. It is also uploaded to the UMH Project Files Google Drive that can be found on the Village website. The next step in the process is for the SEIS to be reviewed by both the Village Counsel and Engineer. As the Engineer informed the Board last week, there will likely be many back and forth discussions between the applicant and the Village Attorney and Engineer until the SEIS is deemed complete. Once it is complete, then the Village Board's review will start, a Public Hearing will be conducted, and eventually the Village Board will adopt that document. Once that document is adopted, then the State Environmental Quality Review (SEQR) is submitted. After the Village Board reviews that, then UMH will submit a Site Plan to the Planning Board. The Planning Board will issue approvals where appropriate, and refer UMH to the Zoning Board of Appeals for any variances they might need regarding this project. That is the general process that the Board has been advised to follow according to the Village Code.

Mayor Evans stated that he had a very interesting conversation with a CSX representative this afternoon. It got very heated when CSX told him that they don't plan to do anything further with the viaduct until their permanent fix in the spring. He advised them that he feels that that is

unacceptable. There is still gray material dropping down in the middle of the lane, and hitting cars as they go through. CSX basically stated that they will not be here until the spring. Mayor Evans told CSX that their property is creating a hazard for Village residents. He said that he will see where the conversation leads.

Motions & Resolutions

A motion to approve the request received from Lorraine Tremmel, of 73 Warren Avenue, asking to waive her late fees in the amount of \$57.09 from her water/sewer account was made by Trustee Daoust and seconded by Trustee Irwin. Trustee Daoust voted yes. Trustee Irwin voted yes. Trustee Levine voted yes. The motion carried.

A motion to approve the request received from Leonard Wood, of 125 Mansion Street, asking to waive his late fees in the amount of \$40.25 from his water/sewer account was made by Trustee Daoust and seconded by Trustee Irwin. Trustee Daoust voted yes. Trustee Irwin voted yes. Trustee Levine voted yes. The motion carried.

A motion to approve the request received from Judee Synakowski, of 25 Spencer Boulevard, asking to waive her late fees in the amount of \$12.93 from her water/sewer account was made by Trustee Daoust and seconded by Trustee Irwin. Trustee Daoust voted yes. Trustee Irwin voted yes. Trustee Levine voted yes. The motion carried.

A motion to approve the request received from Wayne Flach, Jr., of Parkview Properties LLC, for a 12-month, penalty free, payment plan in order to pay down the water/sewer balance owed in the amount of \$15,692.80 for property located at 2-6 Reed Street was made by Trustee Daoust and seconded by Trustee Irwin. Trustee Daoust voted yes. Trustee Irwin voted yes. Trustee Levine voted yes. The motion carried.

A motion to approve accepting the request received from James Parker, of AG Distributors + Supplies Corp., asking to waive their late fees in the amount of \$241.93 from their water/sewer account for property located at 11780 Route 9W-Hatchet Hardware was made by Trustee Daoust and seconded by Trustee Irwin. Trustee Daoust voted yes. Trustee Irwin voted yes. Trustee Levine voted yes. The motion carried.

A motion to approve accepting the request received from Capital Bicycle Racing Club to hold the annual Trooper Brinkerhoff Races on April 20th & April 27th with assistance from the Village Police Department was made by Trustee Daoust and seconded by Trustee Irwin. Trustee Daoust voted yes. Trustee Irwin voted yes. Trustee Levine voted yes. The motion carried.

A motion to approve accepting the resignation received from Marcus Decker as a Police Officer was made by Trustee Daoust and seconded by Trustee Irwin. Trustee Daoust voted yes. Trustee Irwin voted yes. Trustee Levine voted yes. The motion carried.

A motion to approve water/sewer adjustments from January 1-31, 2024 was made by Trustee Levine and seconded by Trustee Irwin. Trustee Daoust voted yes. Trustee Irwin voted yes. Trustee Levine voted yes. The motion carried.

A motion to approve the bills on General Fund Abstract #9, vouchers 498-557 totaling \$93,725.80; Water Fund Abstract #9, vouchers 265-308 totaling \$69,537.21; Sewer Fund Abstract #9, vouchers 230-268 totaling \$53,288.76; Heroes Banner Fund Abstract #9, vouchers 23-24 totaling \$212.38; Owl Project Fund Abstract #9, vouchers 23-55 totaling \$13,595.24 was made by Trustee Levine and seconded by Trustee Daoust. Trustee Daoust voted yes. Trustee Irwin voted yes. Trustee Levine voted yes. The motion carried.

Public Comment Period

Sharon Riley, of 26 Matthew Lane, stated that 9 years ago she came to a Board Meeting about the drainage problem on Matthew Lane. At that time, she was told that the Village was putting in for a grant, and it would take 2 years before anything would be done. She provided a copy of the deed to her property to the Village, and nothing has been done yet. Now, the water is getting so bad that it is filling up in her front yard, and when it rains, or the snow melts, it lays out there and takes out her telephone service from all of the water build up. When it runs down both sides of her house along the fence lines, it is like a raging river. She is only on a slab, and she is afraid that it is starting to come up very close to the house. Something needs to be done with the culvert pipe under her driveway. That keeps sinking and bending down on the ends from trucks running over it. She is wondering what the Village can do. They found a grate out back, and the Village DPW dug that all out, which does relieve some water in the back, but the problem is the water raging down the sides now and building up out front. Because everybody's land is flat, water just lays there rather than running into a ditch or the storm drains. Water also lays at the top of Matthew Lane where pipes have broken several times from the water laying there. She is afraid that all of the water laying in her front yard will break her pipes.

Mayor Evans stated that the Village was included in some stormwater maps that had been approved, but it didn't say that the Village was a high priority for any funding. The real problem is that that area was built on top of a swamp. Unfortunately, that was built before the NYS DEC came up with all of the stormwater regulations. Whereas now, you basically cannot have any flow off of the property. So, if somebody does develop, they would have to have some sort of stormwater collection placed somewhere on that property. Ms. Riley's development pre-dates that, and that is why they were built on slabs, because it was so wet there.

Sharon Riley stated that when they brought in dirt and fill to level the road off, they covered all of those drains that were in the back. They found one on her property. Somebody needs to find where those other drains are so the water stops rushing down the sides of the house.

Mayor Evans stated that to the best of his knowledge, there is no Village right-of-way between Ms. Riley's backyard and her neighbor's backyard. If the Village were to ever get money to do something there, they would have to go to all of the landowners and ask to get a right-of-way through the backyards, so that work could be done to put something through there.

Sharon Riley asked if anything could be done out front. The road is raised up from years of being blacktopped over, so why can't there be a ditch or some kind of pipes running across out front, so that water goes into the sewer drains.

Mayor Evans stated that the Village can definitely look at that. The general problem is that it is so flat up there. There is no place to get the water to go.

Sharon Riley stated that there used to be culvert pipes under every driveway. People brought dirt in and covered them up.

Mayor Evans stated that technically culvert pipes are the responsibility of the landowners, not the Village.

Sharon Riley stated that she has seen them being replaced by the Village DPW.

Mayor Evans stated that the Village's responsibility is to move water from one side of the road to the other. They have never tried to solve a problem on one side that then creates a problem for someone on the other side. There is a similar situation on Luke Street, and unfortunately there is no good solution, because everything is completely flat there. When water builds up in the ditch line there is no place for it to go. That's really the problem.

Sharon Riley stated that there really needs to be a culvert or gulley out front along the road that allows for the water to go into the storm drains.

Mayor Evans stated that he and Trustee Levine will go to Matthew Lane either tomorrow (2/13) or Wednesday (2/14) and take a look to see what can be done.

Trustee Daoust stated that the Heroes Banner Committee is in phase III of their project. Every 2 years the banners get renewed. Everything is going well. If someone purchased a banner, it was good for 2 years, then if they want to renew it is a fraction of the cost at \$50.00. the Field of Flags project is in step II. The past Commander of the Coxsackie American Legion Post, Ronald Daoust, would be happy to see this project move forward, as this was his dream to see it done. The committee has received applications for about 42 flags already. They cost \$35.00 and will be flown from Memorial Day to July 5th on the front lawn of the old Elm Street school building. It is not just for Coxsackie veterans; it can be for anybody that is currently serving etc. The applications can be picked up at the Village Office, and it is also on the Village website.

Mayor Evans stated that present tonight are Joseph and John Morreale to discuss a potential cannabis dispensary at 245 Mansion Street. Joe Morreale has several business interests including a bagel company over in Hudson that has been very successful. Mr. Morreale is looking for a letter of support to supplement his application and was willing to come and present to the Village. The location they are interested in is currently where the Cask and Rasher is located.

Joe Morreale stated that he is working alongside his son, John Morreale, and started about 4-5 years ago. They have been moving through the entire process, and now they are to the point where they need a location. They like the village, and are trying to finalize a deal for the location at 245 Mansion Street. He wants to make sure he follows all guidelines, rules, and regulations. He has been investing in cannabis for a few years now, and is a part of a big grower and dispensary out in Las Vegas. They have seen crowds at their other location of between 150 people to a few hundred people a day sometimes. So, he understands that they would have to be conscious of their neighbors. Although the influx of people would be good for the merchants in the area, some people wouldn't like if there were issues with blocked streets, doorways, etc. That is why they are trying to be very cautious about where they go. They would need to make sure that they have enough parking. Once they finalize a spot, they will let the Board of Trustees know, and if the Village approves, then they will move forward.

Mayor Evans stated that they also recently moved to the Village and are renting 59 Mansion St., until they can build or buy something. He said that he did look up some of the regulations today, and obviously the Village Attorney will advise the Board in anything that will have to be addressed if this goes forward, but once these gentleman put in a formal complete application to the cannabis board that includes a signed lease etc., there is a process where the Village is formally notified. It is either by certified mail, or in person to the Village Clerk. That is the trigger that the Village Board can then start their process to review. Mayor Evans stated that he happened to attend the NY Conference of Mayor's (NYCOM) winter meeting recently, and one of the sessions was an update on cannabis. It was very interesting. There were a lot of Mayors there commenting, not so positively, about the cannabis board, and the lack of information that they could get on an applicant. Someone said that there was something like 4,000 applications pending.

Joe Morreale stated that there were something like 10,000 applications submitted, they approved about 3,700, and they are currently number 166 on the list. So, they are feeling confident that they will get approval. He had opened a hemp license for his daughter years ago that has always been in good standing. The way that the NY Office of Cannabis Management (OCM) rolled out the whole program was horrible. The problem is that they have all of the cultivators out there that had to grow for the last year and a half, and then these farmers lost their wages for hemp and went bankrupt. They put the cart in front of the horse, and now they are trying to fast track on getting these licenses out. He said that their part is all done, the only thing that they need is the location, and a Certificate of Occupancy (CO), and then they can start business. They also looked at another potential building at 370 Mansion Street in the Town of Coxsackie.

Mayor Evans stated that Greene County owns that building. However, he has word that it is going up for auction next month.

Trustee Levine stated that it sounds like they have been looking at the current Cask and Rasher location, and he was wondering if they would utilize the entire building or just a portion.

Jose Morreale stated that it would be the entire building. The current owner, Jarrett Lane, is trying to work out some logistics before giving up that space to them. He said that his only problem is that time is not on his side. They only have 30 days to find a location. Otherwise, they lose their spot of 166 on the list. He doesn't want that to happen after being in this for 4 years.

Mayor Evans stated that he read in the regulations today, that once the Village is notified, and they get the information they need, there is a 30 day review period where the Board can discuss any issues that they feel might come up. One of the issues in West Coxsackie is parking. There is a lot of parking behind that building, but not so much in front.

Trustee Irwin stated that she knows that they are not talking about a specific location yet, but if they are looking at 245 Mansion Street, she wonders if they could make it one of those locations that have a rear entrance. This would kind of force people to utilize the parking back there.

Mayor Evans stated that the Board will have the opportunity to review and make comments.

Joe Morreale stated that the business could have foot traffic of a couple hundred people a day.

Trustee Irwin asked if she understood correctly that the business name is "Gentlemen's Cannabis".

Joe Morreale stated that the business name is "Gentlemen's Hemp, LLC".

Trustee Irwin stated that she just wants to know what security is required.

John Morreale stated that the State sets complete regulations such as what security cameras need to be installed, how many pixels there are on the cameras inside, how many angles need to be covered, safe rooms, locked rooms, breakrooms, etc.

Trustee Irwin asked if there is anything visually on the exterior that is required. She knows that that is part of the requirement for those that are seeking to grow, so she wants to know what is required for dispensaries.

John Morreale stated that the colors of their signage, logo, and branding has to not be appealing to kids, no bright colors, no flashing lights, and no neon lights. Other than that, the appearance would be regular storefront, brick, and mortar.

Joe Morreale stated that they are going to try and keep the theme similar to how Apple is with black and white. Very plain, but nice looking.

Trustee Daoust stated that he understands that they will be dispensing cannabis, but asked if there would be rooms where people would smoke on location.

Joe Morreale stated that that is what they would like to see. A dispensary as well as a place for consumption.

Sharon Riley asked if there has already been public input on this.

Mayor Evans stated that there has not been public input on this yet. If they get to the point where they obtain a lease for property in the village, and submit a complete application, then the Village will get notified officially from the State, and then at that point there will be a window for the Board to comment on it and address any issues they have, such as parking, signage, etc.

Trustee Irwin asked if there had to be Public Hearings held regarding this.

Mayor Evans stated he is not sure. From what he read today, he did not see anything stating that Public Hearings had to be conducted, but he would consult with the Attorney when that time comes.

Joe Morreale asked who he would speak to regarding the old bank building that will be going up for auction at 370 Mansion Street.

Mayor Evans stated that he can send Mr. Morreale contact information for Shaun Groden, the County Administrator. He might just refer him to the section on the County website where they post auction information. Mr. Groden said that it should be up for auction next month. Mayor Evans stated that he is sure that Mr. Groden can give him the details. Unfortunately, that is outside of the village, and is located in the Town of Coxsackie.

No further public comments were offered.

A motion to adjourn the Board meeting was made by Trustee Daoust and seconded by Trustee Levine. Trustee Daoust voted yes. Trustee Irwin voted yes. Trustee Levine voted yes. The motion carried.

The meeting was adjourned at 7:32 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Nikki Berezna", written in black ink. The signature is fluid and extends across the width of the page.

Nikki Berezna
Clerk