

MINUTES OF THE TOWN BOARD OF THE TOWN OF FORT EDWARD PUBLIC HEARING AND REGULAR MEETING HELD ON MONDAY, DECEMBER 11, 2017 AT TOWN HALL COMMENCING AT 6:55PM

PRESENT: Councilman Middleton
Councilman Orsini
Councilman Mercier
Councilman Fisher

ABSENT: Supervisor Suprenant

OTHERS PRESENT: Jeannie Mullen, Richard Belden, Brian Brockway, Roseanne Lemery, Katie DeGroot, Frank Burkhardt and Town Attorney Mary-Ellen Stockwell

Councilman Middleton opened the public hearing at 6:57pm

The following notice was published in the Post Star on December 4, 2017:

PLEASE TAKE NOTICE that, pursuant to a resolution adopted by the Town Board of the Town of Fort Edward, a public hearing will be held by said Town Board on December 11, 2017 at 6:55 p.m. at the Offices of the Town of Fort Edward, 118 Broadway, Fort Edward, New York, to discuss the proposed Local Law extending the real property tax exemption for cold war veterans pursuant to Real Property Tax Law section 458-b.

By order of the Town Board of the Town of Fort Edward, New York, dated November 13, 2017.

PUBLIC COMMENT:

NONE

MOTION by Councilman Fisher, Seconded by Councilman Mercier to close the Public Hearing at 6:59pm **ALL AYES**

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

Pledge of Allegiance

PRESENT: Councilman Middleton
Councilman Orsini
Councilman Mercier
Councilman Fisher

ABSENT: Supervisor Suprenant

OTHERS PRESENT: Jeannie Mullen, Richard Belden, Brian Brockway, Roseanne Lemery, Katie DeGroot, Frank Burkhardt and Town Attorney Mary-Ellen Stockwell

APPROVAL OF MINUTES: MOTION by Councilman Mercier, Seconded by Councilman Fisher to approve the minutes of the meeting of November 13, 2017 **ALL AYES**

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

The following report was submitted by Grant Coordinator Darlene DeVoe for December 2017:

Grant Coordinator Report for December 2017

Submitted by Darlene DeVoe 12/11/2017

EPA Petroleum Assessment Grant -

We have submitted our closeout package to the EPA. The reimbursement request goes in on Thursday. We have the final engineering bills in for payment ready for submission as a year end bill. We will have received our reimbursement by then. We have one more for BRS for the closeout paperwork and final reimbursement request.

HOME 2013 –

Final project was completed. Grant closeout underway. Final reimbursement request was submitted last week. Not sure about the timing of this reimbursement but HCR has been fairly quick.

BOA Step 3 –

Jim Thatcher from CT Male and I met several times this month to work on this project. He and MES have coordinated regarding the Lead Agency role so that we may move that portion forward and gain deliverables to qualify for reimbursement of a lot of work that has been done (and paid for).

We are preparing the year-end report which supports the reimbursement request we will submit. As we know though, DOS is not quick to release payment. Maybe this time we'll get lucky but this is still an active grant project and there are still tasks to be accomplished.

Thatcher is ready to take over the project after the beginning of the year.

Community Planning –

Thank you to both Historian Paul McCarty and Friends of the IBA member Laurie La Fond for their considerable contributions to the Master Plan.

The document is nearing completion and will be ready to present to the Town Board on December 29th, 2017.

APPROVAL OF BILLS: MOTION by Councilman Orsini, Seconded by Councilman Mercier to approve Abstract #12 **ALL AYES**

ABSTRACT #12

GENERAL A – 7017-7019,7022,7027-7059	\$18,681.67
GENERAL B – 7060-7071	\$ 2,610.00
HIGHWAY – 7072-7080	\$ 7,960.66
MUNICIPAL – 7081-7087	\$ 2,244.51
SPECIAL LIGHTING – 7020,7025-7026	\$ 3,158.72
SPECIAL WATER – 7021,7024,7088-7090	\$ 523.24
SPECIAL WATER 2 – 7091-7092	\$ 293.09

TOTAL - \$35,471.89

Mary-Ellen Stockwell: I spoke with Jim Thatcher and he is taking over as BOA consultant. I prepared a resolution for the Town to take Lead Agency Status and Jim has a list of involved agencies ready to go. After the letters go out the 30 day process begins to see if any other involved agencies will come forward and want lead agency status. If the Board wishes to wait until the first of the year after reviewing the resolution further that is fine as well. Also, I am still working on the MOU and local law updates with the Northway Animal Clinic and should have a draft together soon.

BUSINESS:

Garbage Stickers

Councilman Middleton: We need to have a discussion relating to the Garbage Stickers. We have not increased the price since 2003 when they went from \$1.00 to \$1.50. Garbage is costing us money and raising the sticker prices may be something we have to look at. If the garbage truck breaks and it is very close, we need to have the funds to fix it.

Councilman Mercier: If we raise the price we will lose more customers than we already have. Maybe we lower it back to \$1.00 and see what happens.

Councilman Middleton: I don't want to burden the elderly residents with a price increase but we have to do something.

Richard Belden: I suggest the Town get out of the garbage business.

Katie DeGroot: Can you tax the private haulers somehow? What happens to the recycling now? Doesn't it all go to the same place?

Brian Brockway: Right Now it does because Waste Management no longer takes the recycling. I had an agreement with Ringer to take it for free but that did not pan out due to Warren County storing their emergency vehicles there and we can't get in with it. I called Springer on Route 9 and they will take it for \$60/ton, Finch is the same price. Ace Carting wanted nothing to do with it and Premier is zero sort. Maybe we should contact the Governor seeing as he mandated it and maybe he can figure out a solution seeing as it's become a problem for many.

Hudson Headwaters Sidewalk Clearing

Councilman Middleton: It has come to my attention that the Mayor said the Village will not be taking care of the sidewalks at Hudson Headwaters.

Brian Brockway: They are already doing the walk next door why can't they do out in front of Hudson Headwaters too?

Darlene DeVoe: The Village has too as part of the sidewalk program; it is a caveat of the federal funding for the grant. I can give you Tripp Shannon's contact information at Hudson Headwaters; It's time to have a new discussion with him about that as well as changes that have been done inside the building without the Town's permission and seeing as the Town owns the building they may want to revisit the contract.

Brian Brockway: I plow the parking lot by 6:00am, does anyone know why the nurses all park up front and the sick patients have to park in the back? I have been there when the nurses are parked in the ambulance parking.

RESOLUTIONS:

TOWN BOARD OF THE TOWN OF FORT EDWARD COUNTY OF WASHINGTON, STATE OF NEW YORK

Resolution Number 29 of 2017
Adopted December 11, 2017

Introduced by Councilman Fisher
who moved its adoption.

Seconded by Councilman Mercier

RESOLUTION AUTHORIZING THE ADOPTION OF LOCAL LAW NUMBER 1 OF 2017 OF THE TOWN OF FORT EDWARD, A LOCAL LAW AMENDING THE EXEMPTION FOR COLD WAR VETERANS FROM REAL PROPERTY TAX PURSUANT TO REAL PROPERTY TAX LAW SECTION 458-B

BE IT RESOLVED by the Town Board (the "Board") of the Town of Fort Edward (the "Town"), in the County of Washington, on this 11th day of December 2017, as follows:

WHEREAS, through resolution 28 of 2017, duly adopted by the Town Board, a public hearing was scheduled to be held before the Town Board on December 11, 2017 at 6:55 p.m. at the Offices of the Town of Fort Edward, 118 Broadway, Fort Edward, New York to hear all interested parties on proposed Local Law No. 1 of 2017 of the Town of Fort Edward which amends the Real Property Tax Exemption for Cold War Veterans under the New York State Real Property Tax Law 458-b and shall apply to Town real property taxes; and

WHEREAS, notice of said public hearing was duly posted and then published in the official newspaper of the Town, pursuant to and in conformance with the Municipal Home Rule Law; and

WHEREAS, said public hearing was duly held before the Town Board this 11th day of December, 2017 at 6:55 p.m. at the Offices of the Town of Fort Edward and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the local law.

NOW, THEREFORE BE IT

RESOLVED, the Town Board hereby finds the consideration and proposed adoption of this Local Law is an action under the New York State Environmental Quality Review Act (SEQRA). The Town Board hereby declares that this action is a Type II action pursuant to 6 NYCRR 617.5(20) and (27) and declares that the action does not have a significant impact on the environment and the action is hereby precluded from further environmental review; and be it further

RESOLVED, the Town Board, upon due deliberation of the Local Law finds that the adoption of the same is in the best interests of the Town; and be it further

RESOLVED, the Local Law amending the Real Property Tax Exemption for Cold War Veterans under the New York State Real Property Tax Law 458-b and shall apply to Town real property taxes, a copy of which is attached hereto and made a part hereof; and be it further

RESOLVED, pursuant to and in accordance with the Municipal Home Rule Law, the Town Clerk is hereby directed to enter this Local Law into the minutes of this meeting and file the same with the Office of the Secretary of State of the State of New York.

RESOLVED, this resolution shall take effect immediately.

Mitchell C. Suprenant, Jr., Supervisor	AYES	<u>4</u>
Timothy Fisher, Councilman	NAYS	<u>0</u>
Terry Middleton, Councilman	ABSTAIN	<u>0</u>
Richard Mercier, Councilman	ABSENT	<u>1</u>
Neil Orsini, Councilman		

{Seal}

Aimee Mahoney, Town Clerk
Town of Fort Edward

**TOWN BOARD OF THE TOWN OF FORT EDWARD
COUNTY OF WASHINGTON, STATE OF NEW YORK**

Resolution No. 30 of 2017

Adopted December 11, 2017

Introduced by Councilman Orsini

who moved its adoption.

Seconded by Councilman Fisher

**RESOLUTION AUTHORIZING THE APPOINTMENT OF SOLE ASSESSOR FOR
THE TOWN OF FORT EDWARD**

WHEREAS, it is the desire of the Town of Fort Edward to appoint a new Assessor since the resignation of the prior Assessor on or about November 24, 2017; and

WHEREAS, the Town Board has conducted a search for a qualified individual to fill the vacancy for Sole Assessor for the Town of Fort Edward; and

WHEREAS, the Town Board desires to appoint Victoria Hayner as the Town Assessor; and

WHEREAS, the term of the prior assessor ends on September 30, 2019; and

WHEREAS, the Town Board desires to make this a permanent part-time appointment to fill the unexpired term of the sole Assessor.

NOW THEREFORE BE IT RESOLVED, that the Town board of the Town of Fort Edward hereby appoints Victoria Hayner, Assessor for a term ending September 30, 2019 and will notify the Commissioner of Taxation within fifteen (15) days of said appointment and, be it further;

RESOLVED, that the Assessor shall maintain regular office hours at the Town Hall for at least two days per week, four (4) hours per day; and be it further

RESOLVED, that the Town Board intends to establish the Sole Assessor salary, at a pro-rated annualized salary at the end of the year meeting, which is within the amount established by the adopted Town Budget; and be it further

RESOLVED, that the Town Supervisor, Town Bookkeeper and the Town Clerk are authorized and directed to execute any documents necessary to comply with the intent of this Resolution; and be it

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Mitchell C. Suprenant, Jr., Supervisor	AYES	<u>4</u>
Timothy Fisher, Councilman	NAYS	<u>0</u>
Terry Middleton, Councilman	ABSTAIN	<u>0</u>
Richard Mercier, Councilman	ABSENT	<u>1</u>
Neil Orsini, Councilman		

RESOLUTION NUMBER 31 OF 2017

MOTION BY COUNCILMAN MERCIER

SECONDED BY COUNCILMAN ORSINI

WHEREAS, due to the resignation of Michael Suprenant, the Town Zoning Board of Appeals has been short a member, and

WHEREAS, Mr. Suprenant's seven year term was due to expire on December 31, 2021, and

WHEREAS, a resident of the Town of Fort Edward has shown interest to serve on the Zoning Board of Appeals.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Fort Edward hereby appoints Delores Cogan to the Town Zoning Board of Appeals term ending December 31, 2021.

Dated: December 11, 2017

VOTE: Supervisor Suprenant: AYE
Councilman Fisher – AYE
Councilman Orsini – ABSENT
Councilman Middleton – AYE
Councilman Mercier – AYE

MOTION by Councilman Mercier, Seconded by Councilman Orsini to go into Executive Session at 7:51pm to discuss pending litigation **ALL AYES**

MOTION by Councilman Orsini, Seconded by Councilman Mercier to come out of Executive Session at 8:31pm **ALL AYES**

ADJOURNMENT:

MOTION by Councilman Fisher, Seconded by Councilman Mercier to adjourn the meeting at 8:32pm **ALL AYES**

DATED: December 12, 2017

Aimee Mahoney, Town Clerk