

MINUTES OF THE TOWN OF FORT EDWARD TOWN BOARD MEETING HELD ON MONDAY AUGUST 13, 2018 AT TOWN HALL COMMENCING AT 7:00 P.M.

Supervisor Middleton opened the public hearing at 7:00 p.m.

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

OTHERS PRESENT: Todd Humiston, Brian Brockway, Richard Belden, Katie DeGroot, Laurie LaFond & James Buono

APPROVAL OF MINUTES: MOTION by Councilman Fisher, Seconded by Councilman Mercier to approve the minutes of the regular meeting of July 9, 2018 and the special meeting of August 2, 2018 **ALL AYES**

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

APPROVAL OF BILLS: MOTION by Councilman Orsini, Seconded by Councilwoman Mullen to approve Abstract #8 in the amount of \$24,955.24 **ALL AYES**

ABSTRACT #8

GENERAL A:7595-7596,7600-7603,7607-7643	\$15,043.09
GENERAL B:7644	\$ 42.00
HIGHWAY:7645-7661	\$ 4,635.33
MUNICIPAL:7597,7662-7668	\$ 2,391.90
SPECIAL LIGHTING:7598,7604-7605	\$ 2,353.10
SPECIAL WATER:7599,7669-7671	\$ 410.74
SPECIAL WATER 2:7672-7673	\$ 79.08

TOTAL: \$24,955.24

BUSINESS:

**Hudson River Valley Greenway Grant
Birding Center**

Laurie LaFond: Funding was approved for the Birding Center Market Analysis Project and the Board has received copies of the MOU between the Greenway and the Town of Fort Edward.

We are assuming that only half of the payment will be due this year due to Merrilyn Pulver already paying the January taxes correct?

Supervisor Middleton: Yes

Councilman Orsini: Is the payment equal to the taxes?

Laurie LaFond: Yes

Councilman Orsini: Is there an end date? We are going to be facing some financial obligations in the future and if taxes rise do these taxes raise also?

Laurie LaFond: We did not discuss it but I think it would change based on the tax rate although I can't speak for the Board.

The Agreement is tabled until the Attorney can review it further.

Empire State Trail Work Agreement Towpath Lane

The NYSDOT would like to enter into an agreement to install signage on Towpath Lane for the Empire State Trail and upon installation, turn over ownership and maintenance of the signs to the Town.

Brian Brockway: My concern is vandalism of the signs and they are \$60.00-\$70.00 per sign to replace; another unfunded mandate.

Councilman Orsini: If they are vandalized then there will be no replacement. They buy the 1st set of signs.

MOTION by Councilman Orsini, Seconded by Councilman Fisher to authorize Supervisor Middleton to sign the Empire State Trail Work Agreement **ALL AYES**

Fort Miller Wedding Request

Supervisor Middleton: We have a letter from Kimberly Rich who resides at 1212 Fort Miller Rd. requesting to use the Town owned land between her house and the Fort Miller Firehouse to hold her wedding. She is requesting to place a tent, tables and chairs on the Towns property. Alcohol will not be served on the Town owned property. She will be obtaining liability insurance for the day and would like to know how much the policy needs to be for.

The Board is going to ask the Attorney to review and discuss at the September meeting.

Sewer District Bids

Councilman Fisher and Councilman Orsini will be reviewing the bids for the Sewer District expansion.

**James Buono
Potentia Management Group
National Grid Proposal**

James Buono: When the Street lights go out now, National Grid is replacing them with LED lights. The old lights cost around \$10/month and the new ones will cost around \$3/month. We are proposing to change over the lights at the Pool, DPW and Town Hall. It is a 0% interest financing program and the lighting has a 10 year warranty. After 12 months you will start to see a savings of the following: \$363.33/month at the DPW, \$5.11/month at the pool and \$147.79/month at Town Hall. The second proposal is a Power Purchase agreement and with that you would be locked in at \$.5/kwh starting October 1st. Right now you are at \$.6/kwh and when the bills increased you were paying \$.17/kwh.

The proposals have been tabled until the September 10th meeting.

OTHER BUSINESS:

Brian Brockway: I will be submitting the CHIPS forms tomorrow. Also, if the East Road project happens that will take all of the CHIPS funds because it's almost 2 miles of paving.

PUBLIC COMMENT:

Katie DeGroot: What sewer district are the bids for?

Supervisor Middleton: The Northern section of the Town.

Katie DeGroot: Do we have a right to farm law? Did you speak with neighbors regarding the Simply Grazin proposal?

Supervisor Middleton: Yes and yes I did speak with the neighbors and I got a lot of positive feedback.

Katie DeGroot: Why did you think there would be a negative response? I am just curious as to the hesitation at the last meeting.

Supervisor Middleton: Because of complaints we have heard in the past I just felt I should talk with the neighbors first. I was impressed with it, it was very clean.

Katie DeGroot: Can we raise money to get some right to farm signage?

Brian Brockway: Road signs have to be reflective.

Laurie LaFond: I know DOT has put up some signage.

Katie DeGroot: Where would I find the sign regulations for highways?

Brian Brockway: Federal MCU laws

Katie DeGroot: I will ask another Town that has them how they did it.

Supervisor Middleton: I can ask Greenwich Supervisor Sarah Idleman at the County meeting.

Katie DeGroot: Regarding the signage on the bike path, is the bike path not being used?

Councilman Orsini: No but they are trying to connect it from Waterford to Whitehall but in Fort Edward the dewatering site is in the way.

Supervisor Middleton: They are talking about installing a bridge up to Towpath and boring under the road, also they are discussing narrowing the driving lanes from Lock 11 back out to Rte. 4 which will be very dangerous. From Fort Ann north it is very dangerous; every Supervisor expressed concerns to the State at the ADHOC meeting.

Todd Humiston: Is there any update on the recycling?

Supervisor Middleton: We are still waiting to hear who the DEC spoke to at the Town.

CORRESPONDENCE:

Supervisor Middleton: We received a letter from a resident on Blackhouse Rd. regarding fireworks. Someone had a large fireworks display Saturday night and they wanted to make sure the Town didn't issue a permit for it before they pursued it any further. The Town does not issue permits for fireworks displays.

MOTION by Councilman Orsini, Seconded by Councilman Fisher to enter into Executive Session at 7:49pm to discuss pending litigation **ALL AYES**

MOTION by Councilman Orsini, Seconded by Councilman Fisher to come out of Executive Session at 8:01pm **ALL AYES**

Back in Regular Session

MOTION by Councilman Orsini, Seconded by Councilwoman Mullen to engage the services of Daniel A. Spitzer from Hodgson Russ for the Article 7 litigation **ALL AYES**

MOTION by Councilman Orsini; Seconded by Councilman Fisher to hire Donald Boyajian from Dreyer Boyajian, LLP to be the Town Attorney, Planning Board Attorney and Zoning Board of Appeals Attorney **ALL AYES**

ADJOURNMENT:

MOTION by Councilman Orsini, Seconded by Councilman Fisher to adjourn the meeting at 8:03pm **ALL AYES**

DATED: August 17, 2018

Aimee Mahoney, Town Clerk