

**Village Board of Trustees
Regular Meeting
Monday, December 5, 2016**

MAYOR TRAVER CALLED THE MEETING TO ORDER AT 7:45PM.

Roll Call	Trustee Williams	Trustee Carpenter	Trustee DeVoe	Trustee Conlon
Highway	Brodie Etu	Jeff Caprood		
Police	Justin Derway			
Code	Dave Armando			
Attorney	Matthew F. Fuller			
Public	Eric Williams, MJ Engineering	Mr. Witherell	Mrs. Witherell	

MINUTES

A motion to accept the monthly meeting minutes for the following dates was made by **Trustee DeVoe**, seconded by **Trustee Carpenter**.
 Monthly VB Meeting November 7, 2016 Zoning Board Meeting October 19, 2016
 Special VB Meeting November 7, 2016 Planning Board Meeting May 17, 2016
ALL AYES. MOTION CARRIED.

REPORTS

A motion to accept the following monthly reports was made by **Trustee Conlon**, seconded by **Trustee Carpenter**.
 Village Justice, Clerk/Treasurer, Code Enforcement, Highway, Groundskeeper, Police Chief, Water Superintendent.
ALL AYES. MOTION CARRIED.

RESOLUTIONS

RESOLUTION #38 OF 2016

UNPAID VILLAGE TAXES FOR THE FISCAL YEAR OF 2016-2017

MOTION BY **TRUSTEE WILLIAMS**, SECONDED BY **TRUSTEE CONLON**, WHICH STATES:

WHEREAS, §1442 of the New York State Real Property Tax Law allows for unpaid Village Taxes to be turned over to the Washington County Treasurer by November 15, 2016, and

WHEREAS, per the Board of Supervisors' Resolution No. 245 September 16, 2016, entitled TO Accept Payment of Returned Village Taxes, the County Treasurer's office accepted payment so of unpaid Village Taxes until November 30, 2016, and

WHEREAS, any further unpaid Village Taxes will be relieved upon the 2017 Town/County tax bills; and

NOW, THEREFORE BE IT:

RESOLVED, that the Clerk-Treasurer has sent to the Washington County Treasurer the 2016-2017 unpaid Village Taxes to be relieved on the 2017 Town/County tax bills in the amount of \$545,382.43.

ALL AYES. MOTION CARRIED.

RESOLUTION #39 OF 2016

SNOW & ICE

MOTION BY **TRUSTEE CARPENTER**, SECONDED BY **TRUSTEE DEVOE**, WHICH STATES:

WHEREAS, the Fort Edward Village Board does hereby accept the resignation of Thomas Wolfe, full time MEO at the Street Department, and

WHEREAS, the Village Board extends their appreciation to Mr. Wolfe for his service to the Village of Fort Edward, and

NOW, THEREFORE BE IT:

RESOLVED, this resignation is effective Friday, December 9, 2016.

ALL AYES. MOTION CARRIED.

RESOLUTION #40 OF 2016

HIRE FULL TIME STREET DEPARTMENT EMPLOYEE

MOTION BY **TRUSTEE WILLIAMS**, SECONDED BY **TRUSTEE CARPENTER** WHICH STATES:

WHEREAS, the Fort Edward Village Board does hereby appoint Mr. Geoffrey G. Bigelow to the position of MEO for the Village Highway department at a rate of \$17.50. This rate will increase over three (3) years, bringing the rate of pay up to the current PWEA contract, and

WHEREAS, the current PWEA contract outlines all benefits that Street Department employees are entitled to, and

NOW, THEREFORE BE IT:

RESOLVED, this resolution shall take effect immediately.

ALL AYES. MOTION CARRIED.

RESOLUTION #41 OF 2016

RESOLUTION ADOPTING NEGATIVE DECLARATION IN ACCORDANCE WITH THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT RELATIVE TO THE PROPOSED ADOPTION OF LOCAL LAWS REPEALING THE CURRENT CHAPTER 100 OF THE CODE OF THE VILLAGE OF FORT EDWARD AND ADOPTING A NEW CHAPTER 100 OF THE VILLAGE OF FORT EDWARD TITLE ZONING LAW OF THE VILLAGE OF FORT EDWARD

MOTION BY **TRUSTEE DEVOE**, SECONDED BY **TRUSTEE WILLIAMS** WHICH STATES:

WHEREAS, pursuant to Section 10 of Municipal Home Rule Law and Article 7 of the Village Law of the State of New York, the Board of Trustees (the "Board") of the Village of Fort Edward (the "Village") has the authority to adopt local laws amending the Zoning Law of the Village of Fort Edward found at Chapter 100 of the Code of the Village of Fort Edward; and

WHEREAS, the Board has the power to amend and replace the Zoning Law of the Village of Fort Edward; and

WHEREAS, the Board of Trustees wishes to supersede and replace Chapter 100 of the Code of the Village of Fort Edward in its entirety; and

WHEREAS, a new Chapter 100 titled Zoning Law of the Village of Fort Edward has been drafted and reviewed by the Board and Local Laws have been drafted to adopt said new Chapter 100 and repeal the current Chapter 100; and

WHEREAS, the consideration of the repeal of the existing Chapter 100 of the Code of the Village of Fort Edward, as well as the adoption of a new Chapter 100 of the Code of the Village of Fort Edward are both "actions" as defined in the New York State Environmental Quality Review Act; and

WHEREAS, the Board has prior to the adoption of this resolution reviewed a full environmental assessment form including parts 1 and 2 and accepted comments during the public hearing on the proposed local laws as well as potential environmental impacts; and

WHEREAS, the Board, having taken a hard look at the potential environmental impacts wishes to adopt a negative declaration in accordance with SEQRA.

NOW, THEREFORE BE IT:

RESOLVED, that having reviewed parts 1 and 2 of the environmental assessment form and reviewed the questions in part 2, and having taken a hard look at the potential environmental impacts arising from the adoption of the proposed Local Laws, the Board hereby issues a negative declaration that the proposed actions do not have the potential to result in one or more adverse environmental impacts; and be it further

RESOLVED, that counsel is requested to draft part 3 of the environmental assessment form and publish same with the environmental notice bulletin; and be it further

RESOLVED, that notices be filed and published as may be required; and be it further

RESOLVED, that this resolution shall take effect immediately.

ROLL CALL VOTE:

Trustee Carpenter	Yes
Trustee Conlon	Yes
Trustee DeVoe	Yes
Trustee Williams	Yes

RESOLUTION #42 OF 2016

RESOLUTION ADOPTING LOCAL LAW TITLE ZONING LAW OF THE VILLAGE OF FORT EDWARD TO REPLACE CHAPTER 100 OF THE CODE OF THE VILLAGE OF FORT EDWARD

MOTION BY **TRUSTEE DEVOE**, SECONDED BY **TRUSTEE CONLON** WHICH STATES:

WHEREAS, pursuant to Section 10 of Municipal Home Rule Law and Article 7 of the Village Law of the State of New York, the Board of Trustees (the "Board") of the Village of Fort Edward (the "Village") has the authority to adopt local laws amending the Zoning Law of the Village of Fort Edward found at Chapter 100 of the Code of the Village of Fort Edward; and

WHEREAS, the Board has the power to amend and replace the Zoning Law of the Village of Fort Edward; and

WHEREAS, the Board of Trustees wishes to supersede and replace Chapter 100 of the Code of the Village of Fort Edward in its entirety; and

WHEREAS, a new Chapter 100 titled Zoning Law of the Village of Fort Edward has been drafted and reviewed by the Board; and

WHEREAS, the Board held a public hearing and referred the proposed Chapter 100 of the Code of the Village of Fort Edward to neighboring municipalities and the County Planning Board as required by the General Municipal Law; and

WHEREAS, the Board previously reviewed the proposed Local Law in accordance with the State Environmental Quality Review Act and taken a hard look at the potential environmental impacts of the proposed Local Law and issued a negative declaration thereon; and

WHEREAS, the Board is desirous of proceeding with adoption of the proposed Local Law.

NOW, THEREFORE BE IT:

RESOLVED, that the proposed Local Law ad Chapter 100 of the Code of the Village of Fort Edward is in the best interests of the residents of the Village of Fort Edward and is hereby adopted; and be it further

RESOLVED, that this resolution shall take effect immediately.

ROLL CALL VOTE:

Trustee Carpenter	Yes
Trustee Conlon	Yes
Trustee DeVoe	Yes
Trustee Williams	Yes

RESOLUTION #43 OF 2016

RESOLUTION ADOPTING PROPOSED LOCAL LAW TITLE ZONING LAW REPEALING CHAPTER 100 OF THE CODE OF THE VILLAGE OF FORT EDWARD

MOTION BY **TRUSTEE DEVOE**, SECONDED BY **TRUSTEE CARPENTER** WHICH STATES:

WHEREAS, pursuant to Section 10 of Municipal Home Rule Law and Article 7 of the Village Law of the State of New York, the Board of Trustees (the "Board") of the Village of Fort Edward (the "Village") has the authority to adopt local laws amending the Zoning Law of the Village of Fort Edward found at Chapter 100 of the Code of the Village of Fort Edward; and

WHEREAS, the Board has the power to amend and replace the Zoning Law of the Village of Fort Edward; and

WHEREAS, the Board of Trustees wishes to supersede and replace Chapter 100 of the Code of the Village of Fort Edward in its entirety; and

WHEREAS, a new Chapter 100 titled Zoning Law of the Village of Fort Edward has been drafted and reviewed by the Board; and

WHEREAS, to adopt the new Chapter 100, the Board must repeal the current Chapter 100 of the Code of the Village of Fort Edward; and

WHEREAS, the Board held a public hearing and referred the proposed Local Law to repeal Chapter 100 of the Code of the Village of Fort Edward to neighboring municipalities and the County Planning Board as required by the General Municipal Law; and

WHEREAS, the Board previously reviewed the proposed Local Law in accordance with the State Environmental Quality Review Act and taken a hard look at the potential environmental impacts of the proposed Local Law and issued a negative declaration thereon; and

WHEREAS, the Board is desirous of proceeding with adoption of the proposed Local Law.

NOW, THEREFORE BE IT:

RESOLVED, that the proposed Local Law repealing Chapter 100 of the Code of the Village of Fort Edward is in the best interests of the residents of the Village of Fort Edward and is hereby adopted, subject to the proper filing and effectiveness of the new Chapter 100 of the Code of the Village of Fort Edward; and be it further

RESOLVED, that this resolution shall take effect immediately.

ROLL CALL VOTE:

Trustee Carpenter	Yes	No
Trustee Conlon	Yes	No
Trustee DeVoe	Yes	No
Trustee Williams	Yes	No

RESOLUTION #44 OF 2016

PROMOTION OF JEFF CAPROOD, STREET DEPARTMENT

MOTION BY **TRUSTEE WILLIAMS**, SECONDED BY **TRUSTEE DeVOE** WHICH STATES:

WHEREAS, Jeff Caprood is a full time laborer for the Street department and has been diligently working side by side with Thomas Wolfe on how to use and maintain equipment owned by the village, and

WHEREAS, Jeff Caprood is able to consistently and effectively operate village equipment including the Backhoe, Loader, all Tractors, Bobcat and the Sweeper

NOW, THEREFORE BE IT:

RESOLVED, that the Village Board hereby promotes Jeff Caprood to the position of Heavy Equipment Operator as outlined in the current PWEA contract, and

RESOLVED, that this resolution shall take effect on December 6, 2016.

ALL AYES. MOTION CARRIED.

AUDIT OF BILLS

A MOTION BY TRUSTEE **CARPENTER**, SECONDED BY TRUSTEE **CONLON** TO ACCEPT THE AUDIT OF BILLS AS FOLLOWS:

General Fund	#7	356,440.54*	General Fund	#7 PBA	6,703.71
GF/Abstract*	#7	17,914.44	<i>Regular Monthly Bills</i>		
GF/Retirement*	#7	160,448.44	<i>(Police= 66,851 / Employee= 75,683</i>		
GF/Sweeper*	#7	193,997.00	<i>(Chips= 963,997 / BOND 100,000)</i>		
Water Fund	#7	7955.26	Water Fund	#7 PBA	1,436.00
Air Stripper	#7	800.00	Air Stripper	#7 PBA	333.51
Marketplace	#7	8,969.94			

OTHER BUSINESS

SAFE ROUTES TO SCHOOL

ERIC WILLIAMS, MJ ENGINEERING

Gave an update on the sidewalk replacement program. The plans have been submitted to DOT for comments. The hope is to have the DOT approval by Christmas. The construction start date would be around March. During the design of the project, MJ Engineering attempted to be compliant with ADA requirements. Mayor Traver said that he has reached out to CP Rail in regards to the crossing on Marion Street and is awaiting comments.

Approximate cost for the overall program are as follows:

MJ Engineering Design	90,000
Construction/Inspection	600,000
Grant Total	588,000
Estimated Overage	102,000

Trustee DeVoe stated that that trees in the targeted area will need to be taken down and that is the responsibility of the village to coordinate. E. Williams stated that he would get the village a date of when the trees will need to be removed. He further stated that the lighting on Case Street will need to be decided upon; what style and exact location as per required when replacing sidewalks. The cost of lighting has already been added into the overall estimated project cost. Mayor Traver said that the Board will need to take a look at the figures and decide how to spend village money.

Trustee Conlon asked what has areas have been removed since the original proposal. The board discussed that the sidewalks on the South side of McCrea were removed; they will be done when the water/sewer waterline replacement is done. Also, Wing Street was removed. This will be done by the village.

STREET DEPARTMENT

Trustee Williams asked Attorney Fuller if it would be possible to keep Tom Wolfe on as a consult/part time employee to service vehicles and address other maintenance related issues. Attorney Fuller stated that, if Tom was willing, the village could employ him on a part-time basis. Prior to moving forward, the village should follow up with the Washington County Civil Service department.

J. Caprood gave the board an update on the sweeper and how effectively it operates. The department further thanked Tom Wolfe for the research he put into helping the village identify the best machine to get. They further expressed their appreciation for all of the work and time that he gave to the department over the last two years. Trustee DeVoe further offered her sincerest thanks and appreciation for all that he accomplished while with the village.

ZONING/CODE

The board discussed the written comments received from Irving Tissue, Paul McCarty, as well as from D. Armando. Irving Tissue's letter raised questions on the section of the proposed codes that address setbacks and the section that deals with the demolition of buildings. Paul McCarty's written comments dealt with historic buildings throughout the village. D. Armando's comments focused on codes and definitions that should be looked at as the review of the code book moves forward. During this time, the board talk about "net public benefit" vs. "community benefit".

LOGGING/CHRISTMAS TREES

Gary Hill said that he doesn't recommend harvesting timber this year. He presented the board with a proposal to implement and maintain a Christmas tree farm on vacant property owned by the village, near the Reservoir. Gary Hill proposed a 50/50 split of proceeds from the sale of the Christmas trees. The board briefly discussed and Gary Hill informed the board that the best time to start planting the trees would be in the spring. Trustee Carpenter said that he would follow up with Gary this month on the proposed. He further stated that Gary has been doing a great job on the timber stand improvement project at the Reservoir.

WATER DEPARTMENT

Trustee Conlon recapped the issues that have been going on at the water plant over the last couple of months. He further stated that there are pieces of equipment at the plant that will need to be replaced over the next few years and those pieces are expensive. He would like to look at coming up with a long term plan for the plant. He also said that several years ago he proposed raising water rates, and is again bringing this to the board for their consideration. Trustee Carpenter echoed Trustee Conlon's comments and concerns of aging infrastructure at the plant.

Mayor Traver agreed that there are concerns at the plant and acknowledged that over the last couple of years, progress has been made. The following areas were discussed:

- He suggested the water committee reach out the village engineers to discuss putting together an asset management plan.
- In addition, Mayor Traver suggested that the committee work with the Water Superintendent to come up with a price list of common meter parts that often need to be replaced, with the intent to pass this cost onto the homeowner. Currently the village isn't recouping the cost to fix a meter, when many times, they are broken due to homeowner neglect.
- The water hookup costs should be looked at to determine if the village is priced appropriately.
- Mayor Traver also proposed the water department begin replacing broken water meters, perhaps even one a week.
- He further asked the Water Committee to follow up with Sean at Chazen to go over the draft engineering report on tower and infrastructure work. This is the first step to apply for possible grant funding.

COMP TIME POLICY

Trustee DeVoe would like to see a comp time policy for the village. A discussion was held.

CODE ENFORCEMENT

The board discussed what files it would like back from the County for the first of the year transition. After a brief discussion they were of the opinion that they would like any open permit files. In addition, they would like any files pertaining to Irving Tissue, the industrial park or other large scale projects. Attorney Fuller suggested that someone from the village stop to the County to discuss the transition.

PUBLIC COMMENTS

Mr. Witherell

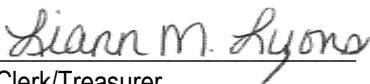
Broadway

The owner of 60 Broadway asked how the new zoning will impact his property. Will he still need to go through a Planning Board process to put an above ground pool in the back yard? He was under the impression he was grandfathered in.

Attorney Fuller explained the term "grandfathered", which is a pre-existing, non-conforming use. This residential use can continue for as long as it's used as a residential home. If it is vacant for more than a year, the use of the property reverts back to the zoning in place. If the use is changed to a conforming use, it isn't able to revert back to the non-conforming use. In this case, adding a pool is expanding the footprint of the non-conforming use. So a variance would be needed. D. Armando stated that the applicant has already received ZBA approval and the next step would be to go to the Planning Board for site plan review. The applicant stated his dislike of the process.

There being no further business, a motion to close the meeting at 9:45 was made by **Trustee Carpenter**, seconded by **Trustee Conlon**. All ayes. Motion carried.

Respectfully Submitted,


Clerk/Treasurer

Dated November 15, 2016