

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

Roll Call	Trustee Carpenter, Trustee Boucher, Trustee Williams, Trustee Perry, Mayor Traver
Highway	Absent
Police	Justin Derway
Code	Dave Armando
Attorney	Matthew F. Fuller
Public	Jeanie Mullen, Peter Amorosi, Jack Jones, Gwen Craig, Mary Fichtner, Joe Malvuccio,

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 AUGUST 6, 2018 WITH A CHANGE TO A ROLL CALL FOR RESOLUTION #17 WITH TRUSTEE PERRY ABSTAINING FROM A VOTE.

Approval of Minutes VB Monthly Mtg. August 6, 2018 VB Public Hearing 6:30 August 6, 2018 VB Public Hearing 6:45 August 6, 2018

ALL AYES. MOTION CARRIED.

REPORTS

A MOTION TO ACCEPT THE FOLLOWING MONTHLY REPORTS WAS MADE BY:

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

ALL AYES. MOTION CARRIED.

AUDIT OF BILLS	PAY BEFORE AUDIT #4		AUDIT #4			
General Fund	\$	7,502.28	General Fund	\$ 39,557.99	Phase IV (Grant \$\$)	\$
Water Fund	\$	1,905.56	Water Fund	\$ 55,699.32	Phase IV Chazen (Cumby's)	\$ 355.00
			Air Stripper	7,586.20	HUD/CT Male	\$

PUBLIC COMMENTS

MARY FICHTNER
 LIBERT STREET

Mary attended the meeting to discuss the issues she is having with her neighbors. She commented that she has contacted code enforcement to inspect her property and the fence that the neighbors put up against the side of her house. She cannot get to the side of her house due to the fence being there. She also stated that they are backwashing their pool into her yard causing her yard to continuously be wet and she can no longer grow a garden there nor can the dog go outside in her yard without constantly being wet and getting sores on its feet.

D. Armando stated that he did go over and inspect the situation and the fence is part of the pool enclosure which is code when having a pool. The fence was originally a 6ft fence cut down to a 4ft fence. There used to be a 10ft space between the homes where Mary could walk down to get to the side of her house.

Mary also stated that there is no other way to get to the back of her house except that easement. She has always been able to walk down that side of her house and now she cannot. She stated she went up to the county and they told her it was a civil matter.

Attorney Fuller gave Mary his card and asked her to have her attorney call him to discuss.

JACK JONES
4 SUMMIT STREET

Jack attended the meeting to give thanks to code enforcement and the board for their help in getting the garage taken down that was an eye sore to him and the surrounding neighbors. This garage was falling down and had a tree growing up through the middle of it, coming out of the roof. He is very pleased with the results and wanted to stop by to tell everyone he is happy and was a job well done.

RESOLUTIONS

**RESOLUTION #28 OF 2018-2019
Audit of Books for Justice Court and Clerk/Treasurer**

WHEREAS, the Village Board is required to annually audit the records of the Clerk/Treasurer and the Village Justice, and

WHEREAS, the purpose of the special meeting is to audit both the Clerk/Treasurer and the Village Justice financial records, and

BE IT RESOLVED, the Fort Edward Village Board has hereby reviewed both the Clerk/Treasurer and Village Justice financial records from June 1, 2017 – May 31, 2018.

Roll Call Vote

Voting:		Ayes	Nays	Abstain	Absent
Matthew Traver	Mayor	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Peter Williams	Trustee	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Edward Carpenter	Trustee	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
John Boucher, Jr.	Trustee	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Phil Perry	Trustee	<u> </u>	<u> </u>	<u> X </u>	<u> </u>

MOTION CARRIED.

CERTIFICATION

I do certify that this is a true and correct copy of the resolution, as adopted at a legally convened meeting of the Board of Trustees of the Village of Fort Edward, duly held on the 4th day of September, 2018; and further that such resolution has been recorded in the Clerk's office located at the Village of Fort Edward Municipal Building, 118 Broadway, Fort Edward, NY 12828.

In Witness thereof I have hereunto set my hand this 5th day of September, 2018

Patricia Ives, Acting Clerk-Treasurer
Village of Fort Edward



RESOLUTION #29 OF 2018-2019

RESOLUTION INTRODUCING PROPOSED A LOCAL LAW PERMITTING APPOINTMENT TO THE VILLAGE CLERK/TREASURER POSITION OF AN INDIVIDUAL RESIDING OUTSIDE THE LIMITS OF THE VILLAGE OF FORT EDWARD, AND IN ANY COUNTY ADJOINING WASHINGTON COUNTY

WHEREAS, the Village Board (the "Village Board") of the Village of Fort Edward (the "Village") has considered applicants to the position of Clerk and/or Treasurer of the Village of Fort Edward, and wishes to appoint to said positions a resident of a county adjoining Washington County, New York; and

WHEREAS, in order to make such appointment, the Village Board must consider a proposed local law permitting appointment to such positions of a person who resides outside the Village and Washington County; and

WHEREAS, a proposed local law permitting same has been drafted and is attached hereto; and

WHEREAS, the Board of Trustees wishes to hold a public hearing concerning the proposed local law concerning the regulation of fire insurance claims in the Village.

NOW, THEREFORE BE IT RESOLVED, that the proposed local law permitting appointment to the village clerk/treasurer position of an individual residing outside the limits of the Village of Fort Edward, and in any county adjoining Washington County is hereby accepted for introduction to the Board of Trustees; and be it further

RESOLVED, that a public hearing shall be scheduled for the consideration of this proposed local law to be held by the Board of Trustees on September 4, 2018 at 6:00 pm at the Village offices; and be it further

RESOLVED, that the Village Clerk is directed to post and publish a notice of said public hearing in the *Post Star* at least five (5) days before the hearing.

RESOLVED, that this resolution shall take effect immediately.

Roll Call Vote

Voting:		Ayes	Nays	Abstain	Absent
Matthew Traver	Mayor	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Peter Williams	Trustee	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Edward Carpenter	Trustee	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
John Boucher, Jr.	Trustee	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Phil Perry	Trustee	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

MOTION CARRIED.

**RESOLUTION #30 OF 2018-2019
Empire State Trail Agreement**

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

EMPIRE STATE TRAIL WORK AGREEMENT

Between

The Office of Parks, Recreation, and Historic Preservation,

The New York State Department of Transportation

and the **Village of Fort Edward**

This Agreement made by and between the New York State Office of Parks, Recreation, and Historic Preservation, hereinafter referred to as "OPRHP," the New York State Department of Transportation, hereinafter referred to as "NYSDOT" (OPRHP and NYSDOT are hereinafter collectively referred to as "State"), and the Village of Fort Edward hereinafter referred to as "Municipality."

WHEREAS, pursuant to Section 3.09 of the Parks, Recreation, and Historic Preservation Law and Section 22 of the Highway Law, the State and the Municipality wish to enter into this Agreement for the construction, ownership, and maintenance of the Empire State Trail ("Trail") work on the Municipality's property; and

WHEREAS, the Municipality and the State acknowledge the benefits of the Trail in facilitating walking and bicycling by residents and tourists along the Trail route, including utilizing local roads that have lower traffic speeds and volumes, where possible; and

WHEREAS, the Municipality by Resolution No. _____ has approved the below-described work at the below-described location; and

WHEREAS, the State and Municipality wish to identify the respective responsibilities of each with regard to the ownership, repair and

maintenance of the below-described Trail work;

NOW, THEREFORE, in consideration of the mutual promises and benefits moving to the State and Municipality, it is agreed as follows:

1. The Trail work shall be performed at the following location(s): Broadway (U.S. Route 4), State Street, Notre Dame Street, Canal Street, East Street, Wing Street, Culver Street, McIntyre Street, Towpath Lane;
2. The Trail work shall consist of the following task(s): installation of Empire State Trail directional signage and installation of bike warning signage;
3. Anticipated completion date: December 31, 2020.
4. The State through its employees or contractors will perform all the Trail work as described above at its own expense; and
5. The Municipality agrees to own, repair and maintain all Trail work improvements performed by the State as described above; and
6. The Municipality will permit the State's employees or contractors to enter onto its property for the purpose of performing the above-described Trail work; and
7. If NYSDOT procures a contractor(s) on behalf of the State to perform the work required for the Empire State Trail initiative, all NYSDOT contractor(s) shall secure and maintain insurance and/or bonds in accordance with the terms of NYSDOT's Standard Specifications included in every awarded contract, a copy of which will be provided to the Municipality. Additionally, NYSDOT will require that the Municipality be a named insured on the certificate(s) of insurance required to be provided by the contractor prior to the commencement of construction; and
8. Upon completion of the Trail work, the Municipality shall be notified in writing and will have an opportunity to inspect the work performed; and
9. After inspecting the Trail work, the Municipality agrees to accept ownership of the Trail work as described above and will be responsible for repair and maintenance of the above-described Trail work improvements at the Municipality's expense; and
10. The Municipality agrees to inspect and furnish written acceptance of the Trail work within 15 days of receiving notification from the State or its contractor that the Trail work improvements have been completed; and
11. Upon receipt of the Municipality's written acceptance of the Trail work improvements, or 15 days after the Municipality's receipt of the notification specified in paragraph 10 above, all responsibility for the Trail work improvements as set forth herein shall become

the responsibility of the Municipality; and

12. The State shall have no ownership interest and no repair or maintenance responsibility for the Trail work improvements or the portion of the Trail covered by this Agreement.

13. This Agreement shall incorporate the following documents:

- Agreement Form - this document titled "Empire State Trail Work";
- Appendix "A" - New York State Required Contract Provisions;
- Appendix "A-1"- Supplemental Title VI Provisions (Civil Rights Act);

14. The term of this Agreement shall begin on _____.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the date hereinabove set forth:

MUNICIPALITY/SPONSOR:

By: _____

Print Name: _____

Title: _____ Date: _____

MUNICIPAL ACKNOWLEDGMENT

STATE OF NEW YORK)

) ss:

COUNTY OF _____)

On the ____ day of _____, 201__ before me, the undersigned, a Notary Public, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

ALL AYES. MOTION CARREIED.

RESOLUTION #31 OF 2018-2019

To hold a public hearing on proposed Local Law #5 of 2018-19

WHEREAS the Board of Trustees of the Village of Fort Edward has entered into a project for the codification of local laws, ordinances and certain resolutions of the Village of Fort Edward for the purposes of increasing the effectiveness of village governmental administration, providing for greater public awareness of and access to village legislation and protecting the health, safety and welfare of village inhabitants; and

WHEREAS the proposed codification has been published in loose-leaf form and the Board of Trustees now desires to formally effect the adoption of said codification by enactment of a local law;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held by the Board of Trustees with respect to enactment of the following local law, such public hearing to be held on the 1st day of October, 2018, at 6:45 p.m., in the Municipal Building, Village of Fort Edward, New York. The proposed local law to be considered is as follows:

LOCAL LAW NO. 5 of 2018

A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE VILLAGE OF FORT EDWARD INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE VILLAGE OF FORT EDWARD"

Copies of the text of the above-named local law shall be filed in the office of the Village Clerk.

AND BE IT FURTHER RESOLVED that the Village Clerk is hereby directed and authorized to cause public notice of said hearing to be given in accordance with the Municipal Home Rule Law, the Open Meetings Law and the Village Law of the State of New York.

VOTE OF BOARD OF TRUSTEES
AYE:Trustee Williams, Trustee Perry, Trustee Carpenter, Trustee Boucher
DATE: September 4 2018

MOTION CARRIED.

**RESOLUTION #32 OF 2018-2019
Appointment of (6) Part Time Police Officers**

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

WHEREAS, six (6) applications to the Fort Edward Police Department for the position of Part-Time Police Officer have been received, and

WHEREAS, after a review of proper documentation, an interview and the appropriate background and reference checks were conducted Chief Derway, he has recommended the hiring of the following applicants:

- Daniel Willis, Jr.
- John Hogan
- Joseph DeAngelo
- Nicholas Hoffman
- William Scott Roy
- Daniel Callahan

BE IT RESOLVED, all applicants will be hired on a provisional basis pending the passing of the Police Academy which will be held in October, and signing the employee employment contract, and

NOW THEREFORE BE IT RESOLVED, the Board of Trustees does hereby approve the hiring of all (6) six applicants as Part-Time Patrolman at a rate of \$15.00/hour and said hiring is effective immediately.

Vote-

Peter Williams-	Aye
John Boucher Jr.	Aye
Edward Carpenter	Aye
Phillip Perry	Abstain

**RESOLUTION #33 OF 2018-2019
Appointment of (2) Part time Crossing Guards**

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

WHEREAS, Thomas Sexton and Robert LaPoint have made application the Fort Edward Police Department for the position of Part-Time Crossing Guards; and

WHEREAS, after a review of proper documentation, an interview and the appropriate background and reference checks were conducted, Chief Derway has recommended the hiring of Mr. Thomas Sexton as a Part-Time Crossing Guard and Mr. Robert LaPoint as Part-Time Crossing Guard on a as needed basis, and;

NOW THEREFORE BE IT RESOLVED, the Board of Trustees does hereby approve the hiring of Mr. Thomas Sexton and Mr. Robert LaPoint as Part-Time Crossing Guard at a rate of \$12.00/hour and said hiring is effective immediately.

ALL AYES. MOTION CARRIED.

OTHER BUSINESS

Step 3 BOA – Brownfield Opportunity Area

Market 32, Broadway South, Seeley's, Burgoyne Avenue, down to the end of McIntyre Park.

Northeast Industrial Reuse Strategy is asking for consent for them to be the lead agency for Step 3. Mayor feels board should consent and draft a resolution to have him sign for consent.

Resolution # 34 of 2018-19

Step 3 BOA – Brownfield Opportunity Area

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

WHEREAS, the Town of Fort Edward Town Board is undertaking a planning process to develop the Northeast Industrial Reuse Strategy ("Strategy") funded in part through the Brownfield Opportunity Areas (BOA) Program administered by the NYS Department of State (DOS); and

WHEREAS, this project involves planning for the future reuse and development of +/- 700 acres at and adjacent to the site of the former Dewatering Facility used for the Hudson River Dredging Project and adjacent industrial and vacant land within the Town and Village of Fort Edward, NY.

NOW THEREFORE BE IT RESOLVED, the Village of Fort Edward does hereby designate the Town of Fort Edward to serve as the lead agency for the Northeast Industrial Reuse Strategy

ALL AYES. MOTION CARRIED.

Mayor Traver also asked Code Enforcement how things were coming along with 10 Cooper Street and if a violation has been sent. Mayor and the board agree that if furniture and junk are left outside, a letter giving them 3-5 days to remedy on repeat offenders can be bypassed and an immediate violation order can be sent to appear in court.

D. Armando is running into a problem with residents not taking care of the small strip between the road and the sidewalk, which is the responsibility of the homeowner. There is nothing currently in the code stating this, therefore nothing can be enforced and if not taken care of, the village DPW will clean it up.

There being no further business, a motion to adjourn the public meeting into executive session at 7:50 pm to discuss Article 7 was made by Trustee **Carpenter**, seconded by Trustee **Perry**

All ayes. Motion carried.

There being no further business, a motion to adjourn out of executive session at 8:28 pm was made by Trustee **Carpenter**, seconded by Trustee **Williams**.

All ayes. Motion carried

A motion to adjourn the meeting at 8:29 pm was made by Trustee Carpenter, seconded by Trustee Williams.

All ayes. Motion carried

Respectfully Submitted,

Janelle Rose Dated: September 4, 2018