

VILLAGE OF FORT EDWARD PUBLIC HEARING OF OCTOBER 5, 2009

MAYOR TRAVER CALLED PUBLIC HEARING TO ORDER AT 6:38PM.

ROLL CALL: Mayor Traver, Trustees Forte, Williams, Boucher, and DeVoe.

ALSO PRESENT: Clerk Ives, Code Enforcement Officer D. Armando, Attorney M. Fuller, Sgt. J. Derway, K. Stimpson – Highway Supt.

OTHERS PRESENT: J. Mullen, J. Thatcher – Avalon Associates, M. Chester, H. Boucher.

THESE ARE NOT OFFICIALLY ADOPTED MINUTES AND ARE SUBJECT TO BOARD AND STAFF REVISIONS. ANY REVISION WILL APPEAR ON THE FOLLOWING MONTHS MINUTES AND WILL STATE SUCH APPROVAL OF SAID MINUTES.

The purpose of the public hearing is to hear public comment on the following proposed Local Laws.

- 1) Adoption of Local Law to repeal Local Law #1-2000 and known as Chapter 26 of the Village Code, Providing for the maintenance of brush, grass and weeds in the Village of Fort Edward.
- 2) Adoption of Local Law concerning the maintenance of brush, grass, and weeds in the Village of Fort Edward.
- 3) Adoption of Local Law to amend certain provisions of the Village of Fort Edward Site Plan Review Law concerning submittals.
- 4) Adoption of Local Law to amend certain provisions of the Village of Fort Edward Land Subdivision Regulations concerning submittals.

Mayor Traver asked the board members if they have any comments in regard to the height requirements and the removal of grass, weeds, and brush from the street and adjoining property lines.

The Mayor feels that the grass should be a height of 10 inches with a depth of 15 feet from the street and 12 feet from the adjoining property lines.

Trustee DeVoe asked where the figures came from – the Mayor said that these are the figures he came up with. He had asked the board members to give their input.

Trustee Williams said he has researched this and some municipalities have a height of grass from 8” to 18”.

Trustee Williams told the board he has concerns regarding the definition of improved property. This law does not apply to all properties in the Village.

Trustee Williams feels that if a property has not been improved in 9 to 10 years it should be considered an unimproved property.

The code states that improved property is property, which has an existing structure on it.

The board discussed the issues regarding improved property and not improved property.

Attorney Fuller said that there should be some guidelines in the code to address the issues of improved or unimproved property.

Trustee Williams said the reason for this addition to the code is to address the properties, which have rats running into other neighboring properties.

Trustee Williams feels that there are properties in the village that have never been improved and there are structures on them.

Some people like the privacy of having property that borders them that is not maintained.

Trustee DeVoe asked what the new definition of improved property?

Trustee Williams said that if that if a property has been maintained in the last 10 years it should be labeled an improved property – if not it should be an unimproved property.

Attorney Fuller said that the reason why there is this changes is that just because someone has not maintained their property for over 10 years the Village may want them to maintain their property because it is a hiding place for all kinds of animals and because of the chance of grass fires in residential neighborhoods.

Trustee Williams said that there is parcels of land in the village that a structure is on surrounded by land that the owner is unable to maintain. How are we to enforce this?

Trustee Boucher commented that as far a vermin on vacant lots – up in his neighborhood on Harrison Street he has trapped more than a dozen woodchucks in his area and there are no vacant lots in his neighborhood. He feels that the woodchucks are not afraid of the cats in the neighborhood. He feels that woodchucks plague the village this year.

Trustee Boucher asked what the setbacks are on the village streets –

Mayor Traver said that the village owns approximately 25' from the center of the road.

Mayor Traver commented that there are a number of houses in the village that the properties are not maintained.

He feels that there should be a setback established on properties to be maintained.

He agrees with Trustee Williams in regard to the properties in the village that have large lots and only maintain a third of the property but some regulations need to be in place regarding setbacks from the street and adjoining property owners.

He commented on the 10 inches for mowing – this is the number, which is on the books currently. To get to 10" – that's a lot of grass.

Trustee DeVoe asked about the 15' from the street – many of the properties on Broadway – the distance between the curb and the property line is usually 15'.

Mayor Traver said that it is from the curb in – which is to be expected to be maintained by the homeowner.

A discussion between the board members regarding the distances to be used for the setbacks from the street.

Code Enforcement Officer Armando asked if maybe the issue of dead trees on property could be addressed in this code.

At the present time the issue of dead trees are not addressed and he is dealing with two different properties now.

PUBLIC COMMENT –

The Mayor explained to those present that the Village is looking to establish setbacks on property maintenance.

M. Chester – 1662 State Route 9, SGF – spoke on behalf of her parents

She told the board that she rode around the village for about a ½ hour and showed pictures of overgrown brush in the village.

She said that about half of the people who live in the village have adjoining property with overgrown brush.

This is a lot of property that owners have to maintain.

She offered to show the pictures to the board.

This is a large undertaking for someone to take care of overgrown property violations throughout the village for property that is not being used. It would have to be a full time position.

She commented on the Canal property, which borders her family's property.

She said that the village owns the property that borders their property and they do not maintain the village property. She said she has multiple pictures of the canal property.

She feels that there are a lot of issues that need to be considered before the law is finalized.

Ms. Chester commented that as far as her family's property goes – there could be a house sitting there if the Village didn't stop it.

Mayor Traver said that nothing is stopping them to peruse this – the village has given them an easement for a right-of-way to access the property.

H. Boucher – 303 Andrew Lane – said that their property on Canal Street could be a maintained lawn with a house on it.

Just because the property has access – what can they do with it exactly? Could a house be built there?

The Mayor said sure.

M. Chester said she feels that this must be done fairly.

Trustee DeVoe said that the fact that she has so many pictures means that it is important that some regulations need to be in place.

H. Boucher said that one-half of the village is overgrown – Mayor Traver said your right – There have not been tools in place to address these issues.

H Boucher said that the village is not going to be able to do this –Mayor Traver said it takes time.

H. Boucher said commented on the property on Rogers Street that has been overgrown forever.

Trustee Williams said that this is the property that borders his property and the point he has been trying to make.

H. Boucher said that if people have complaints about property that are not maintained maybe they should purchase the property.

H. Boucher said that you can't force people to do with their property that their neighbors want them to do except keep them from health conditions.

Mayor Traver said that maybe cutting back away from the sidewalk, the street, and the adjoining property lines this would keep some of the vermin away.

Mayor Traver said that maybe not maintain the entire piece of property but at least away from the road and adjoining property.

M. Chester commented on the property that borders along Delsignore Lane is overgrown with sumac. That needs to be maintained.

D. Armando said that property is owned by the village and is a right-of-way. There is a 20-foot strip of land the village owns.

M. Chester said so the village would have to maintain this?

Trustee Williams said that this brings us back to the issue of improved or unimproved property. If property has not been improved in the last 5 years it should be considered unimproved property. I don't feel that it can be regulated.

Trustee Williams view is that you can't make people cut trees and grass on property that has forever been that way.

Mayor Traver said there are many lots in the village that are undeveloped.

Trustee Williams said that this is not an issue of neighbor vs. neighbor fights. The reason for the change in the code is because property values are crashing due to the fact that the neighbor adjoining you has grass that is not maintained. This would affect the sale of the property that adjoins.

D. Armando said that where he lives on Delsignore Lane he keeps his property maintained up to his lines but the neighbors on three sides of him do not and he likes it. I like the seclusion.

Trustee Williams agrees with him.

D. Armando said that when brush grows over his line he trims it back himself. I do this once a year.

A general discussion was held in regard to the brush and grass law among the board members.

Mayor Traver said that there needs to be a definite definition in place as far as the distance from the road, and adjoining property on improved property.

The issue amongst the board members is what are an improved property and an unimproved property.

Mayor Traver told the public that since the numbers are not in place for this meeting the Local Law could not be adopted.

Mayor Traver said that the height of the grass could stay at 10 inches.

Trustee DeVoe said that the area between the sidewalk and the curb needs to be taken into consideration.

Attorney Fuller said that he feels that property that does not border a street or sidewalk and is considered forever wild would be hard to regulate around.

Also, if you use a property line that may bring up a dispute between adjoining owners as to where the property line is.

Attorney Fuller said that there is always going to have to be some discretion built into this law.

Trustee Boucher asked about Section 5 of this proposed law – which states:

Section 5. Costs and Assessment.

The cost of cutting, trimming or removing such brush, grass or weeds shall constitute a lien and charge upon the real property involved until paid or otherwise satisfied or discharged and shall be collected by the Village Treasurer in the manner provided by law for the collection of taxes. The Village Board of Trustees shall, from time to time, establish, by resolution, the method by which the cost shall be determined and shall include the power to establish minimum costs.

Trustee Boucher said that in most instances the village cannot go onto other peoples property to mow – it illegal.

Attorney Fuller said a notice must be sent before they proceed.

Trustee Williams said that they do in other communities and bill the owner.

Trustee Boucher asked if this is done for snow – Mayor Traver said we should.

Mayor Traver asked what the board feels –

Ten (10) inches for grass & weeds.

Fifteen (15) feet from any sidewalk

Twenty-five (25) feet from any pavement (if no sidewalk exists)

Attorney Fuller asked if the board wants to put twelve (12) feet from any lot line.

Trustee Williams said that if it is not an improved lot they should not have to do anything. He feels just because there is a building on the property it is not necessarily an improved lot.

A discussion of the questions of property lines of homeowners.

Trustee Williams said that if someone can use this as a weapon they will and the village will be in the middle of it all.

D. Armando said that property line disputes are a civil matter. But this does not make the violation disappear.

D. Armando told the board that of a fence dispute he had on Brightwood Street. He was able to address by finding a copy of a map.

Trustee Boucher said that the major issue now is what is developed property and what is not.

Trustee Williams said he would like to see a definition of an improved and an unimproved property.

Once that is in place we can finish this law.

Trustee Boucher mentioned property on East Street that is owned by the Railroad – this is unimproved property that borders a street. I would like to see the grass mowed back fifteen (15) feet.

Attorney Fuller said that there are many properties on East Street around Pallets. The village cannot expect them to mow a distance around this.
Trustee Williams said again if it has not been developed in five (5) years or ten (10) years it should be considered an unimproved lot.
Trustee DeVoe said that you are giving property owners permission to leave it like this all around the village.
Trustee Williams feels that it is unrealistic to address all these properties.

Trustee Boucher said there are many properties that are less than 15 feet from the sidewalk - so we are looking to maintaining all their property.

Mayor Traver that this law is on hold until the definition of improved and unimproved property can be addressed.
Trustee DeVoe said in the assessment books you have vacant land and land that has a structure on it.

Mayor Traver said that something needs to be in place to protect property owners.
Trustee Williams said that it makes no sense to go after property owners who have not improved their property for years.

M. Chester brought up other examples of properties with overgrown brush & trees.
Mayor Traver said there is still an issue of people not taking care of their properties.

Mayor Traver said he totally understands where everyone is coming from regarding the lots that haven't been maintained. Some of the lots need to be defined.

Trustee Williams said that we could address this once the definition is in place.

Mayor Traver said that some rule needs to be in place – maybe the size of the lot. Something needs to be in place to address the issues of the complaints.

Attorney Fuller said he would look into this and write something up for the board to review.
Trustee DeVoe asked Attorney Fuller if he could write something for the snow & sidewalk code.
The clerk read the proposed Local Laws for subdivision and site plan review.

No other public comment –

Motion by Trustee Williams seconded by Trustee DeVoe to adjourn public hearing at 7:30PM.

ALL AYES

Dated – October 7, 2009

Patricia Ives, Clerk

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VILLAGE OF FORT EDWARD REGULAR MEETING OF OCTOBER 5, 2009

MAYOR TRAVER CALLED MEETING TO ORDER AT 7:31pm

ROLL CALL: Mayor Traver, Trustees Forte, Boucher, DeVoe, and Williams.

ALSO PRESENT: Clerk Ives, Code Enforcement Officer D. Armando, Attorney M. Fuller, Sgt. J. Derway, K. Stimpson – Highway Supt.

OTHERS PRESENT: J. Mullen, J. Thatcher – Avalon Associates, M. Chester, and H. Boucher

Motion by Trustee Williams seconded by Trustee Forte to approve the minutes of the following meeting:

Regular Meeting of September 8, 2009
Special Meeting of September 28, 2009

ALL AYES

REPORTS

Trustee Devoe asked D. Armando on the status of 61 Seminary Street.
D. Armando said that he would be doing an inspection on the property before anyone moves in.
Mayor Traver said this must meet all codes.
Trustee Williams said he is receiving numerous reports from neighbors regarding the people who have been living there.

Trustee DeVoe asked D. Armando the status on the fence on Center Street.
D. Armando said that the chicken wire has been removed.

Mayor Traver explained to the other board members that the property owners put a six (6) foot fence around their property and then chicken wire on top.

Trustee DeVoe asked Sgt. Derway about BOCES on Washington Street.
Mayor Traver said that Chief Sandford met with Mr. Blanchfield from BOCES and everything is being worked out.
They are hiring other personnel to do security.

Trustee DeVoe asked about the situation regarding child endangerment. He said that the person involved has gone to State Prison.

Mayor Traver asked Attorney Fuller about the annexation of Rogers Island.
Attorney Fuller told the board that he received a quote from Van Duesen & Steves to prepare the survey of the property to be annexed in the amount of \$3850.00. We were unsuccessful in obtaining any additional quotes.

Mayor Traver asked what the time frame is to have the survey done – Attorney Fuller said six (6) weeks.

Trustee DeVoe said that she believes that a survey was done years ago by the Nastasie Family.
Mayor Traver said that he would contact the Fuller's or Attorney Dworkin to see what information they have to help the process for the annexation.
Trustee Williams commented on how nice the fence looks on Notre Dame Street.

Motion by Trustee Boucher seconded by Trustee DeVoe to approve the reports from the following departments:

Clerk-Treasurer, Water Supt., and Code Enforcement Officer, Police Chief, Village Justice, Highway Supt.,

ALL AYES

Motion by Trustee DeVoe seconded by trustee Forte to adopt **Resolution #37**, which states:

WHEREAS, the Fort Edward Village Board does hereby enter into an agreement with Washington County for participation in the State Snow & Ice Control Program for the winter season 2009-2010.

ALL AYES

Motion by Trustee Forte seconded by Trustee Boucher to authorize the clerk to pay the following:

General Fund	16583.43
Water Fund	4586.47
East Street Grant -	37780.26

2007 CDBG -	52285.53
Air Stripper -	5561.31
Paid before Audit	
General -	6821.91
Water -	3209.39

ALL AYES

Motion by Trustee Boucher seconded by Trustee Williams to adopt **Resolution #38**, which states:

WHEREAS, the Fort Edward Village Board does hereby approve the hiring of Robert Evans as Crossing Guard at a rate of pay of \$8.50 per hour.

ALL AYES

Motion by Trustee Forte seconded by Trustee DeVoe to adopt **Resolution # 39**, which states:

A LOCAL LAW AMENDING CERTAIN PROVISIONS OF CHAPTER 77 OF THE CODE OF THE VILLAGE OF FORT EDWARD CONCERNING THE SUBDIVISION OF LAND

Be it enacted by the Board of Trustees of the Village of Fort Edward, as follows:

SECTION 1. Authority.

The Local Law is adopted pursuant to the authority vested in the Board of Trustees of the Village of Fort Edward pursuant to Municipal Home Rule Law section 10 of the State of New York.

SECTION 2. Purpose.

The Board of Trustees finds that to better effectuate the purposes and intentions of the Village laws concerning the subdivision of land and to ensure that the members of the Planning Board of the Village receive pertinent information in a timely manner to allow for a comprehensive review of the applications before the Planning Board certain amendments to the existing law entitled “Village of Fort Edward Land Subdivision Regulations” are necessary and proper to promote the safety, health, protection and general welfare of the persons and property in the Village of Fort Edward.

SECTION 3. Amendments.

The Village of Fort Edward Land Subdivision Regulations of the Village is hereby amended as follows:

a. Section 77-13 concerning “Sketch Plan” shall be repealed in its entirety and replaced as follows:

Any owner of land shall, prior to subdividing or resubdividing land, submit to the Chairman of the Planning Board by the first day of the month prior to the regular meeting of the Board eight (8) copies of a sketch plan of the proposed subdivision, which shall comply with the requirements of Article VIII, Design Standards.

b. Section 77-20 concerning “Copies of Plat” shall be repealed in its entirety and replaced as follows:

Eight (8) copies of the preliminary plat shall be presented to the Chairman of the Planning Board by the first day of the month prior to a regular monthly meeting of the Planning Board.

c. Section 77-23 concerning “Time of Official Submission” shall be repealed in its entirety and replaced as follows:

The time for submission of the preliminary plat shall be considered to be the date of the regular monthly meeting of the Planning Board, by the first day of the month, prior to which the application for conditional approval of the preliminary plat, complete and accompanied by the required fee and all data required by Article VII, has been filed with the Chairman of the Planning Board.

d. Section 77-28 concerning “Copies of Plat” shall be repealed in its entirety and replaced as follows:

A subdivider intending to submit a proposed subdivision plat for the approval of the Planning Board shall provide the Chairman of the Planning Board with a copy of the application and three (3) copies of the plat, the original and one (1) true copy of all offers of concessions, covenants and agreements and two (2) prints of all construction drawings by the first day of the month prior to the regular monthly meeting at which it is to be officially submitted.

a. Section 77-29 concerning “Time for Official Submission” shall be repealed in its entirety and replaced as follows:

The time of submission of the subdivision plat shall be considered to be the date of the regular monthly meeting of the Planning Board, by the first day of the month, prior to

which the application for approval of the subdivision plat, complete and accompanied by the required fee and all data required by Article VII of these regulations, has been filed with the Chairman of the Planning Board.

SECTION 4. Section Numbering.

The section numbering contained herein is used for the adoption of this Local Law. Upon incorporation of the foregoing into the next revision of the Code Book of the Village of Fort Edward, the foregoing section and/or paragraph numbering may be amended by the publisher upon final publication.

SECTION 5. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 6. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State.

ALL AYES

Motion by Trustee DeVoe seconded by Trustee Williams to adopt **Resolution #40** (Local Law #5), which states:

ENTITLED: A LOCAL LAW AMENDING CERTAIN PROVISIONS OF CHAPTER 77 OF THE CODE OF THE VILLAGE OF FORT EDWARD CONCERNING THE SUBDIVISION OF LAND

WHEREAS, by Resolution No. 7 of 2009, duly adopted by the Board of Trustees, a public hearing was scheduled to be held before the Board of Trustees on October 5, 2009 at 6:30 p.m. at the Offices of the Village of Fort Edward to hear all interested parties on a proposed local law amending certain provisions of Chapter 77 of the Code of the Village of Fort Edward concerning the subdivision of land; and

WHEREAS, notice of said public hearing was duly posted and then published in the official newspaper of the Village on September 14, 2009, pursuant to Municipal Home Rule Law; and

WHEREAS, said public hearing was duly held before the Board of Trustees on the 5th day of October, 2009 at 6:30 p.m. at the Offices of the Village of Fort Edward and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the proposed local law.

NOW, THEREFORE BE IT RESOLVED by the Board of Trustees as follows:

Section 1. The Board of Trustees, upon due deliberation of the proposed local law finds that the adoption of the same is in the best interests of the Village.

Section 2. The local law entitled "A Local Law Amending Certain Provisions of Chapter 77 of the Code of the Village of Fort Edward Concerning the Subdivision of Land" is hereby adopted, a copy of which is attached hereto and made a part hereof.

Section 3. The consideration and proposed adoption of this Local Law is an action under the New York State Environmental Quality Review Act (SEQRA). The Board of Trustees hereby declares that this action is a Type II action pursuant to 6 NYCRR 617.5(20) and (27) and declares that the action does not have a significant impact on the environment and the action is hereby precluded from further environmental review.

Section 4. Pursuant to and in accordance with the Municipal Home Rule Law, the Village Clerk is hereby directed to enter Local Law 7 of 2009 into the minutes of this meeting and file the same with the Office of the Secretary of State of the State of New York.

Section 5. This resolution shall take effect immediately.

ALL AYES

Motion by Trustee Boucher seconded by Trustee Williams to adopt **Resolution #41** which states:

A LOCAL LAW AMENDING CERTAIN PROVISIONS OF CHAPTER 100 OF THE CODE OF THE VILLAGE OF FORT EDWARD CONCERNING SITE PLAN REVIEW

Be it enacted by the Board of Trustees of the Village of Fort Edward, as follows:

SECTION 1. Authority.

The Local Law is adopted pursuant to the authority vested in the Board of Trustees of the Village of Fort Edward pursuant to Municipal Home Rule Law section 10 of the State of New York.

SECTION 2. Purpose.

The Board of Trustees finds that to better effectuate the purposes and intentions of the Village laws concerning site plan review and to ensure that the members of the Planning Board of the Village receive pertinent information in a timely manner to allow for a comprehensive review of the applications before the Planning Board certain amendments to the existing law entitled "Village of Fort Edward Site Plan Review Law" are necessary and proper to promote the safety, health, protection and general welfare of the persons and property in the Village of Fort Edward.

SECTION 3. Amendments.

The Village of Fort Edward Site Plan Review Law of the Village is hereby amended as follows:

e. Chapter 100, Article III-A, Section 3 concerning "Application for Site Plan Approval" shall be repealed in its entirety and replaced as follows:

To apply for site plan approval, an applicant shall complete a site plan application form. The application shall be submitted to the Village Clerk by the first day of the month prior to the regularly scheduled meeting and shall be accompanied by all fees and data required by Article D, Section 4 of these regulations.

f. The first sentence of Chapter 100, Article III-A, Section 4(a) concerning "Site Map" reading "The plat to be filed with the Village Clerk." shall be repealed in its entirety and replaced as follows:

Eight (8) copies of the plat are to be filed with the Village Clerk.

SECTION 4. Section Numbering.

The section numbering contained herein is used for the adoption of this Local Law. Upon incorporation of the foregoing into the next revision of the Code Book of the Village of Fort Edward, the foregoing section and/or paragraph numbering may be amended by the publisher upon final publication.

SECTION 5. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 6. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State.

ALL AYES

Motion by Trustee Williams seconded by Trustee Forte to adopt **Resolution #42** (Local Law#6) which states:

RESOLUTION AUTHORIZING THE ADOPTION OF LOCAL LAW NO. 6 OF 2009 ENTITLED: A LOCAL LAW AMENDING CERTAIN PROVISIONS OF CHAPTER 100 OF THE CODE OF THE VILLAGE OF FORT EDWARD CONCERNING THE SITE PLAN REVIEW LAW

WHEREAS, by Resolution No. 30 of 2009, duly adopted by the Board of Trustees, a public hearing was scheduled to be held before the Board of Trustees on October 5, 2009 at 6:30p.m. at the Offices of the Village of Fort Edward to hear all interested parties on a proposed local law amending certain provisions of Chapter 100 of the Code of the Village of Fort Edward concerning the Site Plan Review Law; and

WHEREAS, notice of said public hearing was duly posted and then published in the official newspaper of the Village on September 14, 2009, pursuant to Municipal Home Rule Law; and

WHEREAS, said public hearing was duly held before the Board of Trustees on the 5th day of October, 2009 at 6:30 p.m. at the Offices of the Village of Fort Edward and

all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the proposed local law.

NOW, THEREFORE BE IT RESOLVED by the Board of Trustees as follows:

Section 1. The Board of Trustees, upon due deliberation of the proposed local law finds that the adoption of the same is in the best interests of the Village.

Section 2. The local law entitled “A Local Law Amending Certain Provisions of Chapter 100 of the Code of the Village of Fort Edward Concerning the Site Plan Review Law” is hereby adopted, a copy of which is attached hereto and made a part hereof.

Section 3. The consideration and proposed adoption of this Local Law is an action under the New York State Environmental Quality Review Act (SEQRA). The Board of Trustees hereby declares that this action is a Type II action pursuant to 6 NYCRR 617.5(20) and (27) and declares that the action does not have a significant impact on the environment and the action is hereby precluded from further environmental review.

Section 4. Pursuant to and in accordance with the Municipal Home Rule Law, the Village Clerk is hereby directed to enter Local Law 6 of 2009 into the minutes of this meeting and file the same with the Office of the Secretary of State of the State of New York.

Section 5. This resolution shall take effect immediately.

ALL AYES

A letter was received from BOCES who are renting the former St. Joseph’s School, to use the parking lot on East Street for parking for their employees.

Trustee DeVoe said that she feels the parking lot should be used for businesses in the downtown area.

Trustee Williams told everyone the reason the village has the parking lot is because the Village removed the former house that was there.

K. Stimpson told the board that they should be aware that parking lots are plowed last in the village during the winter months.

Mayor Traver talked to someone at BOCES and told them that there are no guarantees in the lot because it is a public lot and open to all residents.

A discussion was held in regard to the cobra lights not being removed where the decorative lights on Broadway are.

After numerous attempts of contacting John Murphy (National Grid) the Mayor asked Attorney Fuller to check into the removal.

Trustee DeVoe told the board about the Rogers Island Visioning Grant –

She presented three (3) different plans for the island-

Each plan has five (5) or six (6) different components – she encouraged all those present to please review each plans and comment.

Trustee Williams told those present that when he attended the meeting he counted and have the twenty-five (25) people present only about five (5) percent were Fort Edward residents.

The Village would like to see develop the island at the tip for future tax base.

Mayor Traver said that both the Town & Village is in agreement for the development of the island. This is one of the reasons the tip of the island needs to be annexed into the village.

Mayor Traver told the board that he had spoken to the person in charge at the BOCES and said that there are no guarantees and that it is a public parking lot.

K. Stimpson said that parking lots are the last to get plowed during the winter months and they should be made aware.

The board also said that maybe BOCES could help with the plowing.

Mayor Traver said that after numerous attempts in talking with John Murphy (National Grid) to remove the cobra lights on Broadway – he would like the village attorney to send Mr. Murphy a letter.

Trustee DeVoe told those present about the Rogers Island Visioning Grant meeting she and Trustee Williams attended last week.
She presented to the public three (3) different plans with five (5) or six (6) components each.
She would like those present to review the plans and make comments.
The comment period open for ten (10) or more days.

Trustee Williams told the board that of the twenty-five (25) people present only about five (5) percent were from Fort Edward.
All of those from outside the village do not want the island to be developed.

The village would like to develop the island for future tax base.

Mayor Traver told those present that Neal Orsini is in agreement with the village and Town for future development.

This is one of the reasons the island needs to be annexed to the village.

H. Boucher asked was J. Durrler input at the meeting valuable.
Trustee DeVoe said that his comments were one of the comments they listed.
The comments that both Trustees had were not listed.
Trustee DeVoe told that there is funding through the EPF if there is support.

Mayor Traver told the board that he sent a letter to T. Kruppenbacker of General Electric in regard to the water line under the river.
At the present time General Electric is planning to put a 6" line over to the tip of the island.
The Mayor asked that when they put the 6" line could they also put a communication line and a sewer line as well.
This would make the tip of the island developer friendly.

Motion by Trustee Boucher seconded by Trustee Forte to adjourn into executive session to review cost estimates for the new DPW Garage at 8:10PM.

ALL AYES

Motion by Trustee DeVoe seconded by Trustee Williams to adjourn executive session and return to regular meeting at 9:38PM.

ALL AYES

Motion by Trustee DeVoe seconded by Trustee Boucher to adjourn meeting at 9:53PM.

ALL AYES

Dated – October 8, 2009

Patricia Ives, Clerk

