

VILLAGE OF FORT EDWARD ORGANIZATIONAL MEETING OF APRIL 5, 2010

MAYOR TRAVER CALLED MEETING TO ORDER AT 6:30PM.

ROLL CALL: Trustee Williams, Trustee DeVoe and Mayor Traver

OTHERS PRESENT: Clerk Ives, Village Justice Malvuccio

ALSO PRESENT: Tom Cummings.

AT THIS TIME VILLAGE JUSTICE MALVUCCIO DID THE OATH OF OFFICE TO THE TWO (2) VILLAGE TRUSTEES THAT WERE ELECTED AT THE MARCH 16TH VILLAGE ELECTION.

TRACY CONON WAS ALSO ELECTED AND WILL BE SWORN IN WHEN HE RETURNS FROM VACATION ON APRIL 13TH.

Motion by Trustee Williams seconded by Trustee DeVoe to adopt **Resolution #66** which states:

WHEREAS, the Fort Edward Village Board does hereby approve the following appointments for fiscal year 2010-2011:

Acting Village Justice-----	James Richardson
Animal Control-----	Safe Haven
Attorney-----	Matthew Fuller
Code Enforcement Officer-----	Dave Armando
Crossing Guard-----	John Malvuccio
Crossing Guard-----	Robert Evans
Depository-----	Glens Falls National Bank
Deputy Mayor-----	Peter Williams
Engineer-----	Vision Engineering
Historian-----	R. Paul McCarty
Recreation Director-----	James Donahue
Registrar-----	Linda Miles, Town Clerk
Mileage Reimbursement-----	\$.45 per Mile
Newspaper-----	Post Star
Regular Meeting Date-----	First Monday of Month @ 7:00pm
Tax Search Fee-----	\$ 2.00 per Year
Water Tap Fee-----	Actual charges – Minimum \$350.00
Variance Fee-----	\$ 50.00
Petty Cash, Treasurer-----	\$ 50.00
Petty Cash, Justice-----	\$ 100.00

COMMITTEES:	Building-----	DeVoe, Carpenter
	Police-----	Williams, Carpenter
	Recreation-----	Williams, Conlon
	Street-----	DeVoe, Williams
	Water-----	Carpenter, Conlon
	Heritage Day -----	DeVoe, Carpenter
	HUD Review-----	Conlon, DeVoe & Stimpson

ALL AYES

Trustee DeVoe asked about the Life Committee – Mayor Traver appointed Trustee DeVoe and Trustee Conlon to the Life Committee.
Motion by Trustee Williams seconded by Trustee DeVoe to amend Resolution #66 to include the Life Committee. ALL AYES

Motion by Trustee Carpenter seconded by Trustee DeVoe to adopt Resolution #67 which states:

WHEREAS, there is to be held during the coming official year

A – NYCOM Annual Meeting & Training for Mayors

B – NYCOM Fall Training School for Clerks

WHEREAS, the Board of Trustees determines it that attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefits the municipality;

NOW THEREFORE BE IT RESOLVED:

SECTION 1. That the following officers and employees are hereby authorized to attend the schools – Mayor, Village Board, Clerk-Treasurer & Deputy Clerk.

SECTION 2. That this resolution takes effect immediately.

ALL AYES

Motion by Trustee DeVoe seconded by Trustee Williams to adopt Resolution #68 which states:

WHEREAS, the Board of Trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight and express charges, and

WHEREAS, all such claims shall be presented at the next regular meeting for audit, and

WHEREAS, the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees.

NOW THEREFORE BE IT RESOLVED:

SECTION 1. That the Board of Trustees authorize payment in advance of audit of claims for public utility services, postage, freight and express charges and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees.

SECTION 2. That this resolution shall take effect immediately.

ALL AYES

Motion by Trustee Carpenter seconded by Trustee Williams to adopt Resolution #69 which states:

WHEREAS, the Fort Edward Village Board does hereby appoint the following to the Planning Board and Zoning Board of Appeals and the term ending dates:

PLANNING BOARD

Bernard Taylor 04/12

ZONING BOARD

Don Corriveau 04/13

Jeff Fisher	04/12	Ed Saltsman	04/14
Larry Moffitt	04/14	Jim Grumley	04/13
Andy Mahan	04/12	Brenda Freeborn	04/12
Vacancy		Vacancy	

At this time, Donald Corriveau does not have his schooling/training required by the Fort Edward Village Board.

Planning Board Regular Meetings will be held on the Third Monday of each month at 6:30PM and the Zoning Board of Appeals is scheduled the third Wednesday of the month on an as need basis. **ALL AYES**

Motion by Trustee DeVoe seconded by Trustee Carpenter to adopt **Resolution #70** which states:

WHEREAS, the Fort Edward Village Board does hereby adopt the following Procurement policy:

ARTICLE I. SCOPE AND PURPOSE.

This procurement policy is adopted by the Village of Fort Edward (the “Village”) pursuant to General Municipal Law section 104-b and will apply to the procurement for goods and services not subject to the competitive bidding requirements set forth in General Municipal Law section 103 and which goods and services are paid for and used by the Village. The primary objectives of this Procurement Policy (the “Policy”) are to assure the prudent and economical use of public monies in the best interests of the taxpayers of the Village of Fort Edward, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption.

ARTICLE II. PROCUREMENT PROCEDURE.

1. **Procurement Subject to Competitive Bidding.** In order to determine if the procurement of goods or services is subject to competitive bidding, the Mayor or an authorized designee shall:

- a. Make an initial determination as to whether the expenditure will be above the limits set forth in Section 103 of the General Municipal Law.
- b. Review the purchase request against prior years’ expenditures and shall make a good faith effort to determine whether it is known or can reasonably be expected that the aggregate purchases of a similar nature will exceed the dollar amounts set forth in paragraph (a) of this Section. If so, the procurement will be subject to competitive bidding.

2. **Determination.** If the procurement is not subject to competitive bidding, as determined in section (1) above, then prior to commencing any procurement of goods and services, the Mayor or an authorized designee shall prepare a written statement setting forth a determination that (a) competitive bidding is not required for such procurement, and, if applicable, (b) such

procurement is not subject to the requirements of this Policy. Such written statements shall be maintained in a specially designated file at the Village offices and shall also be filed with the purchase order or contract of the goods or services.

3. Procedures for the Purchase of Goods under \$10,000.

- a. \$0.01 to \$500 May be purchased at the discretion of the Mayor or the authorized designee.
- b. \$501 to \$3,000 Upon Village approval may be purchased from the vendor providing the lowest quote after receiving and documenting at least three (3) verbal quotes.
- c. \$3,000 to \$9,999 Upon Village approval, may be purchased from the vendor providing the lowest quote after receiving at least three (3) written, faxed, or e-mailed quotes.

4. Procedures for the Purchase of Public Works or Services under \$20,000.

- a. \$0.01 to \$1,000 May be purchased at the discretion of the Mayor or the authorized designee.
- b. \$1,001 to \$5,000 Upon Village approval, may be purchased after receiving and documenting at least three (3) verbal quotes.
- c. \$5,001 to \$19,999 Upon Village approval, may be purchased after receiving at least three (3) written, faxed, or e-mailed quotes.

5. a. Verbal Quote. The documentation of a verbal quote shall include, at a minimum, the date, item or service desired, price quoted, name of vendor, name of vendor's representative, if any, delivery or service date.

b. Written Quote. The vendor should provide, at a minimum, the date, description of item or details of service, price quoted, name of vendor, contact information, delivery or service date.

c. Award of Contract. Contracts shall be awarded to the lowest responsible vendor whose goods and/or services meet the specifications.

6. Circumstances Justifying an Award to other than Lowest Quote.

- a. Delivery or service requirements.
- b. Specification requirements.
- c. Quality.
- d. Past vendor performance.
- e. Unavailability of three (3) or more vendors who are able to provide a quote.
- f. It is in the best interests of the Village to consider only one vendor who has previous expertise with respect to the particular procurement.

When an award is made to a vendor who did not provide the lowest quote, the reason why it is in the best interests of the Village must be set forth and justified in writing and by resolution, and maintained in a specially designated file

at the Village offices and shall also be filed with the purchase order or contract of the goods or services.

ARTICLE III. EXCEPTIONS FROM BIDDING.

1. **Emergency.** An emergency exists if the delay caused by soliciting quotes would endanger the health, welfare or property of the municipality or of the citizens. With approval of the Mayor, such emergency shall not be subject to competitive bidding or the procedures stated herein. The Mayor shall obtain a verbal quote, at a minimum, which shall be documented and shall also include a description of the facts giving rise to the emergency and that it meets the criteria set forth herein. Said documentation may also include the opinions of Counsel regarding the exception from bidding.

2. **Professional Services.** This category includes services which require special education and/or training, license to practice or are creative in nature. Examples include: lawyers, doctors, accountants, engineers, artists, etc. The Village may, at its discretion, seek Requests for Proposals for such services. In its selection, the Village should consider cost, experience, expertise, reputation, staffing, location and suitability for the needs of the Village. The Board shall prepare, in writing and by resolution, the basis for the selection and the description of the professional service. Said documentation may also include the opinions of Counsel regarding the exception from bidding.

3. **Sole Sources.** In this situation, there is only one possible source from which to procure goods and/or services and it is shown that the item needed has unique benefits compared to other goods and/or services available in the marketplace; no other item provides substantially equivalent or similar benefits; and considering the benefits the cost is reasonable. The Village should adopt a resolution describing the goods and/or services and waiving the bidding requirements prior to procurement and should provide evidence that, as a matter of fact, there is no competition available. Said documentation may also include the opinions of Counsel regarding the exception from bidding.

4. **True Lease.** The Mayor, or authorized designee, shall obtain written quotes and shall prepare a cost benefit analysis of leasing versus purchasing. Said documentation may also include the opinions of Counsel regarding the exception from bidding.

5. **Insurance.** The Mayor, or authorized designee, shall, at a minimum, obtain several verbal quotes, as defined herein. An analysis regarding why a particular selection was made should be prepared and documented. Said documentation may also include the opinions of Counsel regarding the exception from bidding.

ARTICLE IV. MISCELLANEOUS.

1. The Village shall annually review this Policy.
2. The unintentional failure to comply with the provisions of this Policy and the applicable law shall not be grounds to void action taken or give rise to a cause of action against the Village or any officer, employee or agent thereof.

This Policy was duly adopted by the Board of Trustees of the Village of Fort Edward on April 5,2010

ALL AYES

Motion by Trustee Williams seconded by Trustee DeVoe to adopt **Resolution #71** which states:

WHEREAS, the Village of Fort Edward is an entity which operates solely on taxpayer funding, and

WHEREAS, it is in the best interest of the taxpayers that their investment in the village is secure and invested wisely, and

WHEREAS, the Village currently maintains one savings account and three checking accounts (General Fund, Water Fund, Trust & Agency Fund).

NOW, THEREFORE BE IT RESOLVED that the Village of Fort Edward does hereby adopt the following investment policy to authorize the Clerk/Treasurer to invest the village's funds with Glens Falls National Bank and Trust Co., and

NOW, THEREFORE BE IT RESOLVED that the Clerk/Treasurer is authorized to investigate the best options and interest rates or annual percentage rates available for any and all village monies.

ALL AYES

Motion by Trustee Williams seconded by Trustee Carpenter to adjourn meeting at 6:20PM.

ALL AYES

Dated – April 6, 2010

Patricia Ives, Clerk

.....
VILLAGE OF FORT EDWARD PUBLIC HEARING OF APRIL 5, 2010

MAYOR TRAVER CALLED MEETING TO ORDER AT 6:30PM

ROLL CALL: Trustee DeVoe, Trustee Williams, Trustee Carpenter and Mayor Traver.

OTHERS PRESENT: Clerk Ives, Village Justice Malvuccio.

ALSO PRESENT: Denise Meyer, Kay Gorham and Kathy Presti and Tom Cummings.

The clerk read the proposed Local Law regarding moratorium on tattooing, tattoo parlors and body piercing parlors within the Village of Fort Edward.

A LOCAL LAW IMPOSING A MORATORIUM ON TATTOOING, TATTOO PARLORS AND BODY PIERCING PARLORS WITHIN THE VILLAGE OF FORT EDWARD

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 zoning and site plan review and to ensure that residents and visitors of the Village of Fort Edward are protected through an increased supervision of and regulation of tattooing, tattoo studios and body piercing studios, certain amendments to the existing Chapter 100 of the Code of the Village of Fort Edward entitled “Zoning” 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. Moratorium Imposed; Applicability.

a. For a period of twelve (12) months following the effective date of the adoption of this Local Law, no application for any establishment or activity which would offer tattoo services or which would contain a tattoo parlor or body piercing parlor in the Village of Fort Edward shall be eligible for or receive any approval, whether preliminary, final or otherwise. This includes any application currently pending before the Planning Board or Zoning Board of Appeals.

b. During the period of this moratorium, the Village Board of Trustees shall take reasonable efforts to complete the necessary, review, study, analysis and revisions to Chapter 100 of the Code of Village entitled “Zoning” concerning the subject of tattooing services, tattoo parlors and body piercing parlors.

d. This moratorium may be extended by the Village Board of Trustees upon a finding of the necessity of such extension.

SECTION 4. Early Termination.

In the event that any new local law which addressed the substantive issues set forth in this Local Law should be enacted by the Village Board of Trustees prior to the date that the moratorium imposed by this Local Law expires, then the moratorium imposed by this Local Law shall expire on the date that such new local law takes effect in accordance with Municipal Home Rule Law section 27 of New York State.

SECTION 5. Waivers.

a. Should any owner of property affected by this moratorium suffer an

unnecessary hardship in the way of carrying out the strict letter of this moratorium, then the owner of said property may apply to the Board of Trustees in writing for relief from strict compliance with this moratorium upon submission of proof of such unnecessary hardship. For the purposes of this moratorium, unnecessary hardship shall not be the mere delay in being permitted to make an application or waiting for a decision on the application for a building permit, subdivision map, land division, variance, special permit, change of zone, or other approval during the period of the moratorium.

- b. Substantive requirements. No relief shall be granted hereunder unless the Board of Trustees shall specifically find and determine and shall set forth in its resolution granting such exemption that:
 1. Failure to grant an exemption to the petitioner will cause the petitioner unnecessary hardship, which hardship is substantially greater than any harm to the general public welfare resulting from the granting of the exemption; and
 2. The grant of the hardship, even if the project or activity for which exemption is sought is approved, will clearly have no adverse effects upon any of the Village's goals or objectives in undertaking the community planning effort or in adopting this moratorium, including but not limited to effects resulting from uses detrimental to the community's resources or character, as officially adopted by the Village; and
 3. The project or activity for which the petitioner seeks an exemption is in harmony and consistent with any interim data or recommendations or conclusions may be drawn from the Village or community-planning effort then in progress
- c. Procedure. Upon submission of a written application to the Village Clerk by the property owner seeking relief from this moratorium, the Board of Trustees shall, within 30 days of receipt of said application, schedule a public hearing on said application upon five days' written notice in the official newspaper of the Village. At said public hearing, the property owner and any other parties wishing to present evidence with regard to the application shall have an opportunity to be heard, and the Board of Trustees shall, within 30 days of the close of said public hearing, render its decision either granting or denying the application for relief from the strict requirements of this moratorium. If the Board of Trustees determines that a property owner will suffer an unnecessary hardship if this moratorium is strictly applied to a particular property, then the Board of Trustees shall grant relief from the moratorium to the minimum extent necessary to provide the property owner relief from strict compliance with this moratorium. The Board of Trustees may impose any conditions on any such grant that is deemed necessary

SECTION 6. Default Approvals Abolished.

This Local Law specifically supercedes any and all provisions contained in the New York State Village Law and the New York State Environmental Conservation Law,

which require action by the Village Planning Board or Zoning Board of Appeals within certain specified time periods. Further, notwithstanding any law, rule or regulation to the contrary, no approval for any service involving tattooing or tattoo parlors or body piercing parlors, which are the subject of this moratorium, shall be deemed granted or dispensed with as a result of the passage of time.

SECTION 7. 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 8. Effective Date.

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

The mayor stated that the proposed Local Law has been sent to the Washington County Planning Board for review and feedback. The next meeting is April 13th.

The board set April 15, 2010 as the meeting date to adopt this Local Law.

The Mayor told those present that there is an application in front of the Village Planning Board to have a tattoo parlor in the Village of Fort Edward.

Tom Cummings – 96 McCrea Street – asked where the tattoo parlor is to be located? The tattoo parlor is to be located at 145 Broadway.

Kay Gorham – East Street – asked if this is the same Tattoo Parlor located next to Dominos in Hudson Falls.

Trustee DeVoe told those present they stated at the Planning Board public hearing that when they opened their business in Hudson Falls he was the only one – at the present time there at a total of three (3) tattoo parlors located in Hudson Falls.

Trustee Williams stated that he and Trustee DeVoe both attended the public hearing for the Planning Board and there were business owners in Fort Edward who spoke they were not in favor of a tattoo parlor in downtown Fort Edward.

The board feels that this is not the type of business that compliments the Master Plan for the Village of Fort Edward.

Kathy Presiti and Denise Meyer operators of the gift shop located at the Train Station said that they are proud of Fort Edward and send those riding the trains to visit downtown Fort Edward.

Mayor Traver said we would like to have businesses that compliment Fort Edward located in downtown.

Motion by Trustee Williams seconded by Trustee DeVoe to adjourn public hearing at 6:50PM.

ALL AYES

Dated – April 6, 2010

Patricia Ives, Clerk

.....
VILLAGE OF FORT EDWARD REGULAR MEETING OF APRIL 5, 2010

MAYOR TRAVER CALLED MEETING TO ORDER AT 7:00PM

ROLL CALL: Trustee Williams, Trustee DeVoe, Trustee Carpenter and Mayor Traver.

OTHERS PRESENT: Clerk Ives, Village Justice Malvuccio, Sgt. Derway, Code Enforcement Officer Armando, Attorney Kara Lias

ALSO PRESENT: Jim Thatcher, Avalon Associates, Larry Moffitt, Gary Hill, Bob Dickinson, Kay Gorham, Denise Meyer, Kathy Presti, Tom Cummings, Scott Sopcuck – Greater Glens Falls Transit.

Motion by Trustee Williams seconded by Trustee DeVoe to approve the minutes of the following meetings:

- Public Haring of March 1st**
- Regular Monthly Meeting of March 1st**
- Joint Public Hearing of March 8th**
- Joint Special Meeting of March 8th**
- Budget Workshop of March 8th**
- Budget Workshop of March 11th**
- Special Meeting of March 17th**
- Public Hearing of March 29th**
- Special Meeting of March 29th**

ALL AYES

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

Clerk-Treasurer, Police Chief, Street Supt.,

Water Supt., Village Justice, Code Enforcement
Officer

ALL AYES

**AT THIS TIME THE MAYOR READ A LETTER FROM THE CHIEF OF
POLICE**

*Mayor Matthew Traver
Village Board of Trustees*

I would like to take this opportunity to publicly recognize Sergeant Justin C. Derway, for his outstanding service to the community and his care and service to crime victims.

April 18-24 2010, is National Crime Victims' Rights Week. Sergeant Derway has been selected as one of these years' award recipients and is being recognized at an awards breakfast Monday, April 19, 2010 at the B & B on the Green in Hudson Falls.

This award is being presented by the Warren and Washington County District Attorneys office in conjunction with the Sexual Trauma and Recovery Services and the Warren-Washington Care Center for his outstanding service to crime victims.

I would like to extend an invitation to the Mayor or a member of the village board to join us at the event. Please RSVP with me if available.

Congratulations Sergeant Derway!!

Chief Walter D. Sandford

The Board congratulated Sgt. Derway on his outstanding service.

Motion by Trustee Williams seconded by Trustee Carpenter to adopt **Resolution #72** which states:

WHEREAS, the Fort Edward Village Board does hereby authorize the issuance of a Bond Anticipation Renewal Note in the amount of \$139,000 for the construction of the water main on Route 4 through New York State Department of Transportation.

The note will be due on April 3, 2010 at Glens Falls National Bank.

Dated – April 5, 2010

ALL AYES

**I, PATRICIA IVES, CERTIFY THE ABOVE RESOLUTIONS WAS PASSES BY
THE FORT EDWARD VILLAGE BOARD AT THEIR REGULAR MEETING
OF APRIL 5, 2010.**

DATED – APRIL 5, 2010

PATRICIA IVES, CLERK

VILLAGE OF FORT EDWARD

(SEAL)

Motion by Trustee DeVoe seconded by Trustee Williams to adopt **Resolution #73** which states:

WHEREAS, the Fort Edward Village Board does hereby approve The Garden Barn, LLC to fill the 25 plug pots at a cost of \$27.00 per pot. The pots will be filled with wave petunias to be placed on the new decorative poles along Broadway in the Village of Fort Edward.

ALL AYES

Motion by Trustee Carpenter seconded by Trustee DeVoe to adopt **Resolution #74** which states:

WHEREAS, the Fort Edward Village Board does hereby contract for services with Black Dog Landscaping for mowing and trimming of Underwood Park and the Yacht Basin for the summer months for the cost of \$60.00 per service.

ALL AYES

Motion by Trustee Williams seconded by Trustee DeVoe to adopt **Resolution #75** which states:

WHEREAS, the Fort Edward Village Board does hereby authorize the Clerk's office to collect water rents in the amount of \$120,503.38.

ALL AYES

Motion by Trustee Carpenter seconded by Trustee DeVoe to adopt **Resolution #76** which states:

WHEREAS, The Fort Edward Village Board does hereby establish a Safety Committee which includes one (1) Village Board Member, (1) PBA Member and the Chief of Police, and

WHEREAS, the purpose of the committee is to review and update current policies, procedures, rules & regulations and general orders for the Village of Fort Edward Police Department.

ALL AYES

Mayor Traver appointed Trustee Williams to the Safety Committee.

Motion by Trustee Williams seconded by Trustee DeVoe to adopt **Resolution #77** which states:

**RESOLUTION ADOPTING LOCAL LAW ANNEXING CERTAIN TERRITORY
LOCATED ON ROGERS ISLAND IN THE TOWN OF FORT EDWARD
TO THE VILLAGE OF FORT EDWARD**

WHEREAS, pursuant to Article 17 of the General Municipal Law of the State of New York, commonly known as the 'Municipal Annexation Law', territory in one or

more local governments adjoining one or more other local governments may be annexed to the latter pursuant to the provisions of said Municipal Annexation Law; and

WHEREAS, the Town of Fort Edward and the Village of Fort Edward received a Petition for Annexation dated January 29, 2010 for the proposed annexation of a portion of the territory of the Town of Fort Edward into the Village of Fort Edward, which territory is roughly identified in the Town of Fort Edward as tax map parcels 171.-2-1, 171.-2-2, as well as the portion of 179.-1-21 located on Rogers Island, as well as certain territory within the bounds of the Hudson River (hereinafter referred to as the “Annexed Territory”), all of which is more fully set forth and described on the Petition for Annexation; and

WHEREAS, pursuant to §703 of the Municipal Annexation Law, the contents of said Petition were required to contain all of the information set forth in said section; and

WHEREAS, pursuant to §704 of the Municipal Annexation Law, the Town Board of the Town of Fort Edward and the Board of Trustees of the Village of Fort Edward did set a public hearing on the proposed annexation which hearing was duly noticed as required in said §704 of the Municipal Annexation Law, and was thereafter properly called and held on March 8; and

WHEREAS, pursuant to §704 of the Municipal Annexation Law, persons interested in said annexation were permitted to be heard thereon at the public hearing; and

WHEREAS, on March 8, 2010, the Town Board of the Town of Fort Edward, and the Board of Trustees of the Village of Fort Edward held a public hearing on the proposed annexation of the Annexed Territory from the Town to the Village; and

WHEREAS, the Board of Trustees of the Village of Fort Edward, acting as lead agency, did take a hard look at potential environmental impacts of the proposed annexation and issued a negative declaration thereon; and

WHEREAS, the Board of Trustees of the Village of Fort Edward and the Town Board of the Town of Fort Edward adopted resolutions approving the proposed annexation of the Annexed Territory from the Town of Fort Edward to the Village of Fort Edward; and

WHEREAS, in accordance with §714 of the Municipal Annexation Law of the State of New York, both the Town Board of the Town of Fort Edward and the Board of Trustees of the Village of Fort Edward are required to adopt local laws completing the annexation and setting for the date on which such annexation shall become effective; and

WHEREAS, a proposed local law completing the annexation and setting for the date on which such annexation shall become effective has been drafted and before the Board of Trustees as required in §20 of the Municipal Home Rule Law.

NOW THEREFORE BE IT:

RESOLVED, that the Board of Trustees hereby approves and adopts the **LOCAL LAW ANNEXING PROPERTY LOCATED IN THE TOWN OF FORT EDWARD ON ROGERS ISLAND TO THE VILLAGE OF FORT EDWARD**; and be it further

RESOLVED, that this resolution shall take effect immediately.

Adopted this 5th day of April, 2010.

Roll Call Vote:

Trustee Darlene Devoe	Yes
Trustee Peter Williams	Yes
Trustee Edward Carpenter	Yes
Mayor Matthew Traver	Yes

Patricia Ives, Village Clerk

Motion by Trustee Carpenter seconded by Trustee Williams to adopt **Resolution #78** which states:

WHEREAS, the Fort Edward Village Board does hereby accept the resignation of Raymond Lacque as Acting Village Justice.

WHEREAS, the Village Board does hereby thank Mr. Lacque for 24 years of service to the Village of Fort Edward. **ALL AYES**

Motion by Trustee Williams seconded by Trustee Carpenter to adopt **Resolution #79** which states:

WHEREAS, the Fort Edward Village Board does hereby accept the resignation of Joseph Hunt as a part-time Police Officer effective April 5, 2010.

ALL AYES

Motion by Trustee Williams seconded by Trustee DeVoe to adopt **Resolution #80** which states:

WHEREAS, the Fort Edward Village Board does hereby appoint James Richardson to the position of Acting Village Justice, and

WHEREAS, Mr. Richardson does not wish to be paid and will be reimbursed mileage when needed at a rate of \$.45 per mile

WHEREAS, the appointment shall run year to year.

ALL AYES

PUBLIC COMMENT

Scott Sopczyk – Greater Glens Falls Transit –

Mr. Sopczyk gave the board member a list of three proposed locations for placing bus stops in the village.

South – Entrance to Underwood Park

North – Corner of Washington Street and Broadway

North - Just past the entrance into Terrace Place before the railroad tracks

Glens Falls Transit would supply the posts and the signs – they would request assistance from the village street department for installation.

Trustee Williams asked if the bus stops would require a no parking zone
Mr. Sopczyk said no.

Trustee DeVoe said there are many stops going south – which means the cars behind
have to stop many times – this is very dangerous.

Trustee DeVoe feels the best spot going south would be between Church Street and Eddy
Street. The stop at the bottom of the hill in front of the former Methodist Church is very
dangerous. This property is now privately owned and people are sitting on the owner's
front steps.

Mr. Sopczyk said he could put a bench in front in front of this area.
Ultimately it is the Village's decision where the stops are to be located.

Mayor Traver thanked Mr. Sopczyk for stopping in and the board will take his
recommendations under consideration and get back to him.

Gary Hill – Forestry Consultant – spoke about the 2010 Forestry Report on the
Watershed Property.

VILLAGE OF FORT EDWARD WATERSHED
FOREST MANAGEMENT REPORT
2010

OUTLINE:

1. Current Stumpage \$2811.17 paid {stumpage = log price – logging cost + forestry}.
2. Work to finish;
 - a. there are forest products still on the landing area, 1 load of pine pulpwood, 4 loads of hardwood pulpwood, 1 load of hardwood logs. Reservoir Road is posted to 4 ton limit until April 15, moving these products will start on the 16th of April 2010.
 - b. Minor clean-up is on going weather pending, removing non merchantable wood blocks via pickup truck {ok with highway superintendent}, and minor grading to speed up drying of landing.
3. Forestry activity:
 - a. logging period was short, approximately 3 weeks.
 - b. approximately 30+ acres have been treated {thinned out selectively}, there were 3 general areas, 1 pole hardwood stand, 1 pole softwood stand, and softwood-hardwood mixed timber stand.
4. General Conclusion;

The watershed produces quality White Pine and mixed hardwoods. The composition is made up of different stages of abandon agricultural land {pastures, hay fields reverting back to forests}. This leaves a varied pattern of tree types and stand development {tree quality, spacing and size}.

The remaining untreated stands need thinning removing low grad trees and improve spacing of trees to improve growth and health. Forests share the same dynamics as a vegetable garden, that's if you don't pull out the weeds; you don't get "good tomatoes".

There's approximately 60+ untreated acres that can be completed in one more winter, weather pending.

The timber markets seem to be holding steady and recommended this be completed next winter.

In closing, managing the Village's watershed is appropriate maximizing timber yields and wildlife habitat.

Mr. Hill told the board that he has not been able to get in to do clean-up because the Town of Moreau has closed the road until April 15th.

Robert Dickinson – 69 Seminary Street – (former Highway Superintendent) – Bob told the board the watershed property has been part of the Village of Fort Edward since 1893.

He would like to see a long range plan for the property.

Trustee Williams feels the long range plan for the watershed property needs to be a part of the village master plan.

Trustee DeVoe said she would like to see some plantings at the Reservoir.

Gary Hill said as a trained forester he was taught that forest reproduces itself – What was once all farm land is now filled with many trees.

Bob spoke in regarding a Forest Stewardship for the Watershed Property.

Bob said that DEC will provide free technical assistance to help landowners identify their objectives and develop a plan.

A NYS DEC Service Forester can –

- visit you forest free of charge
- assess, characterize, and map the forest resources on your property
- help you identify realistic goals and objectives for your land
- write a plan that includes a step-by-step, ten year activity schedule what will help you meet your goals.

Bob asked the board if they would consider doing this – He said this does not have anything to do with the work Gary Hill is doing at the present time or in the past.

Gary Hill also told the board that he had done some work for Ray Lacque back in 2007 for blazing 5600 feet of property at a fee of \$400.00. He said he never received payment. Mayor Traver said he would look into this and get back to him.

Motion by Trustee DeVoe seconded by Trustee Carpenter to approve the vending permit from Michael DelSignore (Mr. Ding-a-Ling) to sell ice cream in the Village of Fort Edward at a cost of \$250.00.

ALL AYES

Larry Moffitt – 34 Frederick Drive – showed the pictures of village poplar trees near his property that he would like to remove.

He had letters from the neighbors saying they have no problem with the removal.

Trustee Williams said he feels that King Edward Knolls does not have enough trees now.

The board told Larry Moffitt that they do not have a problem removing the small cluster of trees.

Mayor Traver told those present he had a petition from residents of McCrea Street regarding the dogs at 98 McCrea Street which stated:

“In speaking to village authorities, I have been informed that the Village of Fort Edward does not have an ordinance that covers ownership of dogs and the number of dogs that can be kept at one residence. Also, what responsibilities the owners of dogs are required to abide by?

There is a need for such an ordinance in order to protect everyone in the Village from harm that may come to them if the dogs are not on a leash or contained in a fenced in yard.

If you have the same concerns as I do it would be beneficial to sign this paper as I will be bringing this recommendation to the Village Board for consideration”

The petition was signed by 14 residents.

Tom Cummings of 96 McCrea Street spoke about the condition of property at 98 McCrea Street. He showed the board pictures.

They currently have five (5) dogs who bark constantly.

At the present time there is nothing in the Village Code which regulates how many dogs can be at a residence.

Trustee Williams said he has heard from residents that there is a lot of foul language and drinking at the property.

Sgt. Derway said that the residents need to contact the Police Department when there is a problem. The village has a nuisance law in place with a point system. When the Police Department visits a residence there will be points assessed to the property.

A discussion was held by the board regarding the code of the village and the code of the town – is the village covered by the code of the town?

Attorney Kara Lais will check to see if there can be a regulation on how many dogs at a residence.

Ron Viehmann – 7 Baldwin Avenue – spoke about two (2) trees located at his property.

1 – located on Baldwin Avenue

1 – located on Center Street

Mr. Viehmann feels the trees need to be removed and they are dangerous. The trees are also located on village property.

Trustee DeVoe said she would be in contact with the Street Department and get back to him.

Jim Thatcher (Avalon Associates) updated the new members of the board about the current CDBG grant the village is applying for.

The application needs to be in by April 23, 2010.

This grant consists of replacement of water lines, sidewalk and paving.

After the income surveys have been completed 3 of the 5 areas are eligible for replacement under the grant.

Marion-west, Beverly, Division & Pickett

Bascom Drive

Griffin Avenue

The streets not eligible –

Marion –east

Lawnview

Motion by Trustee Carpenter seconded by Trustee DeVoe to adopt Resoltuion#81 which states:

WHEREAS, the Village of Fort Edward has received two (2) proposals for planting the flowers in Underwood Park and the Yacht Basin and the maintenance of these flowers and the 25 hanging baskets on Broadway, and

WHEREAS, the two (2) proposals are Jim Girard Landscaping for \$3404.25 and The Garden Barn for \$3045.00, and

BE IT RESOLVED, the Fort Edward Village Board does hereby accept the lowest price from The Garden Barn for the flowers for the 2010 summer.

ALL AYES

Motion by Trustee Carpenter seconded by Trustee Williams to authorize the Clerk-Treasurer to pay the following abstracts:

GENERAL FUND	12280.10
WATER FUND	4369.71
SHARED SERVICES	4255.75
AIR STRIPPER -	9316.03
PAID BEFORE AUDIT	
General Fund	10975.98
Water Fund	4279.53

ALL AYES

Motion by Trustee Carpenter seconded by Trustee Williams to adjourn meeting at 8:30PM.

ALL AYES

Dated – April 7, 2010

Patricia Ives, Clerk

