

MAYOR TRAVER CALLED THE MEETING TO ORDER AT 7:00PM (Pledge of Allegiance done at 6:30 public hearing)

Roll Call	Trustee Carpenter, Trustee Boucher, Trustee Perry, Trustee Williams, Mayor Traver
Highway	Bryan Etu, Jeff Caprood
Police	Justin Derway, Dean Watkins
Code	Dave Armando
Attorney	Matthew F. Fuller
Public	Jeanie Mullen, Bob Haley, JoAnne Taylor, Bernie Taylor, Gwen Craig, Cyndi Raggi, Susan Malvuccio, Theresa Rose, Jim Thatcher, Rich (Toadflax)

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 **Carpenter**.

Approval of Minutes	VB Monthly Mtg.	May 1, 2018	VB Special Mtg.	May 29, 2018
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ALL AYES. MOTION CARRIED.

REPORTS

A MOTION TO ACCEPT THE FOLLOWING MONTHLY REPORTS WAS MADE BY:
 Trustee **Carpenter**, SECONDED BY Trustee **Perry**.

Clerk/Treasurer, Village Justice, Police Chief, Street and Water Department, Groundskeeper, Code Enforcement.

ALL AYES. MOTION CARRIED.

AUDIT OF BILLS

Accept the Audit of Monthly Bills

MOTION BY Trustee **Boucher**, SECONDED BY Trustee **Williams**.

Pay Before Audit #1		Audit #1			
General Fund	\$ 59.99	General Fund	\$ 51,448.03	Phase IV (Grant \$)	\$ N/A
Water Fund	\$ N/A	Water Fund	\$ 400.00	Phase IV (Cumby's)	\$ N/A
Air Stripper	\$ N/A	Air Stripper	\$ N/A	HUD	\$ N/A

ALL AYES. MOTION CARRIED.

RESOLUTIONS

RESOLUTION #01 OF 2018-2019

Facility Use Permit, St. James Church at the Marketplace

MOTION BY Trustee **Williams**, SECONDED BY Trustee **Boucher**, WHICH STATES:

WHEREAS, the Fort Edward Village Board does hereby acknowledge receipt of the Facility Use Permit and supporting documentation from the St. James Church; and

WHEREAS, the Church is hosting a picnic and is requesting use of the Canal Street Marketplace Sunday, June 23, 2018 from 3:00-9:00pm; and

NOW THEREFORE BE IT RESOLVED, the Fort Edward Village Board does hereby authorize St. James Church to use the Canal Street Marketplace on the day and time listed above, contingent on the receipt of the specific item listed on the facility use permit, including the certificate of insurance.

ALL AYES. MOTION CARRIED.

RESOLUTION #02 OF 2018-2019

Facility Use Permit, The World Awareness Children's Museum

MOTION BY Trustee **Williams**, SECONDED BY Trustee **Carpenter**, WHICH STATES:

WHEREAS, the Fort Edward Village Board does hereby acknowledge receipt of the Facility Use Permit and supporting documentation from the World Awareness Children’s Museum; and

WHEREAS, the Museum is hosting an educational program that looks at all kinds of location connections about the impact the river and the canal have had on the history, community and commerce in the region and is requesting the use of the Yacht Basin on Sunday, July 1, 2018 from 11:00-2:00pm; and

NOW THEREFORE BE IT RESOLVED, the Fort Edward Village Board does hereby authorize the World Awareness Children’s Museum the use of the Yacht Basin on the day and time listed above.

ALL AYES. MOTION CARRIED.

RESOLUTION #03 OF 2018-2019

Adoption of Local Law 2 of 2018 Regulating Fire Insurance Claims in the Village of Fort Edward

MOTION BY Trustee **Williams**, SECONDED BY Trustee **Boucher**, WHICH STATES:

WHEREAS, in order to promote public health, safety and welfare of the community with the Village of Fort Edward (the “Village”) the Village has determined that it is in the public interest to adopt a local law regulating fire insurance claims in the Village; and

WHEREAS, the Village scheduled a public hearing to be held before the Village Board on June 4, 2018 at 6:30 p.m. at the Offices of the Village of Fort Edward, 118 Broadway, Fort Edward, New York to hear all interested parties on the proposed Local Law; and

WHEREAS, notice of said public hearing was duly posted and then published in the *Post Star*, the official newspaper of the Village, pursuant to and in conformance with Section 20 of the Municipal Home Rule Law; and

WHEREAS, said public hearing was duly held and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the proposed Local Law.

NOW, THEREFORE, BE IT RESOLVED, the Village Board, upon due deliberation of the proposed Local Law and the comments presented at the public hearing, finds that the adoption of the same shall be in the best interests of the Village; and be it further

RESOLVED, that the proposed Local Law No. 2 of 2018 which regulates fire insurance claims in the Village of Fort Edward, a copy of which is attached to and made a part of this resolution, is hereby adopted and shall take effect immediately upon its filing with the Department of State.

A roll call vote was taken:

Voting		Ayes	Nays	Abstain	Absent
Matthew Traver	Mayor	X			
Ed Carpenter	Trustee	X			
Phil Perry	Trustee	X			
John Boucher	Trustee	X			
Peter Williams	Trustee	X			

ALL AYES. MOTION CARRIED.

1 RESOLUTION #04 OF 2018-2019

Bond Resolution Authorizing the Issuance of \$200,000.00 Aggregate Principal Amount of Serial Bonds or a Statutory Installment Bond of the Village of Fort Edward to Pay the Costs for the General Electric Settlement and Authorizing the Issuance of Bond Anticipation notes of the Village of Fort Edward for the Aforesaid Proposes and in Connection Therewith

MOTION BY Trustee **Perry**, SECONDED BY Trustee **Boucher**, WHICH STATES:

WHEREAS, after due deliberation thereon, the Board of Trustees (the “Board”) of the Village of Fort Edward (the “Village”) desires to undertake a project consisting of settling a claim with General Electric as part of the Stipulation of Settlement, Order and Judgment under Article Seven of the Real Property Tax Law proceeding commenced against the Village of Fort Edward and other incidental costs (the “Project”) and

WHEREAS, The General Electric Company pursuant to Article 7 of the Real Property Tax Law commended various actions against the Village of Fort Edward contesting their real property tax assessment for the years 2009-2016, inclusive, and as part of the settlement of the proceeding, the Village of Fort Edward was required to repay to the General Electric Company the total of Four Hundred Thousand and 00/100 Dollars (\$400,000.00); and

WHEREAS, in order to finance the costs associated with the Project, the Village desires to issue notes or serial bonds or a statutory installment

bond, in lieu of serial bonds, in the aggregate principal amount of Two Hundred Thousand and 00/100 Dollars (\$200,000.00); and

WHEREAS, no other bond anticipation notes have been previously authorized or issued in anticipation of the issuance of serial bonds authorized by this resolution and the bond anticipation notes authorized by this resolution will not serve to renew any other existing bond anticipation notes.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Village as follows:

Section 1. The specific object and/or purpose of the Project for which the obligations authorized by this Resolution are to be issued is the settling of a claim with General Electric as part of the Stipulation of Settlement, Order and Judgment under Article Seven of the Real Property Tax Law proceeding and other incidental costs, all of which are hereby authorized at a maximum estimated cost Two Hundred Thousand and 00/100 Dollars (\$200,000.00).

Section 2. The initial financing of the Project shall be undertaken by the Village through the issuance of a bond anticipation note or notes in accordance with and pursuant to the Local Finance Law of the State of New York in an amount not to exceed Two Hundred Thousand and 00/100 Dollars (\$200,000.00). The Village hereby authorizes any bonds, including a statutory installment bond, in lieu of serial bonds, to be issues for this Project in an amount not to exceed Two Hundred Thousand and 00/100 Dollars (\$200,000.00). In addition, the Village further authorizes any obligations issued hereunder to be secured in connection with any Federal or State issued grant(s) or loan(s).

Section 3. The Village hereby authorizes the mayor of the Village (the "Mayor") to utilize funds held within the Fund and within the Budget for the purpose of payment of services rendered in connection with the Project and further authorizes the Mayor to repay any funds expended from the Fund with funds borrowed in connection with any bond anticipation note or bonds, including statutory installment bonds, issued pursuant to and authorized by and through this bond resolution.

Section 4. There are hereby authorized to be issued bond anticipation notes ("Notes"), including the renewal of such Notes, for the aforesaid specific objects or purposes in amounts up to but not exceeding the maximum amount of the Bonds herein authorized. Any such Notes issued shall be approved as to form and executed by the Mayor, and issued in anticipation of the sale of the Bonds herein authorized.

Section 5. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes is no less than ten (10) years pursuant to Section 11.00(a)(33-a) of the Local Finance Law.

Section 6. The full faith and credit of the Village is hereby irrevocably pledged for the payment of the principal of and interest on any Bonds or Notes issued in connection with this bond resolution, as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of, and any interest, if applicable, on the Bonds or Notes becoming due and payable in such years.

Section 7. The maximum maturity of the Bonds shall not exceed the periods of probable usefulness set forth above and shall mature on or before the date of the expiration of the aforesaid periods of probable usefulness as measured from the date of the Bonds or from the date of the first bond anticipation note issued in anticipation of the sale of such bonds, whichever date is earlier. If deemed necessary by the Mayor, the Bonds or Notes to be issued hereunder may be issued in two or more separate series. The maturity of the Bonds issued in connection with this bond resolution will NOT exceed five (5) years.

Section 8. Any Notes or Bonds issued hereunder shall be payable from the proceeds derived from the issuance and or sale of the Bonds authorized herein or otherwise redeemed in the manner provided by Section 23.00 or Section 62.10 of the Local Finance Law.

Section 9. There are no bond anticipation notes or Bonds outstanding which have been previously issued in anticipation of the sale of the Bonds authorized herein.

Section 10. Subject to the provisions of the Local Finance Law, the power to issue and sell the Bonds and/or Notes, including all powers and duties pertaining or incidental thereto, is hereby delegated to the Mayor of the Village, except as herein provided. The Bonds and/or Notes shall be of such terms, form and content, and shall be sold in such manner, whether by public or private sale, as may be determined by the Mayor, pursuant to Local Finance Law, this resolution and any further resolution which the Board may hereafter adopt. The Mayor is authorized to execute and deliver any documents and to take such other action as may be necessary and proper to carry out the intent of the provisions of this resolution, including any resolutions, contracts or authorizations necessary to secure any Federal or State issued grant(s) or loan(s).

Section 11. The exact date of issue of the Bonds and/or Notes and the exact date upon which the same shall become due and payable shall be fixed and determined by the Mayor, provided however, that the maturity of said Notes or renewals thereof shall not exceed one year from the Note's or renewal's date of issue except as permitted by the Local Finance Law.

Section 12. The Mayor shall prepare, or cause to be prepared, such Bonds and/or Notes and sell the same in accordance with the applicable provisions of the Local Finance Law, and at such sale shall determine the interest rate to be borne by such Bonds and/or Notes, whether fixed or variable.

Section 13. The proceeds of the sale of the Bonds and/or Notes shall be deposited and/or invested as required by Section 165.00 of the Local Finance Law, and the power to invest the proceeds of sale is hereby delegated to the Mayor and the power to invest in any instruments described in the said Section 165.00 is expressly granted.

Section 14. To the extent that it is permitted to do so under the Internal Revenue Code of 1986, as amended (the "Code"), the Issuer hereby designates the Bonds and/or Notes as "qualified tax-exempt obligations" under Section 265(b)(3) of the Code. The Issuer hereby covenants that it will (i) take all actions on its part necessary to cause interest on the Bonds and/or Notes be excluded from gross income for purposes of Federal income taxes and (ii) refrain from taking any action which would cause interest on the Bonds and/or Notes to be included in gross income for purposes of Federal income taxes.

Section 15. Pursuant to Section 36.00(a)(1) of the Local Finance Law, this resolution is not subject to permissive referendum.

Section 16. The validity of such Bonds and/or Notes (collectively "Obligations") may be contested only if:

- (1) Such Obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced with twenty (20) days after the date of such publication, or
- (3) Such Obligations are authorized in violation of the provisions of the constitution.

Section 17. This resolution, or a summary hereof, shall be published in full in the *Post Star*, which has been designated as the official newspaper of the Village for such purpose, together with a notice of the Clerk of the Village in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 18. The adoption of this Resolution is considered an action under the New York State Environmental Quality Review Act (SEQRA). The Village hereby declares that this action is a Type II action pursuant to 6 NYCRR 617.5(27), and hereby declares that the action does not have a significant impact on the environment and the action is hereby precluded from further environmental review.

Section 19. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote by roll call, which resulted as follows:

A roll call vote was taken:

Voting		Ayes	Nays	Abstain	Absent
Matthew Traver	Mayor	X			
Ed Carpenter	Trustee	X			
Phil Perry	Trustee	X			
John Boucher	Trustee	X			
Peter Williams	Trustee	X			

ALL AYES. MOTION CARRIED.

RESOLUTION #05 OF 2018-2019

Appointment of 2018 Recreation Employees

MOTION BY Trustee **Carpenter**, SECONDED BY Trustee **Williams**, WHICH STATES:

WHEREAS, the Fort Edward Village Board does hereby appoint the following employees to the 2018 Summer Recreation Program:

James Donahue	Recreation Director	613.92/week
Jonah Taylor	Senior Rec Employee (1)	12.24/hour
John Godfrey	Senior Rec Employee (2)	12.24/hour
Samantha Godfrey	Recreation Employee	9.95/hour
Lexi Thomas	Recreation Employee	9.89/hour

ALL AYES. MOTION CARRIED.

2 RESOLUTION #06 OF 2018-2019

Resolution Introducing Proposed Local Law Regulating Fire Insurance Claims in the Village of Fort Edward
MOTION BY Trustee **Carpenter**, SECONDED BY Trustee **Boucher**, WHICH STATES:

WHEREAS, implementing consistent policies and procedures will help the Village comply with standards set by the NYS Office of State Comptroller; and

WHEREAS, these policies, standards, procedures and guidelines apply to all Village employees; and

NOW, THEREFORE BE IT RESOLVED, the Village Board of Trustees does hereby accept and adopt the following policies:

Policy Name		New Policy	Revised Policy
Code of Ethics	Office of State Comptroller Mandatory Policy	X	
Sexual Harassment	Office of State Comptroller Mandatory Policy	X	
Equal Employment Opportunity	Office of State Comptroller Recommended Policy		X
Conflict of Interest	Office of State Comptroller Recommended Policy	X	
Social Media/Internet Use/Computer Use	Office of State Comptroller Recommended Policy	X	
Travel/Conference Policy	Office of State Comptroller Recommended Policy		X

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

ALL AYES. MOTION CARRIED.

RESOLUTION #07 OF 2018-2019
NYCOM USA GRT Audit_Verizon

MOTION BY Trustee **Boucher**, SECONDED BY Trustee **Perry**, WHICH STATES:

WHEREAS, the village collects gross receipt taxes (GRT) as outlined in the village code book in Article II, Section 79-3; and

WHEREAS, Resolution 71 of 2016-2017 was adopted on April 3, 2017 and authorized Computel Consultants to perform an audit of GRT payments; and

WHEREAS, Computel has identified underpayments of gross receipts from Verizon and has negotiated a settlement on the Village's behalf; and

NOW, THEREFORE BE IT RESOLVED, the Village Board of Trustees hereby accepts and approves the Verizon settlement agreement, contingent on village counsel review and acceptance; and

BE IF FURTHER RESOLVED, the Board authorizes Mayor Traver to execute any and all Verizon settlement documents.

ALL AYES. MOTION CARRIED.

PUBLIC COMMENTS

THERESA ROSE
Town of Fort Edward

Theresa asked the following questions:

1. Why has the recycling schedule changed?
 - a. Mayor Traver told her that the recycling schedule has always been the last full week of the month, on Wednesday and Thursday. That has been the schedule since the Village started monthly pickups.
2. Why not combine the Ft. Edward Police Department with the Washington County Sheriff's Office?
 - a. Chief Derway explained that Sheriff's office is required to provide a correctional facility for the County and a civil division. They are not required to have road patrol. Trustee Williams further stated that having a village police department enhances the quality of life for residents.
3. Why not send all of the people who get tickets and fines, up to the County Court?
 - a. That isn't how the court system works. If someone gets a ticket in the village it goes to the village court. If a ticket is issued in the Town, it goes to a Town court. The village can't just give those tickets to a different jurisdiction.
4. Why does the Village put up hanging baskets? When money is tight and people are looking to make cuts, these flowers seem like a waste of money.

- a. Mayor Traver and Trustee Williams both spoke on this topic. Each echoing the other. The these baskets compliment downtown and when boaters are visiting the Yacht Basin they provide an incentive to walk into downtown and hopefully stop at the pizza shop, the diner of the Anvil. Even visiting Stewart's or Cumberland Farms. But overall this a quality of life issue and something that makes downtown look nice.
5. Is GE paying taxes?
- a. Mayor Traver stated that GE owns the facility located in the Town of Fort Edward, across from Stewarts, and he isn't aware of their payment history.
 - b. Cyndi Raggi asked if they were paying taxes on the dewatering facility parcel. Mayor Traver stated that this parcel is owned by WCC and no they are paying taxes on their parcels. She asked if it was being marketed to potential investors or companies to rent/buy this location. Mayor Traver said it is being marketed and questions should also be directed to the Washington County Board of Supervisors because there are issues with the County taking ownership of the bridge on the Kingsbury side. Cyndi further asked about potential development of the parcel. Mayor Traver told her this would go through the Town Planning Board and she can follow up with them.

RICH MORRIS
Toadflax Nursery

Rich updated the Board telling them that the Yacht Basin, Underwood Park and the Whiskey Barrels on East Street have been planted. He apologized for the communication issue that prevented the initial proper treatment of the plants. Cyndi Raggi stated the baskets need specific care, not a Monday, Wednesday, Friday watering, however an every other day watering. In addition, they need to be soaked to ensure the root base gets the needed water. Cyndi and Rich both agreed that the bid should be updated with the baskets and watering in one bid and the beds, planters and barrels in another.

CYNDI RAGGI
The Garden Barn

She asked about that four dead trees on Broadway. A discussion was held and the consensus was to remove the dead trees as they don't enhance the landscape. Cyndi had a few recommendations as to what to plant in its place.

OTHER BUSINESS

ADOPTION OF POLICIES

Prior to moving forward adopting Resolution #04 of 2018-2019 and Resolution #06 of 2018-2019 the Board discussed the following:

1 Resolution# 04 of 2018-2019

BOND RESOLUTION DISCUSSION

Mayor Traver updated those in attendance on the GE Settlement. The settlement, which was authorized in August 2017 required the village to pay GE \$400,000.00 by November 1, 2017 and August 1, 2018. In November the Village paid \$200,000 using fund balance, and this resolution is authorizing the Village to take out a 5 year BAN for the remaining balance of the settlement without reducing the fund balance.

2 Resolution# 06 of 2017-2018

TRAVEL POLICY

The Board briefly discussed the old travel policy and the current, proposed and abbreviated travel policy and agreed that the updated version would be suitable for the needs of the Village.

2 Code of Ethics Policy

The Board briefly discussed this policy, particularly noting that Section 18 states that he municipality must form a three member Board of Ethics, comprised of one (1) municipal officer &/or employee and two (2) members of the community. Attorney Fuller stated that the Board could adopt the policy at this meeting and move forward with the appointment for the Ethics Board in July.

FACILITY USE PERMIT, FE LIBRARY AT THE CANAL STREET MARKETPLACE

The Board discussed the previous approval and the requested amendments to the prior application. The Board agreed to the amended dates and times for the Library to use the building.

CANAL STREET MARKETPLACE

Trustee Williams said the first market of the season is on June 7th from 4:00-7:00pm. There is a new parking area for vendors that work out of the back of their vehicles, 18 vendors will be offering products at this market, music will be played and the FE Teachers Association will be giving away books at the library booth.

13 WASHINGTON STREET

This process is still moving forward.

APEX SOLAR

Clerk Lyons has not made application for this grant as of yet.

AIR STRIPPER- CONTRACT FOR USE OF BUILDING

Attorney Fuller has reached out several times to the GE contact and hasn't received a response from the company.

PHASE IV, WATERLINE REPLACEMENT PROJECT

Mayor Traver said the contractor is finishing the punch list for the project. The DPW will finish the driveway work on at 21 Liberty Street. The final pay app will be submitted for the July 2, 2018 meeting.

TRUSTEE PERRY

Stated that he has done research and believes it is in his best interest, as an attorney, to recuse himself from Police Department matters pertaining to personnel and finance issues. Mayor Traver stated that there are other members to handle these matters when they arise.

A motion to set a public hearing to update the Vehicle and Traffic Law for July 2, 2018 at 6:45pm for was made by Trustee **Carpenter**, seconded by Trustee **Perry**. All ayes. Motion carried.

A motion to adjourn to executive session to discuss collective negotiations pursuant to article fourteen of the civil service law and the employment history of a particular person, was made by Trustee **Boucher**, seconded by Trustee **Carpenter**. All ayes. Motion carried.

Executive Session: At the regular meeting of the Village Board of Trustees on Monday, June 4, 2018, a motion to adjourn to executive session to discuss collective negotiations pursuant to article fourteen of the civil service law and the employment history of a particular person, was made by Trustee **Boucher**, seconded by Trustee **Carpenter**. All ayes. Motion carried.

RESOLUTION #08 OF 2018-2019

Resignation of FT Administration, Liann M. Lyons

MOTION BY Trustee **Perry**, SECONDED BY Trustee **Boucher**, WHICH STATES:

WHEREAS, Liann M. Lyons was hired on March 3, 2008 to be the village Deputy Clerk by resolution number 65 of 2007-2008; and

WHEREAS, Liann was promoted to Clerk/Treasurer on July 4, 2016 by resolution number 13 of 2016; and

WHEREAS, the Fort Edward Village Board does hereby accept the resignation of Liann Lyons effective June 15, 2018 and extends their appreciation to her for her service to the Village of Fort Edward.

ALL AYES. MOTION CARRIED.

Phil left executive session prior to discussion of Police Department matters. Representatives of the Board of Trustees invited Police Department members into executive session.

A motion to adjourn executive session at **9:55pm** was made by Trustee **Carpenter**, seconded by Trustee **Williams**.

There being no further business, a motion to adjourn the meeting at **9:55pm** was made by Trustee **Carpenter**, seconded by Trustee **Perry**. All ayes. Motion carried.

Respectfully Submitted,

Liann M. Lyons

Dated: June 5, 2018