

**Village of Fort Edward
Board of Trustees – Regular Meeting
Monday, October 7, 2024, at 7:00 p.m.**

Mayor Traver called the meeting to order at 7:00 p.m.

Roll Call: Trustee Williams, Trustee Carpenter, Trustee Cutler
Absent: Trustee Boucher

Present: Kyle Cozzens, Mike Girard, Dave Earsing, Jeanie Mullen

Summary

The meeting focused on updates on various community projects including the kayak launch and road improvements. Key decisions included passing a resolution for funding applications and scheduling public hearings. Additionally, traffic safety concerns near schools, the ongoing Champlain-Hudson Power Express project, and discussions about infrastructure improvements and agreements related to sewer and water services were addressed. The meeting also covered traffic and safety concerns, potential signage improvements, and planning for tree maintenance and infrastructure upgrades.

APPROVAL OF SEPTEMBER MINUTES

MOTION BY: TRUSTEE **CARPENTER**
SECONDED BY: TRUSTEE **CUTLER**

APPROVAL OF REPORTS - CLERK, COURT, CODE, STREET, WATER, SHERIFF

MOTION BY: TRUSTEE **WILLIAMS**
SECONDED BY: TRUSTEE **CARPENTER**

AUDIT OF BILLS – ABSTRACT # 5

GENERAL ABSTRACT - \$149,491.03 (\$72,864.15 OF THIS TOTAL IS ENGINEERING FOR WATER PROJECT. SEE ABSTRACT)

PAY BEFORE \$8,996.91

WATER ABSTRACT - \$6,477.98

PAY BEFORE \$ 72,653.60 (TOWN OF MOREAU SCHOOL TAXES - \$69,018.15)

MOTIONED BY: TRUSTEE **CUTLER**
SECONDED BY: TRUSTEE **WILLIAMS**

Resolution 15 of 2024-2025

RESOLUTION DECLARING PROPERTY LOCATED AT 62 CANAL STREET AND 50 EAST STREET TO BE SLUM AND BLIGHTED AND AUTHORIZING APPLICATION FOR FUNDING THROUGH THE 2024 CDBG VACANT PROPERTY CLEARANCE PROGRAM

Motion by: Trustee **Carpenter** Seconded by Trustee **Cutler**
Date: October 7, 2024

All ayes. Motion carried.

WHEREAS, the Board of Trustees of the Village of Fort Edward, Washington County, New York, recognizes the importance of maintaining the aesthetic, structural, and safety standards within our community; and

WHEREAS, the elimination of specific conditions of blight, deterioration, or safety hazards on a spot basis is crucial for the prevention of blight and the protection of adjacent properties or areas; and

WHEREAS, there exists in the Village of Fort Edward deteriorating, dilapidated, or blighted properties and/or buildings that pose a significant threat to public health and safety to residents and;

WHEREAS, a need exists to address and arrest the adverse conditions that have led to and perpetuate the identified deterioration, decay and blight and;

WHEREAS, the conditions found at the identified property or properties, as identified below, are consistent with the definitions for “slum and blight” as set forth by the United States Department of Housing and Urban Development (HUD) in 24 CFR Part 570 and;

NOW THEREFORE, BE IT

RESOLVED, the Village of Fort Edward Board of Trustees declares the two (2) specific location(s) identified below as “slum and blight” consistent with all Federal and State law and;

62 Canal Street, Fort Edward, NY 12828:

SBL: 171.6-1-25 / (See location map and photos attached)

Two-family home half a block south of East Street and across from the Canal Street Marketplace and Town and Village of Fort Edward Offices and Fire Department, and adjacent to the former original Champlain Canal that was subsequently filled in and converted to a Village street in the early 20th Century.

The home was abandoned by its former owners in the early 2000s and already in a deteriorated condition. The Village acquired the property by deed from Washington County, which foreclosed on the property for back taxes in 2009. The Village’s Code Enforcement Officer has formally condemned the property due to structural deficiencies and safety hazards including a collapsing main roof, rotted foundation sill plate, and crumbling brick chimney. The interior is unsafe due to the suspected roof failure, and the house is a safety hazard for existing residential properties on either side as well as the Canal Street Marketplace across the street. The Village’s code enforcement officer has identified that the exterior façade beneath the current siding is comprised of asbestos containing shingles and given the age of the structure is believe to contain lead paint. Due to the collapsing nature of the structure, an interior analysis cannot safely be performed.

50 East Street, Fort Edward, NY 12828:

SBL: 171.6-1-18 / (See location map and photos attached)

Former brick and wood-frame single-family home converted to 2-to-3 absentee-owned apartments in the 1980s or 90s; the house was vacated in approximately 2008 due to deteriorating structural conditions including roof leaks and infiltration of pigeons and other vermin through rotting fascia and soffit holes. Subsequent owners have attempted to gut the home to start renovations, with those efforts failing due to a lack of adequate financing, potential asbestos in plaster and insulation materials, and other obstacles. In addition, the property was gutted of copper piping and related valuable metals which was believed to have been sold for scrap, leaving the building in a state of lack of heat and utilities, which has further exacerbated the state of the structure.

The property was acquired by Washington County for back taxes in 2012 and has been marketed through the Fort Edward Local Development Corporation for reuse by qualified individuals and/or business owners seeking a mixed-use location in between Broadway (Route 4) and the Fort Edward Train Depot, with no serious interest or offers received in nearly 10 years. The house structure continues to deteriorate, creating a safety hazard for adjacent properties including a Hudson Headwaters Health Center and other viable residences on both sides of East Street. The Village’s Code Enforcement Officer has deemed 50 East Street to be inhabitable, and the Village believes rehabilitation and reuse given the suspected presence of hazardous materials (asbestos and lead paint) and the substantial cost of structural and mechanical renovations to be prohibitive;

And be it further

RESOLVED, the Board of Trustees Village is adopting this Resolution to facilitate the proper abatement of hazardous materials and removal of the blighted structures to improve public health and safety for all Village residents if and when appropriate funding is available; and be it further

RESOLVED, that the Mayor is authorized to approve, execute and advance any documents or instruments necessary to carry out this resolution, including but not limited to applications for grants or other assistance; and be it further

RESOLVED, that this resolution shall take effect immediately.

This Declaration with attendant documentation is hereby enacted on Monday, the 7th day of October 2024 and takes effect immediately.

CERTIFICATE OF RECORDING OFFICER

That the attached RESOLUTION is a true and correct copy of the RESOLUTION, as regularly adopted at a legally convened meeting of the **Board of Trustees of the Village of Fort Edward**, duly held on the 7th day of October, 2024; and further that such RESOLUTION has been fully recorded in the Village Clerk's office located at the Village Offices, 118 Broadway, Fort Edward, NY 12828.

In witness thereof, I have hereunto set my hand this ___7___ day of __October __, 2024.

Signature of Recording Officer

(Impress Seal)

1. Road Improvement Projects •

- Updates were provided on ongoing road improvement projects, including tie-ins and site reconstruction.
- Additional costs were incurred due to emergency work required by the county.
- They've had a tough go of it up there. The homeowners, because not only that part of the project on Burgoyne Avenue, not just the ones they live on, but to get there. So, it's been a tough go for them. But they should be doing tie-ins probably within the next week or so. And so, they'll be doing some initial site and road reconstruction. It's not going to be done complete pavement this year, unfortunately. The mayor and Jim Thatcher had a conference call with CDBG, the excess funds that are available towards pavement and site, whether it be walks and things of that nature. They seemed open to that idea because the current contract with the contractor, Bellamy, does have unit prices in there for blacktop work. So, we could just go off those prices to have additional. Burgoyne Avenue; the contractor had to put about a hundred feet of additional pipe in quicker than they were going to do because the county, Barton & Loguidice is the engineering firm for the county job, who met with us when we had to do the emergency work, the way we're bonding, needed us to put an extra hundred feet in of pipe in each road to meet their schedule. So, the contractor had to kind of rearrange his schedule to do that and that's going to be at a cost of about twelve thousand dollars to us added to the project. There's a contingency in there so it is covered under that and hopefully they aren't going to run into anything else that would eat up the contingency, but talking to LaBella's engineers last Thursday or Friday, what the county is going to do, though, is they're going up

100 feet of full-depth reconstruction on both those streets. Because that whole corner from Broadway and Maple and around and up to the top of that hill, they're doing full-depth reconstruction on that road. 100 foot on each side is going to be brand new, full-depth roadway. So, there is a couple hundred feet less of road. They are doing the corners of each of the sidewalks with handicap accessibility and all. \$12,000 is kind of made up of that work that we are going to have to do as well. The unfortunate thing is, if we didn't have to wait, we wouldn't probably have to be bonding this either. That's the part that stings a little. There's enough money in there to do that. So, I'm certainly going to make the... county superintendent know that, you know, we jumped through hoops to get that done the third week of July because they were going to be there and going through, and we had to have those T's done. We had it done, and B&L, Barton and Loguidice, their engineering firm, had the plans for everything, and they never looked at them once. Not once. They did admit that to LaBelle, but they didn't even look at the plans. But it's going to be a great project. Try to look at the positive end of it. The sidewalk work, just on Burgoyne Avenue and Maple looks nice. It looks really nice. It does. Especially in front of the old Bowe house there, that was been heaved for decades. Yeah, the trees and stuff in that area. It looks nice.

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**Resolution 16 of 2024-2025**

**BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$82,171.35 AGGREGATE PRINCIPAL AMOUNT OF SERIAL BONDS OR A STATUTORY INSTALLMENT BOND OF THE VILLAGE OF FORT EDWARD TO PAY THE COSTS FOR WATER LINE INTERCONNECTIONS ON COOPER, BURGUYNE, AND PROSPECT STREETS 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 **Cutler** Seconded by Trustee **Carpenter**

**Date:** October 7, 2024

All ayes. Motion carried.

**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 completing water line interconnections on Cooper, Burgoyne, and Prospect Streets and, related improvements and other incidental costs (the "Project") and

**WHEREAS**, the Village, upon due consideration previously determined this action to be an Unlisted Action and pursuant to Part 617 of Title 6 of the NYCRR and after taking a hard look at the project issued a Negative Declaration and declared that the action does not have a significant impact on the environment and that no further environmental review is required; and

**WHEREAS**, the total estimated cost of the Project is Eighty Two Thousand One Hundred Seventy One and 35/100 Dollars (\$82,171.35) which is the responsibility of the Village; 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 Eighty Two Thousand One Hundred Seventy One and 35/100 Dollars (\$82,171.35); 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 completing water line interconnections on Cooper, Burgoyne, and Prospect Streets

and, related improvements and other incidental costs, all of which are hereby authorized at a maximum estimated cost Eighty Two Thousand One Hundred Seventy One and 35/100 Dollars (\$82,171.35).

**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 Eighty Two Thousand One Hundred Seventy One and 35/100 Dollars (\$82,171.35). 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 Eighty Two Thousand One Hundred Seventy One and 35/100 Dollars (\$82,171.35). 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 forty (40) years pursuant to Sections 11.00(a)(1) 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 previously determined the action to be an Unlisted action, and after taking a hard look at the project issued a Negative Declaration and declared that the action does not have a significant impact on the environment and that no further environmental review is required and hereby reaffirms said declaration.

**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:

| <u>Voting:</u>          | <u>Ayes:</u> | <u>Nays:</u> | <u>Abstain:</u> | <u>Absent:</u> |
|-------------------------|--------------|--------------|-----------------|----------------|
| Matthew Traver, Mayor   | _____        | _____        | _____           |                |
| David Cutler, Trustee   | <u>  X  </u> | _____        | _____           |                |
| Peter Williams, Trustee | <u>  X  </u> | _____        | _____           |                |



- The project is currently boring under the canal and is expected to take about five months to complete.
- There are concerns about the safety of the drilling process and its impact on local infrastructure.
- The project involves sophisticated technology to navigate underground obstacles.

#### **6. Infrastructure Improvements and Agreements • Lock 8 Way bridge reconstruction**

- Discussions were held regarding a road use agreement for **East Street** during bridge construction.
- The need for a sewer line extension and the associated costs for businesses was emphasized.
- Concerns were raised about the financial implications for local taxpayers if infrastructure improvements are not managed properly.
- The road is not suitable for heavy traffic, particularly with larger vehicles like F-350s.
- There is a need for improved signage to manage traffic flow and inform drivers about parking restrictions.
- The crossing guard's influence on traffic patterns was discussed, with a suggestion to enhance visibility for law enforcement.
- A proposal was made to install a sign on East Road off St. James to prevent tractor-trailers from using the road.
- Concerns were raised about trucks getting stuck and the lack of turnaround space.
- The possibility of placing signs without prior permission was considered due to delays from county and state authorities.

#### **7. Tree Maintenance, Landscaping and Flowers and Safety •**

- There are safety concerns regarding tree heights and the need for proper training for staff to handle tree trimming.
- Renting equipment for tree maintenance was suggested to assess staff comfort and safety.
- Collaboration with neighboring towns for training and equipment sharing was proposed.
- A motion to award the 2024-2025 and 2025-2026 flower planting and maintenance to The Garden Barn was made by Trustee Carpenter, seconded by Trustee Cutler. All ayes. Motion carried.

#### **8. Infrastructure and Building Updates •**

- Updates on the new building at Irving and its mechanical work were shared.
- Plans for a fundraiser for a memorial walkway were discussed, aiming to involve local businesses.
- The need for drainage improvements in parking lots was emphasized, with a focus on making the area more aesthetically pleasing.

#### **9. Future Planning and Community Engagement •**

- The importance of engaging with local businesses for support and fundraising efforts was highlighted.
- Discussions regarding a pre-application for CDBG for blighted properties to be submitted by Jim Thatcher from CT Male. A motion to allow for the pre-application submittal was made by Trustee **Williams**, seconded by Trustee **Cutler**. All ayes. Motion carried.

A motion to adjourn the regular meeting was made by Trustee Carpenter, seconded by Trustee Williams.

All ayes. Motion carried.

Respectfully submitted,

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Janelle Rose  
Village Clerk-Treasurer