

Village Board of Trustees
 Regular Meeting
 Tuesday, January 2, 2018

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	Jeff Caprood			
Police				
Code	Dave Armando			
Attorney	Matthew F. Fuller			
Public	Jon Fleury	James Wallace	Jeanie Mullen	Callie Ginter (Post Star)
	H. Patrick Fitzsimmons	Barb Fitzsimmons		

THESE ARE NOT OFFICIALLY ADOPTED MINUTES AND ARE SUBJECT TO BOARD AND STAFF REVISIONS. ANY REVISIONS 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 CONLON.

Monthly VB Meeting, December 4, 2017

Special VB Meeting I, December 4, 2017

Special VB Meeting II, December 4, 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 and Justice Court.

ALL AYES. MOTION CARRIED.

AUDIT OF BILLS

ACCEPT THE AUDIT OF MONTHLY BILLS

MOTION BY **TRUSTEE CARPENTER, SECONDED BY TRUSTEE WILLIAMS.**

PAY BEFORE AUDIT #8		AUDIT #8			
General Fund	\$ 9,095.99	General Fund	\$ 66,092.06*	GF/140 Bdwy*	*\$ 31,259.45 (inc. in GF)
Water Fund	\$ 1,992.45	Water Fund	\$ 12,642.90	Phase IV	\$ 5,207.01
Air Stripper	\$ 660.40	Air Stripper	\$ 40,266.23	SRTS	\$ 66,317.42
	\$		\$	HUD	\$ 19,000.00

RESOLUTIONS

RESOLUTION #61 OF 2017-2018

AUTHORIZE THE USE OF A MUNICIPAL CREDIT CARD

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

WHEREAS, being able to purchase goods with a credit card may afford the Village an opportunity to procure a product at a lower cost; and

WHEREAS, the Village of Fort Edward has made application for a small Business Edition credit card through First National Bank of Omaha (FNBO) issuing corporate cards solutions in partnership with Glens Falls National Bank. Said card is in the name of the Village of Fort Edward and the current Clerk/Treasurer; and

WHEREAS, the complete terms and conditions of the FNBO credit card are attached to this resolution, the Annual Percentage Rate (APR) for purchases is 13.99%, there is no monthly or annual fees and the credit limit on said card is **\$15,500.00**; and

WHEREAS, monthly transactions may be made at the discretion of the department supervisor by the Clerk/Treasurer following the terms and

conditions of the credit card policy and procedures, and

NOW THEREFORE BE IT RESOLVED, the Village Board of Trustees does hereby approve the Municipal Credit Card policy and further agree to the following limits for purchasing:

Dollar Limit/Transaction \$ 999.99 to follow the current procurement policy
Dollar Limit/Monthly Billing Cycle \$ 2,500.00

ALL AYES. MOTION CARRIED.

VILLAGE OF FORT EDWARD

MUNICIPAL CREDIT CARD POLICY

GENERAL FINANCE PROVISIONS

The purpose of this policy is to establish guidelines for the Village of Fort Edward to provide for the issuance of an Institutional Credit Card for the purpose of enabling a cost-effective, convenient and streamlined method of purchasing items. Reports on cardholder activity enable the Village of Fort Edward to capture information necessary to better manage Village of Fort Edward purchasing activities.

INDIVIDUAL CREDIT CARDS

An individual credit card is not authorized at this time.

INSTITUTIONAL CREDIT CARD

A single credit card issued in the name of the Village of Fort Edward whose cardholder agrees to use the credit card according to the attached procedures and agrees to the financial institutions terms and conditions.

PROCEDURES

1. The Village of Fort Edward may establish a credit card in the name of the Village Clerk/Treasurer with a financial institution provider of the Village of Fort Edward business use only. The Village of Fort Edward Clerk's Office must receive monthly statements from the financial institution provider. No more the one (1) card may be issued.
2. The Village Clerk/Treasurer must sign an agreement acknowledging that he/she has read and understands the policies and procedures governing the use of the Village of Fort Edward credit card.
3. The Village of Fort Edward Board of Trustees must approve procedures and forms for implementing and monitoring a credit card purchasing program through a financial institution provider that includes but is not limited to the following:
 - a. A dollar limitation on the card;
 - b. A dollar limitation of purchasing authority assigned to the cardholder per transaction made with the credit card;
 - c. A dollar limitation of purchasing authority assigned to the cardholder for the total of all charges made during each monthly billing cycle;

AUTHORIZED CARD USE

Credit cards may only be used upon approval, in advance of usage, by the Mayor, Board of Trustees or Clerk/Treasurer.

UNAUTHORIZED AND/OR INAPPROPRIATE CARD USE

Credit cards must never be used to purchase items for personal use or for non- Village of Fort Edward purposes, even if the cardholder intends to reimburse the Village of Fort Edward. Unauthorized and/or inappropriate card uses include, but is not limited to:

- a. Items for personal use;
- b. Items for non- Village of Fort Edward purposes;
- c. Cash or cash advances;
- d. Food and beverages for an individual employee (however, authorized travel expenses including allowable food and non-alcoholic beverages will be reimbursed through the voucher system);
- e. Alcoholic beverages;
- f. Weapons of any kind or explosives (except authorized Police Department purchases if applicable);
- g. Relocation expenses;
- h. Entertainment expenses;
- i. Recreation expenses;
- j. Automatic payment deductions to pay credit card bills; and
- k. Other expenses as determined by the Board of Trustees in consultation with the Village Attorney.

DISCIPLINARY ACTION

1. A cardholder who makes an unauthorized purchase with the card or uses the card in an inappropriate manner will be subject to revocation of the credit card and disciplinary action including restitution to the Village of Fort Edward for unauthorized purchases, possible card cancellation, possible termination of employment at the Village of Fort Edward and criminal prosecution.
2. If any item purchased with a credit card is not acceptable, damaged or is the wrong item, arrangements must be made for a return for credit or an exchange. A chase refund or check is prohibited unless the vendor insists that a refund must be made by either cash or check, then the funds must be delivered to the Village Clerk's office, along with a receipt detailing the amount refunded. Said funds must then be immediately receipted in the Clerk's receipt book and deposited into the appropriate Village of Fort Edward bank account.
3. If, for any reason, disallowed charges are not repaid before the credit card billing is due and payable, the Village of Fort Edward shall have a prior lien against and a right to withhold any and all funds payable or to become payable to the employee up to an amount of the disallowed charges and interest at the same rate as charged by the company which issued the credit card. An institutional credit card cannot be used if any disallowed charges are outstanding and the card is to be surrendered to the Mayor of the Village of Fort Edward where the credit card will be secured in the vault in the Clerk's office until a final resolution has been rendered. The Village of Fort Edward shall have unlimited authority to revoke use of the credit card issued under this section, and, upon such revocation order being delivered to the credit card company, shall not be liable for any costs.

RESPONSIBILITY AND ACCOUNTABILITY

It is the responsibility of the institutional card holder to:

- a. Safeguard the credit card and the credit card account number at all times. Lost or stolen credit cards must be reported to the financial institution immediately;
- b. Keep credit card in a secure location at all times;
- c. No one is allowed to use the credit card and/or credit card number who is not authorized to do so;
- d. Municipal credit card users must notify vendors/merchants that the credit card transaction should be tax exempt;
- e. Obtain and retain itemized receipts for goods and services purchased;
- f. The department requesting a purchase using the credit card is responsible for the security of all purchases made with the institutional credit card.
- g. All purchases made through the credit card that are not authorized in the current year budget, must receive prior authorization from the Board of Trustees;
- h. The Village of Fort Edward does not allow the credit card to be used for employee's travel expense. Any expenses related to travel will be reimbursed accordingly using the voucher system.
- i. Review in a timely manner monthly statements from the financial institution provider for accuracy and ensuring all transactions posted are legitimate transactions made by the cardholder. Receipts and/or when possible, packing slips and the customers copy of the charges (invoice) must be attached to the monthly statement. The department head that requested the purchase of goods and/or services must sign the statement acknowledging the receipt of goods and/or services;
- j. Late fees and interest should not accrue on the credit card account;
- k. Upon separation from the Village of Fort Edward, the employee authorized to use the credit card must be immediately removed from the account by contacting the financial institution; and
- l. Take any other steps necessary to ensure that the credit card is used only for authorized purposes.

EMERGENCY PURCHASES

Emergency purchases included purchases necessary to maintain the health, safety and welfare of the Village of Fort Edward and its residents. All emergency purchases must be authorized by the Village Mayor. If the Mayor is unavailable, the Deputy Mayor may authorize an emergency purchase.

REVIEW OF PURCHASES

1. All receipts and expenditures will be reconciled with the monthly statements and audited at a duly convened meeting of the Village Board of Trustees;
2. The Village of Fort Edward shall conduct a periodic review for proper card use. In addition, credit card records will be audited during the annual audit of the Clerk's books.

SUPPORTING DOCUMENTATION

1. Resolution 61 of 2017-2018 Entitled "Authorization to Use Credit Card"
2. Monthly Log of Credit Card Purchase(s)
3. Employee Agreement

RESOLUTION #62 OF 2017-2018

RESIGNATION OF PART TIME PATROLMAN, EDWARD ACKLEY

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

WHEREAS, Edward Ackley was hired as a part time patrolman for the Police Department on June 5, 2017 by resolution number 7 of 2016-2017 and

WHEREAS, the Fort Edward Village Board does hereby accept the resignation of Mr. Ackley and extends their appreciation to him for his service to the Village of Fort Edward, and

NOW, THEREFORE BE IT RESOLVED, this resignation is effective immediately.

ALL AYES. MOTION CARRIED.

RESOLUTION #63 OF 2017-2018

RESIGNATION OF FULL TIME PATROLMAN, JASON FLYNN

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

WHEREAS, Jason Flynn was hired as a full time patrolman for the Police Department on June 8, 2016 by resolution number 12 of 2016-2017 and

WHEREAS, the Fort Edward Village Board does hereby accept the resignation of Mr. Flynn and extends their appreciation to him for his service to the Village of Fort Edward, and

NOW, THEREFORE BE IT RESOLVED, this resignation is effective immediately.

ALL AYES. MOTION CARRIED.

RESOLUTION #64 OF 2017-2018

A RESOLUTION AUTHORIZING THE TRANSFER OF MONEY WITHIN THE GENERAL FUND FOR WORK DONE AT 13 WASHINGTON STREET

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

WHEREAS, on May 30, 2017 the Village Board of Trustees (the "Board") adopted Resolution 88 of 2016-2017 for the acquisition of 13 Washington Street, parcel ID 163.18-1-21 (the "Property") from Wells Fargo; and

WHEREAS; during the transfer of property from Wells Fargo to the Village, Wells Fargo gave the Village \$25,000 towards the remediation of said property and the money was deposited into the General Fund Miscellaneous Revenue appropriation code (A0.2770.000); and

NOW, THEREFORE BE IT RESOLVED, the Board does hereby authorize the transfer of **\$13,264.16** from Miscellaneous Revenue (A0.2770.000) to the Community Beautification appropriation code (A0.8510.400) to cover the cost of asbestos sampling, testing and reporting and Town taxes; and

FROM AC # (DEBIT)	ACCOUNT NAME	ACCOUNT TYPE	AMOUNT	TO AC # (CREDIT)	ACCOUNT NAME	ACCOUNT TYPE	REASON
A0.2770.000	Miscellaneous Revenue	Revenue	\$2,292.00	A0.8510.400	Community Beautification	Contractual	Asbestos
A0.2770.000	Miscellaneous Revenue	Revenue	\$2,422.16	A0.8510.400	Community Beautification	Contractual	Town Taxes
A0.2770.000	Miscellaneous Revenue	Revenue	\$8,550.00	A0.8510.400	Community Beautification	Contractual	Asbestos

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

ALL AYES. MOTION CARRIED.

RESOLUTION #65 OF 2017-2018

AUTHORIZATION TO PAY BEFORE AUDIT

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

WHEREAS, the 2017-2020 PWEA contract which was executed on September 6, 2017; and

WHEREAS, the language pertaining to employee uniforms was updated in Article XVII, removing the "cleaned uniform" service and adding the following language "The Village will reimburse up to \$300 per year for the cost of safety shoes, jeans/pants/shorts to be worn as part of the departmental uniform. When the current contract for uniform service expires, the uniform service will be discontinued. Each year the village will provide the following uniforms: (5) long sleeve shirts, (5) short sleeve shirts, and (1) sweatshirt"; and

WHEREAS, UniFirst has been the uniform provider, as part of the UniFirst contact, prior to the account being cancelled, the account must be paid in full; and

NOW THEREFORE, BE IT RESOLVED, the Village Board of Trustees does hereby authorize the Clerk to issue a pay before audit to UniFirst in the amount not to exceed **\$300.00**; and

ALL AYES. MOTION CARRIED.

RESOLUTION #66 OF 2017-2018

MOWING OF YACHT BASIN & UNDERWOOD PARK, 2017-2019

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

WHEREAS, Resolution 72 of 2016-2017 awarded a lawn care maintenance agreement to Moffitt Enterprises, aka Black Dog Landscaping for the fiscal year beginning June 1, 2017 through fiscal year ending May 31, 2019; and

WHEREAS, said contract was approved for \$4000.00/fiscal year and to date Moffitt Enterprises has been paid three (3) installments for work done during the 2017-2018 fiscal year; and

WHEREAS, Moffitt Enterprises has moved the business out of state and is no longer able to honor this agreement and Evergreen Landscape & Turf has taken over many of Moffitt Enterprises contracts;

NOW THEREFORE BE IT RESOLVED, the Village Board of Trustees does hereby agrees to transfer the lawn maintenance contract, including all of the same terms, conditions and cost, to Evergreen Landscape & Turf, effective immediately.

ALL AYES. MOTION CARRIED.

RESOLUTION #67 OF 2017-2018

DRAWDOWN REQUEST #6, SAFE ROUTES TO SCHOOL PROJECT, PIN #1759.58.123

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

WHEREAS, the above referenced project has incurred project related expenses in the amount of **\$66,317.42** which were incurred between October 7, 2017 and November 8, 2017 and said pay application is hereby approved by this Board; and

NOW THEREFORE BE IT RESOLVED, the Board hereby authorizes the designated official(s) to execute the NYS DOT "Sponsor's Reimbursement Request" form; and

BE IT FURTHER RESOLVED, the Board directs the Clerk to forward the executed form(s) and appropriate documentation to the NYS Office of Community Renewal.

ALL AYES. MOTION CARRIED.

RESOLUTION #68 OF 2017-2018

DRAWDOWN REQUEST #6, PHASE IV SAFE WATER IMPROVEMENTS PROGRAM WATER MAIN REPLACEMENT & SEWER SEPARATION PROJECT

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

WHEREAS, the above referenced project has incurred project related expenses in the amount of **\$5,207.01** between the time period of September 30, 2017 and October 27, 2017; and

WHEREAS, the invoices pertaining to said expenses have been audited by the Village Board of Trustees at the January 2, 2018 meeting; and

NOW THEREFORE BE IT RESOLVED, the Board hereby authorizes the designated Trustees to execute the "Public Infrastructure/Facility Request for Funds" form; and

BE IT FURTHER RESOLVED, the Board directs the Clerk to forward the executed form(s) and appropriate documentation to the NYS Office of Community Renewal.

ALL AYES. MOTION CARRIED.

RESOLUTION #69 OF 2017-2018

TRANSFER MONEY FROM FUND BALANCE TO COMMUNITY BEAUTIFICATION FOR EMERGENCY REPAIRS TO 140 BROADWAY

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

WHEREAS, the Village Board of Trustees adopted resolution 58 of 2017-2018 authorizing a contract with R&B Construction, LLC for emergency repairs of 140 Broadway, tax map number 171.6-1-39, and said repairs have been completed by the contractor, and

WHEREAS, the Village engineering firm, Chazen Companies, has provided engineering services, including but not limited to providing plans and documents related to the emergency stability repairs needed to ensure public safety; and

NOW THEREFORE BE IT RESOLVED, in order to pay invoices related to the above it is necessary to transfer \$31,259.45 from appropriated fund balance (A0.0909.000) to Community Beautification (A0.8510.400); and

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

ALL AYES. MOTION CARRIED.

OTHER BUSINESS

JAMES WALLACE
68 KING STREET

Mr. Wallace addressed the Board with an issue involving his neighbor, Mr. Fleury. After a brief discussion Mayor Traver informed the resident that boundary line disputes are a civil matter and cannot be rectified through the Village Board. Mr. Wallace would need to retain legal services and mediate the issues through the civil process using the court system.

JON FLEURY
24 KING STREET

Mr. Fleury gave the Board a very brief history of the property in question.

H. PATRICK FITZSIMMONS
173 BROADWAY

Mr. Fitzsimmons addressed the Board to discuss snow removal on Broadway. In years past the Village DPW was able to clear Broadway when there was 6" or more of snow and this work would be reimbursed by the County. While he isn't sure this is still how the reimbursement process still works, he stated that having cleared sidewalks and removed snow banks sends a message to the public that the village is open and ready for business. He went on to ask if it was feasible for the DPW crew to clean up Broadway perhaps one section at a time. Prior to feedback from the Board, Mr. Fitzsimmons left the meeting.

The Board briefly discussed. It was stated that, depending on the weather, the DPW crew is scheduled to clear Broadway on Thursday, January 4th. The crew will work Thursday during the day then come back in to work 11:00p-7:00a. Clearing Broadway is done at night when cars are off the street. Prior to clearing Route 4, the DPW must have authorization from the State DOT office in Hudson Falls. Unauthorized work on Route 4 will not be reimbursed.

POLICE DEPARTMENT

Mayor Traver asked Attorney Fuller to look into the process to request reimbursement from Washington County for the training of Officer Flynn. Officer Flynn was recruited by the County (see above Resolution #63) and Mayor Traver would like to seek reimbursement for eligible expenses as that is in the best interest of Village taxpayers.

SAFE ROUTES TO SCHOOL, SRTS PIN 1759.58

This project is complete other than ancillary work that will need to be done in the spring.

PHASE IV/WATER AND SEWER LINE REPLACEMENT

The project is on hold until the spring, with Liberty Street still outstanding.

140 BROADWAY/CHAZEN, MIKE CLARK, PE

R&B Contactor has completed the work as outlined in the Chazen bid specs. The village will wait for Chazen to make a site visit to verify the work is substantially complete and issue a letter stating such. The Board briefly discussed. The Clerk's office will put together a spreadsheet of expenses incurred on this project and forward to Attorney Fuller. Attorney Fuller will file a judgement on the property. Code Enforcement Officer Dave Armando will reassess the building detailing the remaining issues that need to be addressed by the homeowner and forward said information to Attorney Fuller.

13 WASHINGTON STREET

Asbestos remediation and air quality testing has been done. Demolition was going to take place over Christmas break however the weather significantly impacted the timeline. When the weather cooperates, demolition will be scheduled.

DPW TRUCK REPAIRS

Repairs have been made and the truck is working fine.

GENERAL ELECTRIC REARDON BROOK AIR STRIPPER

On October 12, 2017 the Village sent a certified/return receipt termination of service letter to General Electric. On December 4th at 12:30, Mayor Traver, John Miller, Water Superintendent, John Uruskj, General Electric and Paul Hare, O'Brien and Gere meet to discuss the Air Stripper contract between General Electric and the Village of Fort Edward. As of this meeting, Mayor Traver indicated that there have been

no further communication between the two parties. He will follow up with John Uruskyj of General Electric.

CABLE FRANCHISE CONTRACTS

There is no change from the previous meeting when Clerk Lyons updated the Board saying Kevin Egan, Spectrum, called on December 4, 2017 to say that the cable franchise renewal contract is with their legal department and that he will forward the comments and feedback within the next couple of weeks.

UPDATES

CODE ISSUES

180 BROADWAY, 14 CENTER STREET, 52 BROADWAY

Attorney Stockwell has been out of the office. D. Armando stated he would follow up with her for an update on these issues. .

CANAL STREET MARKETPLACE

Trustee Williams stated that Market Manager, Mike Dickinson and Ken Brownell meet to discuss the electric supply and lights at the Marketplace. An estimate for work has been prepared and forwarded to Mayor Traver.

ROGERS ISLAND

Trustee Carpenter stated that a professor from Dartmouth College has donated services to Rogers Island and has performed Ground Penetrating Radar on a portion of the Island using a drone at night which resulted in the collection of data to be used to compile a grid and map of the Island. This data can be used to pin point where potential historical findings have been identified through the radar testing. This will be extremely useful information moving forward.

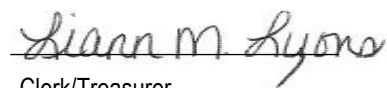
25 BROADWAY

On December 2, 2017 the FEPD was dispatched to 25 Broadway in response to a 911 emergency call. During this response there was damage to a wooden doorway. The village is in receipt of communication from the FE Historical Society eluding to compensation for the repair. This information has been forwarded to Washington County Public Safety and at the advice of the Attorney Fuller, it is to be sent the Village insurance carrier.

Mayor Traver updated the Board saying both the Water and Sewer departments having been working extremely hard over the last couple of weeks. They have responded to several snow storms and water breaks. The departments had to come out on both Christmas Eve and Christmas Day and the Board appreciates their work. Jeanie Mullen, on behalf of the Washington County Sewer District II, thanked the Village for lending the sewer department the use of the Salamander heater. Mayor Traver asked the Police Committee to set up a meeting with the Chief to discuss the DASNY grant from Assemblywoman Carrier Woerner.

There being no further business, at 8:05pm, a motion to close the meeting was made by **Trustee Carpenter**, seconded by **Trustee Conlon**. All ayes. Motion carried.

Respectfully Submitted,



Clerk/Treasurer

Dated: January 4, 2018