

**Village Board of Trustees  
Regular Meeting  
Tuesday, September 6, 2016**

**MAYOR TRAVER CALLED THE MEETING TO ORDER AT 7:00PM. AFTER ROLL CALL MAYOR TRAVER LED THOSE PRESENT IN THE PLEDGE OF ALLEGIANCE.**

<b>Roll Call</b>	Trustee Conlon	Trustee Williams	Trustee DeVoe	Trustee Carpenter
<b>Highway</b>	Brodie Etu	Tom Wolf		
<b>Police</b>	Chief Derway			
<b>Code</b>	Dave Armando			
<b>Attorney</b>	Matthew F. Fuller			
<b>Public</b>	Jeanie Mullen	Brenda Freeborn	Peter Miles	Jason Miles
	Judge Malvuccio			

**MINUTES**

A motion to accept the monthly meeting minutes for the following dates was made by **Trustee DeVoe**, seconded by **Trustee Carpenter**.

Monthly Meeting            August 1, 2016  
Special meeting            August 16, 2016  
Zoning Board Meeting    January 20, 2016

**All ayes. Motion carried.**

**REPORTS**

A motion to accept the following monthly reports was made by **Trustee Carpenter**, seconded by **Trustee Conlon**.  
Clerk/Treasurer, Village Justice, Code Enforcement, Highway, Groundskeeper, Police Chief, Water Superintendent.

**All ayes. Motion carried.**

**Police Report**    There seems to be specific addresses that repeatedly have issues month after month. A discussion about the reoccurring issues took place. Attorney Fuller addressed the Board clarifying for them the intent, purpose and boundaries of the Nuisance Property law. The Board would like the Chief to pull the points for 39 Seminary as well as 27-29 Taylor Street so they can take a look what steps are necessary to remedy the ongoing issues.

**Code**                Mayor Traver asked D. Armando to take a look at the McCrea hotel. He has received complaints of water not work, along with poor living conditions. D. Armando said he would like to get a copy of the last fire report and will follow up with a visit to the location.

**JP Trucking**      The matter was resolved through the Court System and concluded with a \$1,000.00 fine. Attorney Fuller asked if the Clerk would verify if the company's annual hauler fee had been paid and to report back to him with issues.

**RESOLUTIONS**

RESOLUTION #26 OF 2016

LOAN FROM GENERAL FUND TO WATER FUND

MOTION BY **TRUSTEE WILLIAM**, SECONDED BY **TRUSTEE CONLON** WHICH STATES:

**WHEREAS**, the Fort Edward Village Board does hereby authorize the Clerk-Treasurer to loan \$30,000.00 from the General Fund to the Water Fund for daily operating expenses at the Village Water Plant; and

**WHEREAS**, the Water Fund shall pay back the General Fund the stated amount by the end of the 16-17 fiscal year.

**All ayes. Motion carried.**

Attorney Fuller stated that early in 2017 we should be taking a look at the depreciation value of the Water Plant building as it relates to the assessed value of the building.

**AUDIT OF BILLS**

A motion by Trustee Conlon, seconded by Trustee DeVoe to accept the Audit of Bills as follows:

<b>General Fund</b>	#4	27,045.62	<b>General Fund</b>	#4 PBA	7,127.19
<b>Water Fund</b>	#4	51,828.30*	<b>Water Fund</b>	#4 PBA	1,845.07
<b>Air Stripper</b>	#4	4,108.56*	<b>Air Stripper</b>	#4 PBA	486.96
<b>Marketplace</b>	#4	13,546.00			
<b>Oak Ridge Subdivision</b>	#4	193.51			

\*= totals are higher than usual; paying school tax bills.

**OTHER BUSINESS**

**SWEEPER UPDATE**

The Letter of Intent was sent to Upstate Sweepers & Rentals on August 16, 2016.

**POLICE CAR PURCHASE**

Chief Derway followed up with the vendor and was told the vehicle will be ready in two weeks.

**MUNICIPAL PARKING LOT**

The parking lot is almost done and is scheduled to be paved the week of the September 12<sup>th</sup>. The basins will be paid for with MS4 money from Lake Champlain–Lake George Regional Planning Board.

**WILLIAMS STREET**

Highway Superintendent B. Etu said that over the next two days they will be tearing up Williams Street and the project is on track to be paved the week of September 12<sup>th</sup>. Mayor Traver said that Williams Street will be paid for out of CHIPS money.

**SIDEWALK PROGRAM- SAFE ROUTES TO SCHOOL**

Trustee DeVoe said that Lorenzo Distefano from DOT will be walking the project area in the next week and we are waiting for finalized design drawings from DOT.

**DEMO SAW**

Highway Superintendent B. Etu said that the demo saw is used a lot. The one that is being used keeps breaking and the department is putting too much money into short term repairs. At this point, the current saw has outlived its useful life. The estimated cost to replace this is about \$1,200.00. After a brief discussion, Mayor Traver said that this a purchase that could be made out of the equipment line.

**UPDATED ZONING**

Attorney Fuller said that he would pull the information from the last time the committee met and forward that draft to the Board. He asked them to review the information and questions that will be attached and they can follow up as a group in October in order to move this forward by the end of the year. A general discussion took place.

D. Armando told the Board that he received a call from the new owner of the restaurant on the hill. He is looking to take out the restaurant and to put in a boarding facility. Attorney Fuller said that boarding facilities are addressed in the new zoning.

**MARKETPLACE UPDATE**

The vendor parking on the north side of the building was discussed. Mayor Traver said that perhaps adding stone to the parking area is the most cost effective way to go. The highway department said that plowing it would be tough but not impossible. They would be able to plow it but they wouldn't be able to scrap it. A discussion was held.

Peter Williams said that John Boucher volunteered to make a sign for both gables on the building. Also, Locktoberfest is moving forward. Some vendors have committed and several have expressed interest. The event will be held on October 8<sup>th</sup> from 1:00-6:00. There will be vendors, music, and a beer tent. The LIFE committee will have age appropriate events for children at the Yacht Basin.

#### CODE ENFORCEMENT

Information on the taking back control of village code enforcement and building inspections was included in the attorney's monthly report. Attorney Fuller said that he has had preliminary conversations with the County and they are more than willing to hand this over to the village. Procedurally the village would need to update the code with a local law. Additionally the village will need to coordinate the transfer of files from the County to the Village. Mayor Traver said he would like to see this take place on January 1<sup>st</sup>. In addition, a fee schedule needs to be put in place. Trustee DeVoe and Trustee Conlon said they would work with D. Armando on this.

A motion to set a public hearing for Monday, October 3, 2016 at 6:30 to amend chapter 49 of the Code of the Village of Fort Edward "Uniform Fire Prevention and Building Code" was made by **Trustee DeVoe**, seconded by **Trustee Carpenter**.

**All Ayes. Motion carried.**

#### PUBLIC COMMENTS

PETER MILES, FREDERICK DRIVE

JASON MILES, STATE ROUTE 197

Peter Miles addressed the Board stating that he is the owner of 30 acres of property directly across from the Knolls entrance, across from State Route 197. This property is surrounded by the Canal, State Route 197, and boarder's town agricultural property. P. Miles stated that he would like to develop this property into a produce farm, expanding the use by adding greenhouses and outbuildings to store equipment. He stated that he has gone to the County to apply for a DBA and was told the County is unable to issue a DBA because the property is R-1 zoned. D. Armando read aloud a section of code which states that produce grown on site could be sold in a R1 and R2 zone.

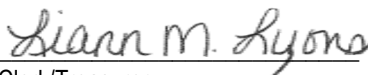
Trustee DeVoe asked Attorney Fuller how the proposed zoning would impact these parcels. Attorney Fuller said once the new zoning is put in place, any changes in use to the property (i.e. addition of greenhouse and such) would have to apply to the ZBA for a Use Variance. Attorney Fuller further stated that this wouldn't be the recommended planning process for the owners. A Use Variance is the toughest variance to get in NYS. Trustee DeVoe asked if it was possible to update this section of the village into a Resident/Agricultural zone. It wouldn't be spot zoning because it impacts multiple parcels. A brief discussion took place, including ensuring that the updated language in the code clearly state that animals would not be allowed. In addition, by adding a residential component to the zoning, it would protect the village by allowing the potential for future development.

#### OTHER

The annual audit of the Justice Court Books and the Clerks books was scheduled for September 19, 2016 at 4:00pm.

There being no further business, a motion to close the meeting at 8:35 was made by **Trustee Carpenter**, seconded by **Trustee Conlon**. All ayes. Motion carried.

Respectfully Submitted,

  
Clerk/Treasurer

Dated: 09/08/2016