

VILLAGE OF FORT EDWARD REGULAR MEETING OF JANUARY 4, 2010.

MEETING CALLED TO ORDER AT 7:00PM BY MAYOR TRAVER.

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

OTHERS PRESENT: Clerk Ives, Street Supt. Stimpson, Code Enforcement Officer Armando, Sgt. Derway, Attorney Kara Lias.

ALSO PRESENT: Jeanne Mullen.

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

Regular Meeting of December 7, 2009

ALL AYES

The discussed the fact that the Air Stripper is in the process of getting quotes for a new furnace. As of now there are two (2) quotes – one (1) more is needed. Mayor Traver said that he is going to be meeting with Paul Hare from GE in regard to the running of the Air Stripper. At the present time Hal Hermance does all the repairs and maintenance and gets paid by GE. The Mayor feels that some of the work should be done in compliance with the Village of Fort Edward Procurement Policy.

The Mayor told the board that the Village has received the CO for the new plant.

The Mayor commented on a discussion he had with the Village Attorney in regard to the MS4 Compliance.

Attorney Fuller told the village that under the general stormwater permits from the State, the village is required to enforce the stormwater regulations for projects over one (1) acre.

Irving Tissue falls in that category, and he said that Irving Tissue filed a SWPPP (stormwater management plan) with the Village and DEC.

Attorney Fuller said that he had driven by and noticed that there were no stormwater controls around the dirt pile in the parking lot.

Attorney Fuller had told the Mayor that after talking with Vision Engineering it does not appear that the Village has been inspecting or enforcing the regulations.

If DEC inspects and finds the village is not enforcing the regulations, the fines could be large.

Attorney Fuller suggests that the Village and Town combine their efforts and have one individual oversee the stormwater inspections.

Attorney Fuller told the Mayor that the Village needs to put a plan in place for actually complying with all of the items that Street Supt. has been reporting in the DEC Reports that the Village is doing.

Street Supt. Stimpson said that he was not aware that Irving Tissue has filed a SWPPP. Code Enforcement Officer Armando said he has the file with the paperwork in it.

Mayor Traver said that when someone applies to the Planning Board and has to file a SWPPP a copy needs to go to the Street Superintendent.

Mayor Traver said that the MS4 will probably have to be run by an Engineer in the future.

Mayor Traver said the Village is responsible to show how they are complying with the MS4 Regulations.

The Mayor said that the village could work with the county sewer agency to maybe do some color coded tagging of storm drains to show DEC that the village is complying with the MS4 Regulations.

The Mayor said he met with someone from DEC in Warrensburg who is involved in the MS4 compliance and he told the Mayor that he would be glad to meet with the village and review what is needed for the MS4 compliance.

Mayor Traver and Trustee Williams said that there should be some overview at the county level. The surrounding towns and villages may have to use the county engineer for the MS4 Regulations.

Street Supt. Stimpson said that he will send out a mailing with the April 2010 Water Billing which will state the regulations of MS4.

Trustee Williams asked Code Enforcement Officer Armando on the status of the building behind the dentist office on Broadway.

Code Enforcement Officer Armando explained to the board that the business was started by Robert and Anthony Morrow. The Morrows have an affiliation with East Side Auto.

Code Enforcement Officer Armando sent a citation to Robert Morrow to appear in court for operating a business without a permit. It seems that Robert Morrow was no longer involved in the business and it was operated by Anthony Morrow. Therefore, a new citation was issued for Anthony Morrow. Robert Morrows case was dismissed and the case against Anthony Morrow was settled and he is expected to apply to the Planning Board.

Anthony Morrow has agreed to cease all operations until he receives approval from the Planning Board.

The original rental agreement was for storage for race cars. Code Enforcement Officer Armando said that he inspected the building and it was full of recycling materials from vehicles they were stripping wire. He told the employee to leave.

After talking with Dr. Rymaniski (the owner) he may be evicting the tenants at the end of January.

Mayor Traver asked Sgt. Derway about the vehicles in the Village that are parked on sidewalks. This is a dangerous issue for the children who are walking to school. Could the Police Department check out the streets in the Village for the parked cars and issue tickets if needed.

The Mayor commented on the litigation with Sweet. A meeting was held with the former engineering firm – Delaware Engineering and it does not appear that a joint defense will be forthcoming from Delaware. Thus, the Village Attorney is proceeding to name Delaware Engineering and assert claims by the Village of Fort Edward against Delaware Engineering.

Motion by Trustee Forte seconded by Trustee Williams to approve the reports from the following departments:

Clerk-Treasurer, Police Justice, Police Chief,
Water Superintendent, Street Superintendent,
Code Enforcement Officer, Planning Board Minutes –
November 2009.

ALL AYES

Motion by Trustee Williams seconded by Trustee DeVoe to adopt **Resolution #52** which states:

TAKE NOTICE, pursuant to Section 15-104(a) of the New York State Election Law, the Village of Fort Edward will conduct a General Village Election on Tuesday, March 16, 2010 to elect the following:

<u>POSITION</u>	<u>TERM</u>	<u>CURRENT OFFICE HOLDER</u>
Village Trustee	4 Years	Richard Forte
Village Trustee	4 Years	Darlene DeVoe

TAKE NOTICE, pursuant to Section 15-106 of the New York State Election Law, the Village of Fort Edward will conduct a Special Village Election on Tuesday, March 16, 2010 to elect the following:

<u>POSITION</u>	<u>TERM</u>	<u>CURRENT OFFICE HOLDER</u>
Village Trustee	3 Years	John Boucher, Jr.

ALSO TAKE NOTICE, all voting will take place at the Fort Edward Village Office Building, 118 Broadway, between the hours of Noon and 9:00PM.

ALL AYES

Motion by Trustee Williams seconded by Trustee DeVoe to adopt **Resolution #53** which states:

WHEREAS, the Fort Edward Village Board does hereby changing the status of Larry Moffitt from an alternate to permanent member of the Village of Fort Edward Planning Board, and

WHEREAS, the Fort Edward Village Board does hereby appoint Larry Moffitt to the position of Chairman filling the remainder of the term of Patrick Suprenant who resigned.

ALL AYES

Motion by Trustee Boucher seconded by Trustee Forte to adopt **Resolution #54** which states:

WHEREAS, the Fort Edward Village Board has hereby submitted an application for the FY-2010 NYS-CDBG funding for Phase 1 of a long-term water main replacement and related distribution improvement program within certain parts of the community, and

WHEREAS, the application is to refine the water line replacement program initially proposed last year for targeted lower income neighborhoods where water distribution problems compromise health and safety of residents and the delivery of adequate safe water, and

WHEREAS, the application deadline for the funding is April 2010, and

THEREFORE, BE IT RESOLVED, the Fort Edward Village Board does hereby schedule the following public hearings:

February 1, 2010 at 6:30PM

March 1, 2010 at 6:30PM

ALL AYES

The Mayor told the board that he and Jim Thatcher (Avalon Associates) will be going to Albany to meet with CDBG in regard to the previous application and make changes for the new application.

Motion by Trustee Williams seconded by Trustee Boucher to authorize the Clerk to pay the following abstracts:

General Fund -	14511.41
Water Fund -	11061.18
PAID BEFORE AUDIT	
General Fund -	9974.64
Water Fund -	3582.44
Air Stripper Fund -	9005.95
Shared Services -	1988.75
Rourke -	80.16
2007 CDBG -	74.85

ALL AYES

Trustee DeVoe told the board about the incident which occurred on Christmas Day in the Village of Fort Edward.

It seems that a Washington County Sheriff Deputy wrote a ticket on Mechanic Street for overnight parking at 2:10AM. The Village ordinance for overnight parking starts at 3:00AM. This resident was the only one who received a ticket even though there were numerous vehicles parked on the streets.

When the resident came to the Police Department about the ticket the Police contacted the Sheriff Deputy and asked why he wrote the ticket.

This Deputy said that the Sheriff Department had been contacted by both the Village and Town of Fort Edward in regard to parking on Village and Town streets. This Deputy told the Chief that the Sheriff Department has received ordinances from both the Village and Town of Fort Edward in regard to overnight parking from Village and Town Officials.

The Village of Fort Edward has never contacted the Sheriff Department in regard to overnight parking and has never sent them a copy of the ordinance.

The Mayor will be contacting the Chief of Police in regard to this matter. Trustee DeVoe said she has concerns with this situation and asked that this matter be discussed with the Sheriff Deputy's Supervisor.

Trustee DeVoe asked to speak to the Village Board as the Care Coordinator from the Town of Fort Edward.

The Town of Fort Edward has a two (2) year grant from the EPA to address concerns of the greatest impact in both the Village and Town of Fort Edward.

The top concerns from the residents of both the Village and Town of Fort Edward are:

- Access to Healthy Food
- Asbestos
- Carbon Monoxide
- Cars idling outside of school
- Lead
- Mold
- Pandemic H1N1
- Recycling Electronics
- Recycling Hazardous Materials
- Truck Traffic

Trustee DeVoe presented a ranking values table –

In regard to is action being taken to address the issue –

The three most significant layers of government are the State(1), County(2) and Town(3)

i.e. – Lead is an issue in the Town because of the age of the building stock. The Town has grants that help to pay to have homes abated.

The County performs testing on children and does home inspections.

The State has Lead Safe work standards for contractors.

How many people could be impacted –

Fort Edward has a population of approximately 7000 people.

The Town is rural but does have a papermill and other industry use Route 4 for

transportation of goods.

The number of residents and employees that are exposed to the exhaust from vehicles are extremely high.

A determination is that approximately 900 people were impacted on a regular basis.

What areas are affected –

This is broken into four categories –

Home(3), School/Daycare(3), Institutions (1)and Workplace(2).

We applied values that weighted exposure to children higher with workplace second.

Who is at risk –

Although it is difficult to weigh one person's value higher than another, we had to do so for ranking purposes.

Pregnant Woman (3), Immuno Compromised (3) and asthmatics (3) were all valued higher than Children (2), Elderly (2) or other healthy adults. (1)

Reasons for Concern –

Mortality and Morbidity was valued highest.

Global implications lowest. (3)

Negative Impact on the ecosystem (2) was weighted because of the extensive ground and water contamination already documented in and around Fort Edward.

High catastrophic potential (2) is grounds for a high value; however the majority of concerns identified by the community do not fit this category.

Delayed Effects (1) are valued because “it’s looking down the road” that helps to change human behavior.

Irreversible Harm/Disability (3) are also valued high.

Harm to future generations (1) applies to affects from identified concerns that will impact the quality of life for those not yet born. This includes harm transferred from Pregnant woman to their fetus.

Involuntary risk (3) is weighted heavily because it indicates that a known risk is not being addressed and is out of one’s control to prevent.

Is this risk changing?

Improving (1), Staying the same (2), Worsening (3)

These values help illustrate the history of the concern in the community and the Perception of impending results of inaction.

The ranking is as follows:

Access to Healthy Food - 84

Asbestos -58

Carbon Monoxide - 66

Cars idling outside of school - 58

Lead - 64

Mold -48

Pandemic H1N1 - 78

Recycling Electronics - 48

Recycling Hazardous Materials - 54

Truck Traffic-84

At this time Care Coordinator told the board and those present that she would like the boards input on which category is utmost importance to the residents of Fort Edward.

The board and those present feel that the **access to healthy food** is the most important issue.

The Village and Town of Fort Edward do not have any kind of grocery store available.

The next step in the CARE process is to identify the concern, create a project that will help address the concern and apply for a Level II grant to fund the project.

There is \$300,000. available.

Motion by Trustee DeVoe seconded by Trustee Williams to adjourn meeting at 8:11PM.

ALL AYES

Dated – January 5, 2010

Patricia Ives, Clerk