

Village Board of Trustees
 Regular Meeting
 June 5, 2023

DEPUTY MAYOR PETE WILLIAMS CALLED THE MEETING TO ORDER AT 7:00 PM AND LED THE PLEDGE OF ALLEGIANCE

| | |
|-----------|--|
| Roll Call | Trustee Boucher, Trustee Carpenter |
| Absent | Mayor Traver, Trustee Cutler |
| Police | |
| Code | Dave Armando |
| Attorney | Matthew Fuller |
| Water | |
| Clerk | Janelle Rose |
| Public | Frank Burkhardt, Mike & Melanie Dickinson, Jim Thatcher, Jeanie Mullen, Steve Davie, Pat Mullen, Chris Round, Chuck Barker, Therese Gillis |

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 – June 5, 2023

A MOTION TO ACCEPT THE MONTHLY MINUTES WAS MADE BY:
 Trustee **Boucher**, SECONDED BY Trustee **Carpenter**.

All Ayes. Motion Carried.

REPORTS – June 2023

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

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

All Ayes. Motion Carried.

AUDIT OF BILLS

Accept the Audit of Monthly Bills

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

All Ayes. Motion Carried.

General PBA

General Abstract #12 \$22,880.76

Water PBA

Water Fund Abstract #12 \$6,701.09

OTHER BUSINESS

- **Dirt Bike complaints** – Trustee Boucher brought up the complaints from residents regarding kids on dirt bikes up and down the road with no license, helmet, or registration. The Sheriff's office was called.

- **WWIDA** – Chris Round, WWIDA Chuck Barton and Dave O'Brien joined the board meeting to discuss the utilities for the Canalside Energy Park. The IDA received federal funding for the project. The village is involved so therefore, the WWIDA is suggesting the village be the responsible entity. The Canalside park will need sanitary utilities from Canal side to Baldwin Avenue. It will also need water lines on the vacant land on East Street. The responsible entity will need to review NEPA, EAF and historical cultural facilities. The endangered species review was already done and will be documented in the EAF. They are on a deadline and need completion by September 2023. All documentation should be in by July. LaBella will prepare a public notice with a 15-day comment period. When the EAF is concluded, a request for release of funds will be submitted. The IDA does not have full funding yet and the goal is construction next spring. There will be a temporary disturbance. The IDA is here to help and keep everyone informed about the project. Dave O'Brien explained the background of the property which the IDA took control of in 2020. The IDA tried to get WL Plastics in this location which made it to the Planning Boards, both Town and Village however they pulled the plug due to Covid. Dave explained that it was a good industry to have. Over the years, they have shown this location numerous times. Each time the water supply came up. Currently it is being used as a laydown yard for the CHPE project. They are looking at federal funding and need NEPA to get it. Every company that has looked at the property says sewer, sewer, sewer. The bridge is scheduled to be replaced and a temporary bridge up which is another thing they are working on to make the site attractive for NEPA which is key for funding sources. Trustee Williams asked about the duration of this project. Dave O'Brien stated that it would be approximately 2-3 years for completion. The sewer is the biggest part of it. Trustee Boucher asked about the sewer line being on the other side of the street and asked if it would interfere with the culvert. Public attendee Jeanie Mullen asked if the sewer lines will be dug or if directional boring would be done. Dave O'Brien said it depends on the archaeological situation as they do not know what is there. Attorney Fuller stated possibly having a town water district and be coterminous with the village. Chris Round from LaBella said that it is a unique site and would need the extension. The water is in the village, but the usage would be in the town.

- **Paving Project** – The three bids that came in were all close, however a motion to grant the bid to Services Unlimited, the lowest bidder, was made by **Trustee Carpenter**, seconded by **Trustee Boucher**.
All ayes. Motion carried.

- **Fence Project on Reservoir Road** – Three bids came in from Zarro Fence, ADK Fence and Tri-County Fence. A motion to grant the bid to Zarro Fence contingent upon verifying they do not need to pay prevailing wage was made by Trustee Boucher, seconded by Trustee Carpenter.

All ayes. Motion carried.

- **West Summit Street** – The village attorney received a real estate contract from Mr. Mullen's attorney. The contract was presented to the board for review; however, this June meeting did not have a full board including the mayor being absent. This will be tabled for the next meeting when there is a full board to discuss and decide. Trustee Williams explained to Mr. Mullen that the board received a letter from a concerned owner regarding erosion. Pat Mullen explained that basically he wants to buy the property for a right of way. He said he doesn't understand why people are worrying about him purchasing it when in the past all it's been used for is a dumping ground and most likely want to continue doing so. Pat said that the contract can have conditions, however it is basically my right of way to my property should I purchase it. Trustee Williams explained that the concern is in

the future if the land does get compromised, who is responsible? Attorney Fuller stated that our streets have protection. As a rule, our streets exist under a different law. If it is caused by water runoff in a different direction, there is no action. Trustee Williams said that this will have to wait for the mayor at the next meeting. Attorney Fuller asked Pat Mullen, “why not just get a right of way?” Pat stated that he just wants the whole piece and not just a right of way. He said he would like to use it and the neighbors just don’t want him to have it because they use it to dump yard waste. Pat would like to clean it up.

- **Annex** – Voters approved to transfer the annex to the Town and Village and FE Historical Association. Jim Thatcher will help with funding as the building is going to need some minor work on the inside.
- **138-140 Broadway** – Congrats to the village and Jim Thatcher for receiving \$500,000.00 from the Restore NY Grant. Matt Fuller asked Jim how many millions he has helped the village receive over the years. Jim said approx. 8-9 million but who’s keeping track. Jim stated that he was glad he had the conference call with the mayor and ESD as it gave him a good indication that the village would be granted the money. It was knocked down \$100k, but we will take it. The engineers did fluff the project a little bit and numbers may have been inflated so the village can make out well with the \$500k. The next thing we are waiting for is the award letter and then we can start the procurement process to get an engineer on board. Attorney Fuller stated that the village doesn’t have to do the work. Is there a developer? The village can issue an RFP in July or August. Leslie Ryan is interested in partnering with this as the parking lot out back is hers too. Trustee Williams expressed concerns about getting 138 secured before winter to prevent any further damage.
- **Water Project**– Attorney Fuller discussed the conference call with EFC and our bond council. They are discussing removing the water tower from the project but to change the scope of the project requires another BOND Resolution with a permissive referendum. We can relist it next year as a new project eliminating the tower as the costs are insane. A call is scheduled with LaBella, DOH, EFC and the Village. CDBG can make the costs reasonable. Attorney Fuller has a meeting Wednesday with the county DPW on paving Burgoyne. Jim Thatcher told the board that they need to hold a public hearing in July for the CDBG submission.
A motion to set a public hearing was made by **Trustee Carpenter**, seconded by **Trustee Boucher**.
All ayes. Motion carried.
- **Historic Fort Edward project** – Jim wants to nudge the board on the RFQ’s they reviewed and decide as to what engineering firm they are leaning towards for the project.
- **Kayak Launch at Yacht Basin** – The group has come upon a stumbling block with the kayak launch. The Canal Corp does not feel comfortable installing the launch at the south end of the wall. Erin Teta, the Real Estate – Real Property representative for the Canal Corp stated she would rather see it at the north end of the wall, which isn’t possible with the two outlets into the river. Attorney Fuller said having an engineer design that location on the river is a good approach. A permit from the Army Corp is needed as well as DEC. Getting an engineer involved is a big expense. The group feels that the company Boardsafe is the best vendor to use to purchase and install the launch. Trustee Williams stated that this too will have to wait for the full board in July to discuss further, however we all can agree that installation will not happen this summer. Mike Dickinson discussed the plans for the launch. There will be a self-serve kayak rental kiosk stationed at the yacht basin that would have a QR code to scan, rent and return using a credit or debit card.
- **Lemonade Stand** – Dave Armando wanted to let the board know that someone approached the village office and himself asking if a permanent lemonade stand could be stationed out on Broadway for the summer. Dave explained that it would require a peddling and soliciting permit as any other food, beverage vendor that sets up along the village which is \$250.00 fee. This is the village fee schedule and whether it is a child or an adult, this is the code and fee the village must follow. There has been a FB uproar about charging a child \$250.00. This also raises a bigger issue with sales tax. The state will be looking for money, they do not care how old you are. Is there anything in the code

on a temporary lemonade stand? The board stated that they would support Dave in whatever decision he made regarding the stand.

A motion to adjourn at 8:20 was made by **Trustee Carpenter**, seconded by **Trustee Boucher** at 8:40 pm. All ayes. Motion Carried.

Respectfully Submitted,

Janelle M. Rose, Clerk-Treasurer
June 5, 2023