

**MINUTES OF THE TOWN OF FORT EDWARD TOWN BOARD PUBLIC HEARINGS
& REGULAR MEETING HELD AT TOWN HALL ON MONDAY, APRIL 9, 2018
COMMENCING AT 6:50PM**

Supervisor Middleton opened the Public Hearing at 6:50pm

The following notice was published in The Post Star on April 2, 2018:

PLEASE TAKE NOTICE, the Town of Fort Edward Town Board will hold a Public Hearing on Monday, April 9, 2018 at 6:50 p.m. to hear comments on a Local Law pursuant to Real Property Tax Law Section 487(8)(a) providing that no exemption under section 487 shall be applicable for the purpose of county taxation with respect to any Micro-Hydroelectric Energy System, Fuel Cell Electric Generating System, Micro-Combined Heat and Power Generating Equipment System, or Electric Energy Storage Equipment or Electric Energy Storage.

At the Public Hearing anyone who wishes to comment will be heard.

PUBLIC COMMENT:

Mary-Ellen Stockwell: I did some research on this and I did not find any Towns adopting it but schools have.

Supervisor Middleton: I believe Argyle did at their last meeting.

Mary-Ellen Stockwell: I would suggest tabling the resolution until the May meeting so that the language can be tailored to the Town as opposed to the County.

MOTION by Councilman Orsini, Seconded by Councilman Mercier to table the resolution and keep the Public Hearing open until the next meeting scheduled for May 14, 2018 **ALL AYES**

Supervisor Middleton opened the Public Hearing at 6:55pm

The following notice was published in The Post Star on April 2, 2018:

PLEASE TAKE NOTICE, the Town of Fort Edward Town Board will hold a Public Hearing on Monday, April 9, 2018 at 6:55 p.m. to hear comments on the repeal of Local Law #3 of 2008 (Grievance Day Change) and to establish the fourth Tuesday in May as the date the Board of Assessment Review shall meet to hear complaints related to real property assessments.

At the Public Hearing anyone who wishes to comment will be heard.

PUBLIC COMMENT: None

MOTION by Councilman Orsini, Seconded by Councilman Fisher to close the Public Hearing at 6:58pm **ALL AYES**

MOTION by Councilman Fisher, Seconded by Councilman Mercier seeing that there was no public comment regarding the Grievance Day date change, Grievance Day will be the 4th Tuesday in May and Local Law #3 of 2008 will be repealed **ALL AYES**

Supervisor Middleton called the regular meeting to order at 7:00pm

Pledge of Allegiance

PRESENT: Supervisor Middleton
Councilman Orsini
Councilman Mercier
Councilman Fisher
Councilwoman Mullen

OTHERS PRESENT: Todd Humiston, Richard Belden, Katie DeGroot, Laurie LaFond and Town Attorney Mary-Ellen Stockwell

APPROVAL OF MINUTES: MOTION by Councilman Orsini, Seconded by Councilman Fisher to approve the minutes of the regular meeting of March 12, 2018 **ALL AYES**

APPROVAL OF THE REPORTS: MOTION by Councilman Mercier, Seconded by Councilman Orsini to approve the reports of Town Clerk Monthly, Town Justice, Building Inspector, Highway, Supervisor, Assessor & Code Enforcement/Zoning Officer **ALL AYES**

APPROVAL OF BILLS: MOTION by Councilman Orsini, Seconded by Councilman Mercier to approve Abstract #4 in the amount of \$26,226.26 **ALL AYES**

ABSTRACT #4

GENERAL A: 7317-7318,7321-7363	\$12,143.00
GENERAL B: 7372-7378	\$ 2,533.50
HIGHWAY: 7364-7371	\$ 5,891.73
MUNICIPAL: 7379-7384	\$ 2,254.27
SPECIAL LIGHTING: 7319,7385-7386	\$ 2,833.21
SPECIAL WATER: 7320,7387-7388	\$ 238.62
SPECIAL WATER 2: 7389-7390	\$ 331.93

TOTAL: \$26,226.26

RESOLUTIONS:

RESOLUTION NUMBER 17 OF 2018

MOTION BY COUNCILMAN MERCIER

SECONDED BY COUNCILMAN FISHER

WHEREAS, the Fort Edward Town Board does hereby approve the Highway Superintendent, Brian Brockway, to attend the Association of Town's Highway School held in Ithaca, New York on June 4th -June 6th, 2018.

DATED: April 9, 2018

VOTE: Supervisor Middleton – AYE
Councilman Orsini – AYE
Councilman Mercier – AYE
Councilman Fisher – AYE
Councilwoman Mullen – AYE

BUSINESS:

- 1) Jennifer Holden submitted a letter of intent to the Town Board to fill the open seat on the Board of Assessment Review.

RESOLUTION NUMBER 18 OF 2018

MOTION BY COUNCILMAN ORSINI

SECONDED BY COUNCILMAN FISHER

WHEREAS, the Fort Edward Town Board does hereby appoint Jennifer Holden as a member of the Town of Fort Edward Board of Assessment Review to fill the unexpired 5 year term of E. Mason Ormsby term ending September 30, 2019.

DATED: April 9, 2018

Supervisor Middleton – AYE
Councilman Orsini – AYE
Councilman Mercier – AYE
Councilwoman Mullen – AYE
Councilman Fisher – AYE

2) Cleaning Proposals

The Board reviewed all of the cleaning proposals submitted with and without insurance and bonding.

MOTION by Councilman Orsini, Seconded by Councilman Fisher to recommend to the Village that we engage in the services of the lowest bidder with Insurance Paul Mercier for the cleaning of the offices

VOTE: Supervisor Middleton – AYE
Councilman Orsini – AYE
Councilman Mercier – ABSTAINED
Councilman Fisher – AYE
Councilwoman Mullen – AYE

3) FIBA application for Hudson River Valley Greenway Grant – 2018

Laurie LaFond: We are requesting a resolution of support from the Town of Fort Edward for FIBA's application for a 2018 Hudson River Valley Greenway Grant. We would like to apply for a grant to pay for a market analysis for the planned FIBA-DEC destination Birding Center. This project advances all 5 of the "Greenway Criteria:" Natural Resource Protection, Regional Planning, Economic Development, Public Access and Environmental Education. This grant requires a municipality to be the lead applicant on the grant; FIBA would supply the match and write the grant unless you would prefer to have your staff write it. The deadline is May 4th. We are asking the Town of Fort Edward to act as lead applicant on this grant and to pass a resolution of support for the application.

Councilman Orsini: Who is going to write the grant?

Laurie LaFond: I have been writing our grants so it would either be myself or we would hire Tracy Clothier.

Laurie LaFond: This is a reimbursement grant so we would pay for the market analysis and then you would submit the bills to the grant committee and they would pay you and you would pay us back. We are supplying the match, it is 50/50 and we are going for \$5,000.00 so we would pay \$2,500.00.

Mary-Ellen Stockwell: We need to look into municipal bidding requirements, if the municipality is going to be the lead agent but you are the one who is control of it you will probably have to meet municipal bidding requirements. Whatever agencies that would submit proposals may have to do it formally and meet the municipal requirements for grant writing. A consultation with the Town's Grant Coordinator would be a good idea.

RESOLUTION NUMBER 19 OF 2018

MOTION BY COUNCILMAN MERCIER

SECONDED BY COUNCILMAN FISHER

WHEREAS, the Town of Fort Edward in combination with the Friends of the IBA is applying to the Hudson River Valley Greenway for a grant under the Greenway Communities Grant Program for a project entitled Fort Edward Grassland Birding Center Project to be located in the Town of Fort Edward, Washington County, State of New York, and

WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body (Town Board) of the municipality or municipalities in which the project will be located, and

WHEREAS, the Friends of the IBA and the Town understand that this support is subject to and conditioned upon the Town Grant Coordinator and Attorney review and approval of the process and no action or application shall take place until such time that it is reviewed by the Town Grant Coordinator and Attorney.

NOW THEREFORE BE IT RESOLVED, that the governing board of the Town of Fort Edward hereby does approve and endorse the application with the conditions aforementioned for a grant under the Greenway Communities Grant Program, for a project known as Fort Edward Grassland Birding Center and located within the community.

DATED: April 9, 2018

VOTE: Supervisor Middleton – AYE
Councilman Orsini – AYE
Councilman Mercier – AYE
Councilman Fisher – AYE
Councilwoman Mullen – AYE

CORRESPONDENCE:

- 1) Letter from Union Cemetery thanking the Town for their annual support
- 2) Letter from Assemblyman Dan Stec regarding Resolution #16 of 2018 passed by the Town Board regarding the PILOT Program.

Todd Humiston: I have 3 hearings tomorrow, I need to know what the insurance coverage is for myself in the event that someone sues me and also the school program starts Thursday.

PUBLIC COMMENT:

Katie DeGroot: I heard a dog food plant is coming into the dewatering facility property, is that true?

Supervisor Middleton: We did make the short list for a food business looking at the property, there has also been a pipe manufacturer interested but I have not heard anything about a dog food business.

Councilman Orsini: The Washington County Sewer meetings are in a very tiny space so I have offered up the Visitors Center as a meeting space for them.

Also, with the Chamber President Adam DeVoe stepping down from the Chamber that leaves me as the only Board member on the Chamber of Commerce, I am the Treasurer of the Chamber and I am also Treasurer of the Local Development Corp. (LDC). I think it would benefit Fort Edward to have the Chamber of Commerce merge with the LDC. There are both 501C3's, it's easy to do legally and it would save me a lot of time. I have 2 girls from Glens Falls National Bank that want to do community outreach and want to volunteer for the Chamber of Commerce so it would be much easier for me to bring them into the Visitors Center where the Fort Edward LDC office is and where the computers are and let these 2 girls do community outreach for the Chamber under the LDC's insurance umbrella.

Katie DeGroot: Are the mission statements different?

Councilman Orsini: I'm not sure but I went to Attorney Bill Nikas and asked him because he got us legal with the Chamber of Commerce in 1987 and I was also Treasurer at that time. It is legal to do and it would benefit Fort Edward getting the 2 bank girls in. It would collectively protect the Chamber insurance wise and tax wise. I would have Attorney Nikas take care of the legalities.

Mary-Ellen Stockwell: I think the mission statements have to be similar for Department of State purposes. Have your attorney look into some of those loans so that you don't potentially merge problems together. Have your Attorney and Accountant review everything.

Councilman Orsini: What we are planning on doing is keeping everything separate as far as checking accounts and phones. The Village pays for the Chamber phone and over the years the manager of the Visitors Center answered the Chamber phone anyway.

Supervisor Middleton: We are out to bid for an Appraisal on the Dewatering Site.

MOTION by Councilman Orsini, Seconded by Councilman Mercier to enter into executive session at 7:30pm to discuss pending litigation **ALL AYES**

MOTION by Councilman Orsini, Seconded by Councilman Fisher to come out of executive session at 8:20pm **ALL AYES**

Back in regular session at 8:21pm

MOTION by Councilman Orsini, Seconded by Councilman Fisher to authorize Supervisor Middleton to enter into an agreement and engage the services of John Zukowski from the firm of

Emminger, Newton, Pidgeon and Magyar, Inc. for consulting services subject to Attorney review and the contract not to exceed \$7,500.00 **ALL AYES**

ADJOURNMENT: MOTION by Councilman Fisher, Seconded by Councilman Orsini to adjourn the meeting at 8:30pm **ALL AYES**

DATED: April 11, 2018

Aimee Mahoney, Town Clerk