

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
Highway	Bryan Etu
Police	
Code	Dave Armando
Attorney	Matthew Fuller
Water	
Clerk	Janelle Rose
Public	Patrick Mullen, Frank Burkhardt, Jeanie Mullen, Mike Dickinson, Steve Davie, Richard DeMallie

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 – November 2022

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

All Ayes. Motion Carried.

REPORTS - November 2022

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

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 **Cutler**.

All Ayes. Motion Carried.

Fund	Abstract #7	PBA #7	Comments
General Fund	\$90,870.45	\$10,040.40	
Water Fund	\$5,566.95	\$1,952.27	

NEW BUSINESS

The mayor opened the public hearing regarding the adoption of two local laws for Chapter 49 of the Code of the Village of Fort Edward. There were no public comments or written comments.

RESOLUTION 13 OF 2022-2023
Greater Glens Falls Transit Operating Agreement

Motion By: Trustee Williams
Seconded By: Trustee Cutler
Dated: December 5, 2022

WHEREAS, the Fort Edward Village Board does hereby agree to the continuation of Greater Glens Falls Transit services to the Village in 2022-2023. The agreement is identical to the ones that have been signed in the past. The cost of the annual service contract is \$7,928.00. ALL AYES. MOTION CARRIED.

RESOLUTION 14 OF 2022-2023
Resolution adopting a local law repealing local chapter 49 of the code of the Village of Fort Edward

Motion By: Trustee Williams
Seconded By: Trustee Cutler
Dated: December 5, 2022

WHEREAS, the State of New York updated the Uniform Fire Prevention and Building Code and Energy Code as provided for under the Executive Law and Energy Law of the State of New York, which updates require municipalities enforcing the Uniform Fire Prevention and Building Code and Energy Code to make certain updates to their local laws providing for such enforcement; and

WHEREAS, the Board of Trustees immediately prior to the adoption of this resolution adopted a local law as needed to update the Village's practices and procedures concerning the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (The Uniform Code) and the State Energy Conservation Construction Code (The Energy Code); and

WHEREAS, because of the adoption of the foregoing local law, the Board of Trustees must repeal Chapter 49 of the Code of the Village of Fort Edward which previously dealt with the enforcement of the New York State Fire Prevention and Building Code, etc.; and

WHEREAS, a local law Repealing Chapter 49 of the Code of the Village of Fort Edward (the "Repeal Local Law") has been drafted, and the Board of Trustees properly noticed and held a public hearing on November 7, 2022, continued to December 5, 2022, whereat members of the public were permitted to appear and be heard; and

WHEREAS, the consideration of this Repeal Local Law, being an action under the State Environmental Quality Review Act (SEQRA) and the Board of Trustees previously declared that this action is a Type II action pursuant to 6 NYCRR 617.5(33) and the action is hereby precluded from further environmental review: and

WHEREAS, the Board of Trustees wishes to proceed with the adoption of said Repeal Local Law.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees finds that the adoption of the proposed Repeal Local Law to be in the best interests of the residents of the Village; and be it further

RESOLVED, that said Repeal Local Law is hereby adopted as Local Law _3_ of 2022; and be it further

RESOLVED, that this resolution shall take effect immediately. ALL AYES. MOTION CARRIED.

RESOLUTION 15 OF 2022-2023

Resolution adopting a local law providing for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the uniform code) and the State Energy Conservation Construction Code (the energy code) in the Village of Fort Edward as New Chapter 49 of the Code of the Village of Fort Edward.

Motion By: Trustee Carpenter
Seconded By: Trustee Boucher
Dated: December 5, 2022

WHEREAS, the State of New York updated the Uniform Fire Prevention and Building Code and Energy Code as provided for under the Executive Law and Energy Law of the State of New York, which updates require municipalities enforcing the Uniform Fire Prevention and Building Code and Energy Code to make certain updates to their local laws providing for such administration and enforcement; and

WHEREAS, a local law “*Providing For The Administration And Enforcement Of The New York State Uniform Fire Prevention And Building Code (The Uniform Code) And The State Energy Conservation Construction Code (The Energy Code) In The Village of Fort Edward*” (the “Local Law”), a copy of which is attached hereto, has been drafted by counsel to the Village in cooperation with the Village’s code enforcement officer, and the Board of Trustees of the Village; and

WHEREAS, the Board of Trustees scheduled a public hearing for November 7, 2022, notice of which public hearing was published and posted in accordance with law; and

WHEREAS, the Board of Trustees held a public hearing on November 7, 2022 and December 5, 2022, whereat members of the public were permitted to appear and be heard; and

WHEREAS, the consideration of this Local Law, being an action under the State Environmental Quality Review Act (SEQRA) and the Board of Trustees previously declared that this action is a Type II action pursuant to 6 NYCRR 617.5(33) and the action is hereby precluded from further environmental review; and

WHEREAS, the Board of Trustees wishes to proceed with the adoption of said Local Law.

NOW, THEREFORE BE IT

RESOLVED, that the Board of Trustees finds that the adoption of the proposed Local Law to be in the best interests of the residents of the Village; and be it further

RESOLVED, that said local law is hereby adopted as Local Law 2 of 2022 and shall be Chapter 49 of the Code of the Village of Fort Edward, to be numbered and set forth accordingly therein; and be it further

RESOLVED, that this resolution shall take effect immediately.

ALL AYES. MOTION CARRIED.

OTHER BUSINESS

- **West Summit Street** – The mayor asked the board if they decided as to whether they want to sell the land owned by the village on West Summit Street to Patrick Mullen. The board decided to move forward with the sale. The buyer will have to provide all legal expenses, etc. The board will pursue the fair market value by consulting with the county to get the tax value of the property, get an appraisal. The costs associated with this will be included in the sale.
- **50 East Street** – There is a gentleman interested in putting in an offer on 50 East. He would like to purchase it for his art/craft studio and fix up the upstairs for apartment(s). Should the board decide to sell it, they want to make sure it is included in the sale whatever stipulations they come up with. The board also discussed throwing in 62 Canal Street with it. The board will ask that he put in a formal offer and go from there.
- **84 McCrea Street** – The woman who recently purchased this property has complained regarding the steepness of her driveway at the entrance from the road. When the SRTS project was on McCrea Street, they made all the sidewalk on the north side to code

(leveling out all the sidewalks on that side) By doing this, it made some driveway aprons a little steeper. She claims she cannot get into her driveway with her car and that she bottoms out when she tries. The board and Bryan Etu through out a few ideas that could get her through the winter due to the parking restrictions on the road from 3am – 6am until April 15, 2023. The village already had an engineer look and the most it can be lowered is about an inch which will not help.

- **Office Construction –** The board approved the office construction cost of \$7,355.00. Motion by Trustee **Cutler**, Seconded by Trustee **Williams**. All Ayes. Motion Carried.
- **117 Broadway –** The mayor explained the ZBA application for 117 Broadway by Brian Mathis who owns the property. They will be renovating the downstairs to offices and give the building facade a facelift as well as renovate each apartment upstairs as tenants move out. They will have a fire escape off the back which 123 will use as well. Brian Mathis also purchased the old Corsall building. They mayor also explained that this application could have been approved sooner had we a full board for ZBA/PB. We have lost three members since last year.
- **Gary Hill -** Gary said he has used up all his time for TSI. He and Ed did some hiking over there to check it out. It needs about another 10 hours, the 10 hour thing works, good results and it looks good. The saplings need to reach 10-15ft tall before thinning. The growth rates are low. Motion to approve another 10 hours for Gary was made by Trustee **Cutler**, seconded by Trustee **Carpenter**. All Ayes. Motion Carried
- **Richard DeMaille –** Introduced himself as the Superintendent of the school. He thanked all the departments within the village. He has one ask regarding the safety on Case Street. He would be more than willing to listen to some engineers with possible changes to the street. Drop off is not smooth and they do not obey the traffic law. Mr. DeMaille would like to take a look at it and do a study and he was thinking of the changes taking place during a capital project. The village will be doing a water improvement project up that way and we will need to look at Case Street at that time. The best timeframe for that study and project is from June – Aug so there is no interruption to school. Trustee Williams mentioned the capital project that caused the confusion on Case Street when they eliminated the bus circle 20 years or so ago. Mr. DeMaille said it is a mob scene at all schools, unfortunately.
- **East Street Parking Lot –** The mayor received an email from Alan with preliminary ideas, maps, and designs on how to lay it out for charging stations. The engineer states there will be 22 spots if the Black Walnut is removed. They will need to design stormwater drainage whether they make a drywell or hook into the system. The mayor will let Sean know they can start the work.
- **Restore NY – Jim Thatcher -** We need an intent to apply for the Restore NY Grant Funding by 1/27/2023, for 138 & 140 Broadway. We were not ready for round 6, but we are now ready for round 7. We need to have a public hearing before this date and have it published in the paper for three consecutive days prior. We will set the PH for our January meeting, 1/3/2023. There has been discussion that there are some interested parties for the two buildings. Jim and the board discussed the process for such a grant and basically, the developer fronts the costs. The village applies for the grant and then reimburse the developer. Jim Thatcher also mentioned that we were awarded \$48,000 for a CDBG Planning Grant to engineer the Historic Fort where there are water and sewer issues on those streets. Jim will do a proposal for the grant admin to help out the clerk and mayor with the paperwork. The fee will carry through the 13 months. The board asked how quickly we can get it contracted out. It will be a year to engineer. Jim stated that the Washington County Sewer Agency may have some leverage if sewer is needed as well.. The last time the study was done, we couldn't get funding as the results of the survey did not show low enough income.

A motion to set a public hearing for 1/3/2023 at 6:30 pm was made by Trustee **Boucher**, seconded by Trustee **Carpenter**. All Ayes. Motion Carried.

- **Biochar -** The mayor mentioned the virtual public meeting for the Biochar project which is set for 12/19/2022 may be something worth logging on to.
- **CHPE -** The attorney stated that things are moving along. The agreement is in hand for Whitehall, but the brunt of the project is in Fort Edward. The mayor is concerned with Canal Street having a 36" stormwater pipe down the street. There are a lot of moving parts with the project and looking at the village to be the lead agency. (IDA)
- **Mullen Park –** Trustee Boucher is working on quotes to resurface the courts. The mayor mentioned possibly seeing if one of the paving companies could do the milling and paving first, then have the top of the courts resurfaced.
- **Code –** The mayor asked Dave Armando how the month looked with court cases. Dave mentioned there are more coming up this month, 10 Cooper St being one of them. There are new owners now so things may get done.

Motion to move to executive session was made by Trustee **Williams**. SECONDED BY Trustee **Cutler**.

All Ayes. Motion Carried.

Motion to leave executive session was made by Trustee Williams, seconded by Trustee Boucher.

All Ayes. Motion Carried.

Respectfully Submitted,

Janelle M. Rose, Clerk-Treasurer
December 5, 2022