

**VILLAGE OF RED HOOK
VILLAGE BOARD SPECIAL MEETING
August 31, 2021**

Present: Mayor Karen Smythe, Deputy Mayor Bent Kovalchik, Trustee Charlie Laing, Trustee William Noonan and Trustee Melkorka Kjarval.

Mayor Smythe opened the special meeting at 7:00pm asking for all to take a moment for everyone in Louisiana affected by the hurricane and with encouraging all to get vaccinated.

Mayor Smythe said there are two items for discussion this evening:

Mayor Smythe advised that Christopher Montalto is currently our special prosecutor for traffic violations and she has spoken with him about the issue and he has agreed to handle if appointed; and that this issue is specific to a noise complaint, and if the Village does not have a special prosecutor the noise complaint could be thrown out. This will allow for the procedure to continue as opposed to not even being considered.

Trustee Laing asked if we had anybody in this position before. Mayor Smythe said no and only on an as-needed basis.

Mayor Smythe made a motion to adopt Resolution #17-2021. Motion seconded by Deputy Mayor Kovalchik.

RESOLUTION # 17 -2021

BE IT RESOLVED, that the Board of Trustees of the Village of Red Hook hereby appoints Christopher Montalto as special prosecutor for Village Code violations for a cost not to exceed \$1,000.00 to serve upon receipt of authorization from the District Attorney of Dutchess County to so act.

Trustee Noonan asked if this involves complaintants from the last court case he sat in on. Mayor Smythe advised this was one specific complaintant and others were present who sat in and gave their perspective.

All in favor. Motion approved.

Mayor Smythe said the second is an Article 78 proceedings that has been filed by Nick Sperry of 28 Prince Street and is a Zoning Board of Appeals matter. The Village was served last week.

Trustee Laing asked for details and Mayor Smythe advised she did speak with Attorney Polidoro and an Article 78 is related to the decision of the ZBA and there are two measures you can challenge; the first being procedure; the second the decision to confirm that it was rational, supported and not arbitrary.

Mayor Smythe advised that she asked Attorney Polidoro what the expected expense will be and was advised between \$10,000-\$12,000. Budget was discussed.

Trustee Kjarval made a motion to adopt Resolution #18-2021. Motion seconded by Deputy Mayor Kovalchik.

RESOLUTION # 18 - 2021

BE IT RESOLVED, that the Board of Trustees of the Village of Red Hook hereby authorizes the Mayor to engage the firm of Rodenhausen, Chale & Polidoro, LLP to serve as Special Counsel for the Sperry ZBA Article 78. The engagement letter, establishing rates and terms, is attached.

All in favor. Motion approved.

Deputy Mayor Kovalchik made a motion to adjourn the Special Meeting at 7:20pm. Motion seconded by Trustee Kjarval. All in favor.

Submitted by,

Lara Hart
Village Clerk

Note: Lara Hart was not present and prepared minutes by recorder.