

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

Roll Call	Trustee Boucher, Trustee Carpenter, Trustee Cutler, Trustee Williams, Mayor Traver
Highway	
Police	Justin Derway
Code	Dave Armando
Attorney	Matt Fuller
Public	Peter C. Amorosi, Jim Thatcher, Tom Roche

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 FOLLOWING MONTHLY MINUTES WAS MADE BY:
 Trustee **Williams**, SECONDED BY Trustee **Boucher**.

All Ayes. Motion Carried.

Approval of Minutes VB Monthly Meeting- October 3, 2019

All Ayes. Motion Carried.

REPORTS

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

All Ayes. Motion Carried.

AUDIT OF BILLS	PAY BEFORE AUDIT #6	AUDIT #6	PAY BEFORE AUDIT CHIPS REIMBURSEMENT
General Fund	\$ 73,340.23	General Fund	\$ 24,128.53
Water Fund	\$ 1,685.89	Water Fund	\$ 3,332.64
	\$ _____		\$ _____
			\$104,601.90

PUBLIC COMMENTS

There were no public comments.

Resolution 21 of 2019-2020

FACILITY USE PERMIT

Motion By Trustee Boucher
 Seconded By Trustee Cutler
 Dated November 4, 2019

WHEREAS, the Fort Edward Village Board does hereby approve the Facility Use Permit for the use of the Canal Street Marketplace Barn by the NYS Canal Corporation on November 7, 2019 from 10:00 AM to 3:00 PM, and

WHEREAS, the NYS Canal Corporation would like to hold a Safety Luncheon for employees

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

ALL AYES. MOTION CARRIED.

Resolution 22 of 2019-2020

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 CLAIM OF WASHINGTON COUNTY AND AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES OF THE VILLAGE OF FORT EDWARD FOR THE AFORESAID PURPOSES AND IN CONNECTION THEREWITH

Motion By Trustee Carpenter
Seconded By Trustee Cutler
Dated November 4, 2019

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 Washington County as part of the Stipulation of Settlement, Order and Judgment with WCC, LLC 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, WCC, LLC 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 2016-2017, inclusive, and as part of the settlement of the proceeding, the Village of Fort Edward was required to repay to the County of Washington; 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 Washington County as part of the Stipulation of Settlement, Order and Judgment under Article Seven of the Real Property Tax Law proceeding with WCC, LLC 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.

Motion by Trustee **Carpenter**, SECONDED BY Trustee **Cutler** to put this resolution to a roll call vote. *ALL AYES. MOTION CARRIED.*

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

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

The foregoing resolution was thereupon declared duly adopted.

[Seal]

Peter C. Amorosi, Village Clerk
Village of Fort Edward

OTHER BUSINESS

- There was a discussion on why the new water meters have not been installed. People are requesting that they are having their water usage estimated and they would like a new meter installed, but for some reason this is not getting done. Trustee Carpenter will meet with Water Superintendent John Miller to see what the problem is and report back at the December Village Board Meeting.
- Trustee Carpenter reported on the information we received on the Greenway Conservancy Trail Grant Program. The Rogers Island Visitor's Center is aware of this but they will have to develop a 1A Management plan in order to become eligible for any grant funding. The funding would help with trails which would connect all of the historical sites on Rogers Island. Usually, the process starts in July so they will continue exploring all available options.
- There was a discussion on the quote from National Business Technologies for a new copier. Even though it would save approximately \$25 a month, it was decided to hold off on any purchase since our present copiers are working fine.
- There was a discussion on the continuing problems with the recycling container. Jim Casey from Waste Management contacted the Village and said that Cassela Waste, which is where our recyclables are brought, have reported that there has been considerable

amounts of garbage in the container recently. It was mentioned that we could install more cameras out near the container, but this could be cost prohibitive. Mayor Traver suggested that we contact Waste Management to see if they have a different container which would not allow plastic bags to be placed in the container. There would be slots for cardboard and places for glass and plastic to be placed individually in the container. The gate on the Canal Street Marketplace side needs to be locked so garbage can't be put behind the container. We will look into the possibility of having the recycling center open limited hours and days a week and have it staffed. The gate would be locked when it is not being monitored so no one could use it.

- Tom Roche reported that there are four new businesses opening up in the Village by the first of the year. They are working on a slogan which the Promote Fort Edward group could use. They have not heard back from Mr. Silvernail about putting a sign up on his property across the street from Stewart's. They plan on putting a sign up in the parking lot next to the old One More Grill so that it is more visible to customers. An old tree has been removed from the parking lot and Mike Dickinson will trim and take down some of the smaller trees which will help approve the appearance. Some of type of fencing will be also be put up. There will be a holiday social at the Canal Street Marketplace on Tuesday, December 3, 2019 from 7:00 – 9:00 PM. All of the local businesses will be invited so hopefully, they will have a good turnout.
- Tom Roche inquired about any grants that may be available to help with the marketing of Fort Edward. Jim Thatcher said he is not aware of any, but he will check and see. The Office of Community Renewal may have some resources available but sometimes that organization is not easy to work with and the process could be lengthy. Mayor Traver said that there could be some money available from the Downtown Revitalization program. There are new businesses coming into the Village and this could be advantageous to the new owners. Jim Thatcher suggested that a meeting be set up with the business owners and see what each individual businesses' needs are. He will make up a list of possible grants and loans that could be available.
- The paving of Marion Street, the "S" turns on Seminary Street, and the hill on Glen Drive will hopefully be done the week of Thanksgiving. Services Unlimited is doing the work and the date is based on their schedule. They will hold off on billing the Village until February when our next CHIPS money is available. If the paving is not able to be done until the spring, Services Unlimited will honor the price that was given.
- There is a section in front of the addition of the Fort Edward High School that needs to be paved because it is turning into a mud pit. The cost of this job will be approximately \$800. If the school cannot come up with the money, the Village will cover the cost and supply the manpower.
- Chief Derway gave an update on the bail reform that will go into effect January 1, 2020. As of January, the Police Department will have to supply all the available information to the District Attorney within 72 hours of each arrest. Every arrest has to be processed this way no matter what the severity of the crime is. There will be an incredible amount of paperwork that will have to be filed for each and every incident. Chief Derway said that there is a possibility the way traffic arrests are handled will be changed by the first of the year. These new law changes will definitely affect the part-time officers' budget and this will have to be addressed before the 2020-2021 budget is formulated. There are also major problems happening at the BOCES center at 12 Washington Street. The students are out of control and the Police Department is there all the time. A meeting needs to be set up with the central administration of BOCES to reinforce that the Fort Edward Police Department is not a private security system for that school. Village Attorney Matt Fuller said that Chief Derway needs to meet with the principal and if things do not improve, Mayor Traver will notify the BOCES superintendent.
- Jim Thatcher reported that the Phase IV project was audited by the State and there were some minor issues. The grant should be closed out soon and hopefully these issues will be avoided when we apply for the next grant. Matt Fuller said that we may want to start looking into a possible major project because there are streets in the village that need to be repaired. Our biggest debt is the bond for the water treatment plant and that will not be closed out until January of 2023. We will examine our current debt status and figure out what would be the best possible time to consider any project.
- Trustee Boucher inquired if the Village had representatives at the meeting with District Attorney Tony Jordan concerning the major changes in the criminal justice system that will take place on January 1, 2020. Chief Justin Derway and Village Attorney Matt Fuller attended the meeting. There will be an additional meeting with the Mayor and the Deputy Mayor to inform everyone of all of these changes and the impact it will have on the Village.
- Code Enforcement Officer Dave Armando reported that Hudson headwaters on East Street is looking into putting a 30' x 60' addition on their building. He also mentioned that Mr. Bhatti has dropped off plans to build 24 apartments behind the motel.

Motion to adjourn the meeting at 8:37 PM by Trustee **Boucher**. SECONDED BY Trustee **Carpenter**. *ALL AYES. MOTION CARRIED.*

Respectfully Submitted,

Peter C. Amorosi, Clerk-Treasurer