

Village Board of Trustees
 Regular Meeting
 Monday, August 7, 2017

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

Roll Call	Trustee Williams	Trustee Carpenter	Trustee Conlon	Mayor Traver
Highway	Bryan Etu			
Police	Justin Derway			
Code	N/A			
Attorney	Matthew F. Fuller			
Public	Ron Graham	Donna Graham	Michael Goot	Daniel Ward
	Jeannie Mullen	Tom Roche	Gary Hill	

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.

MINUTES

A MOTION TO ACCEPT THE MONTHLY MEETING MINUTES FOR THE FOLLOWING DATES WAS MADE BY **TRUSTEE WILLIAMS**, SECONDED BY **TRUSTEE CARPENTER**.

Monthly VB Meeting July 5, 2017
 Special VB Meeting July 31, 2017
 Planning Board April 26, 2017

ALL AYES. MOTION CARRIED.

REPORTS

A MOTION TO ACCEPT THE FOLLOWING MONTHLY REPORTS WAS MADE BY **TRUSTEE CARPENTER**, SECONDED BY **TRUSTEE CONLON**.

Clerk/Treasurer, Code Enforcement, Highway, Groundskeeper, Police Chief, Water Superintendent. Upon receipt from the Justice Court, the June monthly report will be forward via email to the board members.

ALL AYES. MOTION CARRIED.

RESOLUTIONS

RESOLUTION #26 7 OF 2017-2018

APPOINTMENT OF JUSTICE COURT CLERK

MOTION BY **TRUSTEE CARPENTER**, SECONDED BY **TRUSTEE WILLIAMS**, WHICH STATES:

WHEREAS, the Village Engineer, Chazen Companies has recently completed a study to evaluate and/or provide recommendations for rehabilitation/replacement of various portions of the water distributions system owned by the Village. In addition the study also included information relative to the routine maintenance/replacements of major components of the Village water treatment plant; and

WHEREAS, a section of said study was to analyze existing water rates and provide recommendations for the same; and

WHEREAS, in an effort to be fiscally conservative, the last time the Village enacted an increase to water rates was seven (7) years ago. However, to move forward responsibly and plan for inevitable upgrades to the water system, it is necessary to increase water rates across the board; and

NOW, THEREFORE BE IT RESOLVED, the Village of Fort Edward does hereby increase water rates as outlined below

RESIDENTIAL RATES		COMMERCIAL RATES		INDUSTRIAL RATES	
CODE	03-001 & 03-002	CODE	02-001 & 02-002	CODE	01-001 & 01-002
		Monthly Minimum	= \$10.00	Monthly Minimum	= \$10.00
0-15,000 gal	= \$55.00	0-15,000 gal	= \$55.00	0-15,000 gal	= \$55.00
15,000 gal & up	= \$3.05/thous gal	15,000 gal & up	= \$3.05/thous gal	15,000 gal & up	= \$3.05/thous gal

WATER DISTRICT II		OUT OF DISTRICT RATES	
CODE	03-005	CODE	03-004
CAPITAL FEE	= \$125.00	Capital Fee	= \$100.00
0-15,000 GAL	= \$55.00	0-15,000 gal	= \$55.00

15,000 GAL & UP = \$3.05/thous gal 15,000 gal & up = \$3.05/thous gal

BE IT FURTHER RESOLVED, this resolution will take effect immediately.

ALL AYES. MOTION CARRIED.

AUDIT OF BILLS

ACCEPT THE AUDIT OF MONTHLY BILLS

MOTION BY **TRUSTEE CONLON, SECONDED BY TRUSTEE CARPENTER:**

PAY BEFORE AUDIT #3		AUDIT #3	
General Fund	\$ 6,860.10	General Fund	\$ 24,603.78
Water Fund	\$ 1,825.38	Water Fund	\$ 3,994.35
Air Stripper	\$ 592.72	Air Stripper	\$ 800.00
	\$	Phase IV	\$ 1,534.99
		HUD	\$ 7,665.00

OTHER BUSINESS

DAN WARD, SUPERINTENDENT
FORT EDWARD SCHOOL

Mr. Ward thanked the Village Board, Chief Derway, Sargent Watkins and the Street Department for their support during his first year at the school. He said that the School and the Village had an outstanding relationship this year and that was a tremendous help. Mayor Traver asked how pick up and drop off have been since the flow of traffic was altered. Mr. Ward said changing the traffic patterns, communicating the changes with the parents and further educating the crossing guards all had a positive impact on getting the kids to school safely.

Mayor Traver updated Mr. Ward on the Safe Routes to School project that is starting soon. In addition to detailing the project, Mayor Traver informed Mr. Ward that Case and McIntyre streets are scheduled for completion by August 31, 2017. Also, Mayor Traver provided Mr. Ward with an update on the Phase IV project that will replace water and sewer lines on the following streets: Liberty, Washington, Spruce and Keating. Because this project won't be done until the end of October, Mayor Traver discussed the change in drop off and pick up locations for the Washington Street BOCES.

SAFE ROUTES TO SCHOOL (SRTS)/MARK RIORDAN, P.E.

(From email dated August 7, 2017)

I met with the Cutting Edge Group Project Manager Sean Loonan onsite today along with the two subcontractors CEG plans to use (Morgan Construction Services and Whitcher Masonry) and we completed a walkthrough of the project sites. Work will begin tomorrow (Tuesday 8/8/17) on Case Street with mobilization of equipment and the start of demolition of existing sidewalks. They anticipate three days to demo the sidewalks on Case Street so I would expect new sidewalk being poured on Case Street early next week at the latest. I am still waiting for the revised project schedule. Please let me know if you have any questions.

CHAZEN UPDATES/SEAN DOTY

(From email dated August 43, 2017)

Phase IV Project

The Notice to Proceed was provided to the contractor, which was dated 7/21/17. We understand that they are mobilizing/staging materials starting today and Monday, so it appears that construction will start shortly. The contractor's required substantial completion date is 10/31/17 with final completion required by 11/15/17. We returned all 60 submitted shop drawings to the contractor last week and there are currently no outstanding submittals. As the Village is aware, work is required to occur across Route 4. We have the NYSDOT Highway Permit application ready for submission to NYSDOT, but we are waiting to receive the contractor's bond (in the name of NYSDOT) for this. The contractor has been reminded several times (including yesterday) that this is needed. Once received it will be submitted to NYSDOT.

13 Washington Street

Per the Village's request we are working with Jim Thatcher to understand what OCR requires to use CDBG funds to demolish the structure. The structure would provide for better access/layout for the road and utilities if removed. It appears that full solicitation of the construction contract for this would be required per OCR (i.e. advertise the contract in the Post Star and conduct direct solicitation to M/WBE's). We expect more information will be available next week and we will coordinate with the Mayor as this progresses.

Water Report Project

We are finalizing the Water Report today. We will send it electronically today, and will provide 2 hard copies on Monday. We consider the report final, but we will list it as draft for now until the Village reviews the same and provides any comments for incorporation. Once the comments (if provided) are addressed, we will issue the report as final.

McCrea Street Tunnel

We understand the Village/Village Attorney is working to determine ownership of the tunnel. We recently provided cost for inspection via CCTV by KPI. We stand ready to assist the Village in anyway, if and as directed.

Mayor Traver said that materials for the Phase IV project will be stored on Church Street, on the deteriorated sidewalk on Church Street, and possibly using 13 Washington Street to store parts and equipment.

CT MALE UPDATES/JIM THATCHER

(From email dated August 3, 2017)

Phase 4 Safe Water:

- I will begin reviewing payrolls submitted by the Contractor once construction begins as the Village's Labor Standards Compliance Officer, and the Contractor has been provided information regarding the prevailing wage rates and procedures for submitting pay requests and payrolls to Chazen first, who will supply me with corresponding payrolls.
- I have spoken to OCR and to Sean about the proper way to solicit bids for the demolition of 13 Washington Street, if Phase 4 Safe Water funds are available under that grant budget. The issue has been to procure bids correctly given federal funding requirements, but to try to keep the project scope and bid materials relatively simple to keep that project component moving forward.
- I will continue to assist Liann with CDBG Drawdown help in preparation and/or review and back-up documents as construction begins, to keep the grant funds flowing smoothly to the Village.

Canal Street Marketplace:

- I have not heard directly from Dept. of State or Canal Corp. about needed information or deficiencies of the package of invoices previously submitted, but I will try to reach out to those agencies, including Kelly Sullivan of the Canal Corp. by the meeting date to see if she has anything pending or something she needs to get the reimbursement off the back burner, etc.

WATER RENTS

The Chazen water supply system report was submitted on Friday, August 4, 2017. This report took a look at all areas of water in the village. In relation to the water rates, Chazen's analysis of information supports an increase in water rates. The Board discussed and opted to move forward with an increase; the first increase in seven years. The increase still keeps rates below the surrounding areas, but is a move in the right direction as the village begins to plan for replacement of expensive equipment at the water plant. See *Resolution #26 of 2017-2018 above*.

SIGNS THROUGHOUT VILLAGE/UPDATE TO PARKING LOCAL LAW

Mayor Traver said there are areas in the Village that are in need of updated signage; specifically looking at the Mechanic/Seminary intersection and Rogers Island signs. Trustee Carpenter will meet with Bryan Etu, Street Superintendent and Chief Derway to go through the Village to assess what areas need updated signs, paying particular attention to areas that are or should be "No Parking". In addition, a discussion was pertaining to the boat that has been parked on Mechanic Street for months. It is being stored in the grass area between the road and the sidewalk and while it may move for a short period of time, it ends up coming back, parked in this area. The Board discussed taking a look at the local law that addresses parking in the village.

STREET/SIDEWALK REPLACEMENT, PROSPECT

(from July 5, 2017 meeting minutes)

The replacement of sidewalks has gone well to date. The weather does dictate when specific work can be done. Unless there is an unforeseen issues, the department has two more pours left.

The Street Department said they have one (1) apron and (2) driveways left. Once that tis done, the project on Prospect will be complete. Again, this month, the rain has significantly impacted the time frame for this project.

MARKETPLACE

Trustee Williams said that the Marketplace Committee has received two requests to use the building for different events. A discussion was held on how to handle such requests. Mayor Traver asked Attorney Fuller to look into this and provide recommendations on how to move forward. Trustee Williams also updated the board saying that on September 22, 2017 the World Conference of Canals has asked to hold a luncheon at the Marketplace.

13 WASHINGTON STREET

Mayor Traver updated the board saying that the title issues have been cleared up and the closing took place.

ALBANY SYMPHONY

Mayor Traver updated the board saying that the Albany Symphony reached out to the Village to see if the community would like to participate

in a potential series of concerts next summer. The Symphony submitted a Consolidated Funding Application (CFA) to fund a series of concerts that will celebrate creativity, innovation and industry along New York Waterways, during a week-long festival of free orchestral concerts and events throughout historic towns of the Hudson River Watershed. The Symphony will partner with seven (7) storied communities to create and perform newly commissioned works during the July 4th week, starting in Adirondack Park and traveling through the Upper Hudson Valley, highlighting the past, present, and future of North Creek, Fort Edward, Schuylerville, Albany/Troy, Hudson, Catskill, and Kingston. The CFA results will be announced at the end of the year. Depending on how the CFA is funded, it may have the potential to impact Heritage Days weekend. The Board discussed the great opportunity that this would be for the community.

METHODIST CHURCH STAINED GLASS WINDOWS

Guy Savio reached out to the Village. His company saved the stained glass windows from the Methodist Church prior to it being demolished. He has 10 windows that have been preserved and boxed. He has offered to sell them for \$1,000 each and to do the work to incorporate them into a future use. Mayor Traver received an email from Mr. Savio with several pictures attached. He will forward this email to the Village Board and Paul McCarty, Village Historian. Perhaps this would be an opportunity to pull in the residents that showed a vested interest in the Church prior to its demolition.

GENERAL ELECTRIC AIR STRIPPER

The Village and GE have a contract to maintain the Air Stripper. The last time this was negotiated was in 2005. The board discussed meeting with Mayor Traver, Attorney Fuller and Water Superintendent John Miller to discuss the current workload and priorities as it relates to the existing contract.

MAYOR TRAVER

PUBLIC STATEMENT REGARDING HEALTH INSURANCE INVESTIGATION

July 31, 2017

To Whom It May Concern:

In April of this year, certain complaints related to the Village's health expense reimbursement program were brought to my attention. At a Board of Trustees meeting in early May, the Board of Trustees unanimously commissioned our Village attorney to undertake an investigation into the claims. The claims were twofold: one that a Village employee had engaged in double reimbursement for health related expenses, and one that a Village employee had provided inappropriate advice to a spouse of another Village employee related to the health expense reimbursement program. Both were investigated thoroughly.

As to the inappropriate advice, the investigation revealed that the alleged advice did take place, and that the advice was neither factually, nor legally, correct. The Village employee who provided the advice has been cautioned and educated by me on this matter.

As to the allegation that the employee had engaged in double reimbursement for health related expenses, the Village attorney reviewed every submission for reimbursement to the Village from the employee in question. In addition, the Village attorney reviewed health related reimbursements from the employee's spouse, as well as applicable coverages. More than 12 requests for reimbursement were ultimately reviewed and documented, and the Village consulted with the NYS Office of the State Comptroller, as well as our local district attorney's office. Upon review of the entirety of the information we were able to obtain, we do not find any credible evidence that double reimbursement occurred.

A lot of comments were made publicly about the employee in question, and rumors have continued to persist. Those rumors were offered by people without any information or knowledge about the facts and circumstances of this matter, and were done simply as retribution. It is unfortunate that this occurred, but was beyond the control of my office or the Board of Trustees. We consider this matter closed.

We do also acknowledge that the investigation did reveal certain gaps in our health related reimbursement program, and we are working on clarifying our policy and reimbursement requests so that there are no ambiguities in the benefit program.

We consider this matter closed.

Thank you,

Matt Traver, Mayor

PUBLIC COMMENTS

For Street Department

Mayor Traver read a thank you note from Judith Smith, owner of 19 Taylor Street who stated that the Street Department was very helpful with a situation she had this summer. In addition, Trustee Williams thanked the Street Department for lining the crosswalk on East Street. This summer the department has had a full schedule, however they have consistently managed to respond to whatever is asked of them.

RON GRAHAM

21 Frank Street

Mr. Graham asked the Board and Attorney if it would be possible to apply to the State for funds to assess the old Williams' farm property. He

stated that the land is now unfarmed and nothing more than a bog. In addition, the July 2, 2017 rain storm caused flooding in his and neighboring basements. He is concerned that the flooding may contain PCB's or TCE's. A discussion on this was held, with the Board specifically talking about the abnormality of the storm and the impact it had on homes that have never experienced flooding.

In addition the Board discussed that this storm caused major flooding at 38 McCrea Street, revealing an underground aquifer from an old water source that the village used in the 1800's. A discussion centering on Ridge Street, the old College, the old Reservoirs, the multiple underground springs and the old clay pit took place.

GARY HILL/LOGGING, CHRISTMAS TREE FARM

Air Stripper Logger

Mr. Hill addressed the Board saying the timber market looks good and he is ready to put bids out for harvesting. The Board also discussed the proposed Christmas tree farm. A discussion was held on what investment the village would need to make. Mr. Hill said that the access road to the property would be by the old Reservoir and it would need to be fixed using gravel and the property would need to brush hogged in the fall. Prior to moving forward, a contract detailing the terms of agreement between the Village and Mr. Hill would need to be worked out. Trustee Carpenter will spearhead this project.

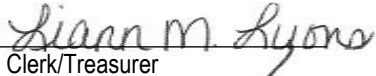
BOARD COMMENTS/DISCUSSION

Attorney Fuller stated, in regards to 140 Broadway, he will discuss with Code Enforcement Officer, Dave Armando then will file the necessary paperwork with the District Attorney's office.

Mayor Traver said the contract negotiations with PWEA are moving forward. In order to get the contract settled the Board would need to discuss one more item in executive session. At 8:07, motion to adjourn the meeting to executive session to discuss PWEA contract negotiations was made by **Trustee Conlon**, seconded by **Trustee Williams**. All ayes. Motion Carried. At 8:30, a motion to come out of executive session was made by **Trustee Conlon**, seconded by **Trustee Williams**. All ayes. Motion carried.

There being no further business, at 8:30pm, a motion to close the meeting was made by **Trustee Carpenter**, seconded by **Trustee Williams**. All ayes. Motion carried.

Respectfully Submitted,


Clerk/Treasurer

Dated: August 11, 2017