

MINUTES OF THE TOWN OF FORT EDWARD PUBLIC HEARING AND REGULAR MEETING HELD MONDAY, JUNE 11, 2016 AT TOWN HALL COMMENCING AT 6:45PM

Supervisor Suprenant called the meeting to order at 6:45pm

Pledge of Allegiance

PRESENT: Supervisor Suprenant
Councilman Orsini
Councilman Middleton
Councilman Fisher
Councilman Mercier

OTHERS PRESENT: Darlene DeVoe, Brian Brockway, Town Attorney Mary-Ellen Stockwell, Laurie LaFond, Jeannie Mullen, Tammy Boire, Paula Hasson, Richard Belden, Jed Hayden, Glenna Ort, Steve Davis, Tim Livsey, Debbie Parker

PUBLIC HEARING: 6:45PM

**PUBLIC HEARING WORKSHOP
FEE SCHEDULE
6:45pm**

Building Inspector Matt French submitted a list of recommendations to the Board for consideration

The Board would like to look into the following items regarding the Town's Fee Schedule:

- square footage based charges
- Demolition should be looked at and possibly be square footage based and commercial/residential/Industrial
- Add a category for searches
- Regarding judges and fines that would be a change to the local law not the fee schedule
- Recreation Fees for Major Subdivisions seem low
- Fees for billboards? Annual renewal fees as well
- Solar Fees
- Returned check fee
- Planning/Zoning Fees should be looked at – Right now it's discretionary and more direction could be given
- Pool fees: above ground vs. in-ground
- temporary tent fees?

Mary-Ellen Stockwell: I will come back with more information on solar and I will look further into these recommendations, I will be meeting with the Planning Board and Zoning Board of Appeals to get their input as well.

MOTION by Councilman Middleton, Seconded by Councilman Mercier to recess the Public Hearing until the August 8th Town Board Meeting **ALL AYES**

APPROVAL OF MINUTES: MOTION by Councilman Orsini, Seconded by Councilman Mercier to approve the minutes of the June 13, 2016 meeting **ALL AYES**

APPROVAL OF REPORTS: MOTION by Councilman Middleton, Seconded by Councilman Mercier to approve the reports of the Town Clerk, Supervisor, Highway Superintendent, Code Enforcement/Zoning Officer and Town Justice as submitted **ALL AYES**

The following report was submitted by Grant Coordinator Darlene DeVoe for June, 2016:

Grant Coordinator Report for July 2016

Submitted by Darlene DeVoe 7/11/2016

~~Former Grand Union Brownfield Redevelopment Project~~

MARKET 32 Construction Project

The Price Chopper groundbreaking was a big day for many people. An incredible amount of optimism and investment are the result of hard work and cooperation.

The revised SMP was submitted to DEC by Jeff Marx at CT Male and approved. This will be sent to the EPA for their records as well.

That's not what you want to hear about though...

Foundation is done. Steel is on site and preparing to go up this week. The power and base are in for the traffic light.

EPA Petroleum Assessment Grant -

1099 Burgoyne Phase 2 Environmental Site Assessment Draft is almost complete. EPA may require additional sampling but they think everything has been categorized correctly.

Our EPA Project Officer will be coming up to look over the Freight House before we get proposals for the Phase 1 ESA. He believes it may warrant a Phase 2 and if that is the case then he will help shape the new Project Work Scope to cover both and procure the engineer once.

BOA Step 3 –

To help advance the preparation of the Generic Environmental Impact Statement for the Fort Edward Industrial Park and Intermodal Facility, the Town Planning Board should declare themselves Lead Agency for the purposes of SEQR.

Visual deliverables are being prepared to demonstrate the project scope for the proposed truck access road from Route 4. Another route is being explored that will avoid some infrastructure but would require negotiations with CP Rail.

Bradley Beach –

We have received a few historical photos to use for reference from Jeanne Mullen and Paul McCarty. Jeff Marx is determining the best sampling grid and their proposal will include the rates for the samples being processed at the laboratory.

The DOS LWRP grant is not a large one and will not cover the potential costs associated with any cleanup work, if necessary. The Town is requesting the opportunity to revise the Project Scope to make repairs to the pool and parking improvements.

HOME 2013 –

The first project is underway! We have ordered lead and energy reports on the next two potential projects. Several applications are being worked on now.

Note: It is important for people to READ the information in the application packet BEFORE submitting it to us with incorrect or insufficient information. This does not expedite their application and instead is likely to cause the application to be dropped down on the list. Most importantly, we DO NOT want original documents. That includes taxes, deeds, pay stubs, insurance certificates, and bank statements.

Community Planning –

I am currently drafting the updates to the Master Plan.

Champlain Canalway Trail –

The 3rd bike tour is slated to being in Schuylerville's Fort Hardy Park and go to, and through, the National Park. The cost is \$50. An extra \$25 if you would like to ride the boat back. Aug 13th

The Village and Fort Edward Chamber of Commerce will be hosting the "Community Leaders along the Champlain Canalway Trail" presentation and luncheon at the end of September, in the Canal Street Farmers Marketplace (which will be opening on October 8th with the first Fort Edward Locktoberfest event).

Proposed Water District 3

Unfortunately, not one of the grant programs can be applied for until the district is formed. These are programs that are competitive and we stand a really good chance but *proposed* WD3 continues to sit in limbo.

I posed the following questions and hope that there are answers for me to run with:

Board- We are back to the question that is holding me up... are you going to create the district?
Attorney- If the Board would like to proceed, is there a way to create the district with a nominal fee for the first 2 years while the work is being engineered and funding sought/finalized?
Especially, if the plan is to install the district in phases?

Supervisor Suprenant: Carrie Woerner said to write up something for the pool and she is pretty sure that she can get us funds; Kristine Geer is taking photos of all the attendance to submit also.

Mary-Ellen Stockwell: Regarding Water District 3 creation without a district: I have researched this and spoken with the Association of Town's Attorney and they confirmed that there is no statutory authority to do this and she would research to see if there are any pre-creation grants out there or funding to do research. I am also going to continue researching and will follow up with anything I find.

Darlene DeVoe: Can you expand Water District 2 since it's already created?

Mary-Ellen Stockwell: I can look into it but there is a lot to consider and the same steps are taken to expand and create, I can coordinate with the engineer as well

APPROVAL OF BILLS: MOTION by Councilman Middleton, Seconded by Councilman Mercier to approve Abstract #7 **ALL AYES**

ABSTRACT #7

GENERAL A:	5766-5767,5770,5799-5847,5851,void 5803	\$17,407.35
GENERAL B:	5773-5785,5848-5850	\$ 2,936.96
HIGHWAY:	5786-5793	\$ 2,783.88
MUNICIPAL:	5794-5795,5852	\$ 746.68
SPECIAL LIGHTING:	5768,5771,5796-5797	\$ 6,019.33
SPECIAL WATER:	5769,5772,5798	\$ 395.78
BOA 3:	22	\$ 950.00
HOME 2013:	9	\$ 720.00
PET ASSESS. 2:	48-49	\$ 285.75

TOTAL: \$31,645.73

RESOLUTIONS:

RESOLUTION NUMBER 20 OF 2016

MOTION BY COUNCILMAN MIDDLETON

SECONDED BY COUNCILMAN ORSINI

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FORT EDWARD
ELECTING DIRECT PAYMENT OF WASHINGTON COUNTY
SALES AND COMPENSATING USE TAX ALLOCATION**

WHEREAS, Washington County imposes sales and compensating use taxes pursuant to the authority of section 1210 of the Tax Law of the State of New York; and

WHEREAS, Washington County has elected to allocate a portion of the net collections from its sales and use taxes to the towns in the county; and

WHEREAS, section 1262 (c) of the New York Tax Law authorizes a town to elect to be paid all or a specified part of its share of the county's allocation directly, in lieu of reduction of county taxes and general town taxes levied upon real property in such town; and

WHEREAS, the Town Board now desires to make such election;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Fort Edward hereby elects to be paid directly all of its share of Washington County's sales and compensating use tax net collections, for calendar year 2017 and thereafter; and

BE IT FURTHER RESOLVED, that, pursuant to such section 1262 (c) of the Tax Law, a copy of this resolution shall immediately be mailed by certified or registered mail to the chief fiscal officer of Washington County and to the Clerk of the Washington County Board of Supervisors before September 1, 2016, for this election to take effect January 1, 2017; and

BE IT FURTHER RESOLVED, that this resolution shall remain in effect until rescinded by the Town of Fort Edward Town Board in accordance with the notice provisions of such section 1262 (c) of the Tax Law; and

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

Dated: July 11, 2016

Supervisor Suprenant: AYE
Councilman Orsini: AYE
Councilman Mercier: AYE
Councilman Fisher: AYE
Councilman Middleton: AYE

RESOLUTION NUMBER 21 OF 2016

MOTION BY _____

SECONDED BY _____

**Resolution in support of Washington County's submission of
local government efficiency project grant for shared regional
highway operations centers**

WHEREAS, Washington County has proposed a feasibility study for the project titled Shared Regional Highway Operation Centers.

WHEREAS, the grant will fund the development of a plan to optimize the delivery of highway and maintenance services and identify ways to reduce costs. The project will identify ways to improve efficiency, identify shared equipment possibilities, and reduce overall administrative expenses, while reducing taxpayer burden.

WHEREAS, the State of New York has made Local Government Efficiency Grants available through the Department of State to promote inter municipal collaboration; and

NOW THEREFORE BE IT RESOLVED that we, the Town of Fort Edward, support and will commit to the Washington County Shared Regional Highway Operation Centers Feasibility Study by the involvement of our personnel and in-kind contributions.

MOTION by Councilman Orsini, Seconded by Councilman Mercier to discuss the resolution
ALL AYES

Brian Brockway: They buy salt for the same price as we do and we already have a shared equipment contract with them. I am not in favor

Supervisor Suprenant: The County is going to do the study either way and we will end up paying as tax payers one way or another and they may find something in doing the study to benefit us.

Dated: July 11, 2016

Supervisor Suprenant: AYE
Councilman Middleton: AYE
Councilman Mercier: NAY
Councilman Orsini: NAY
Councilman Fisher: NAY

BUSINESS:

**Friends of the IBA
Presentation
Laurie LaFond**

Supervisor Suprenant: Read the letter from Senator Little in support of the NYSDEC purchase of the 180 acre tract of land in the Town of Fort Edward, for the purposes of wildlife habitat protection. I have looked over the contract and I am going to have the Town Attorney look at it. We should have an answer for the August 8th meeting.

Councilman Middleton: I am not in favor of it, especially if we bring water to that district; how would that impact water district 3 costs to the residents?

Councilman Orsini: Would you keep the agricultural exemption? It is something that would have to be discussed with the Board and the Town Attorney.

Glenna Ort: Merrilyn hasn't sold the lots as of yet and may never.

Supervisor Suprenant: We have to see how many lots are out there, every lot we take off makes the other residents pay more money in creating the Water District.

Laurie LaFond: Since the district is not formed yet we could be donating to the tax base until the district is formed and then it could be negotiated.

Darlene DeVoe: Municipalities cannot accept gifts

Tammy Boire: I would like to speak in favor of the IBA, could the donation to the tax base be used for the new water district.

Mary-Ellen Stockwell: You can't just benefit some of the residents of the Town.

Glenna Ort: The State owns property out in that area already

Councilman Middleton: The State doesn't pay that's the problem and I wasn't in favor of that acquisition either.

Tammy Boire: I saw something about Governor Cuomo's bridge funding? Can we look into it?

Darlene DeVoe: Doesn't apply to municipalities under 500,000

Tammy Boire: What about the East St Bridge?

Supervisor Suprenant: Myself and the Mayor met with NYSDOT, the engineer and the Fire Chief and told them our concerns and they said they would come back with a plan. They will be having a public meeting in the future.

Tammy Boire: My house (little school house) has been lifted and put on a new foundation and Matt French has been great to work with on the whole project.

Brian Brockway: The mowing contract? Do we send it back or ignore it? They don't even cover the salary let alone breakdowns and fuel

Also, the N. River Rd and Fort Miller Rd have the bike signs up as of last week

OTHER BUSINESS:

Working copy of the Solar Law will be introduced at the August meeting and then a Public Hearing could be set for September as well as voted on

MOTION by Councilman Mercier, Seconded by Councilman Fisher to enter executive session at 8:24pm to discuss pending litigation and personnel matters **ALL AYES**

MOTION by Councilman Mercier, Seconded by Councilman Fisher to come out of executive session at 9:05pm **ALL AYES**

Back in Regular Session

Supervisor Suprenant read a letter from Washington County Administrator Chris DeBolt asking the Town to donate \$200.00 for the purchase of silk military flags to be displayed at the Washington County Building: **No action taken by the Board**

ADJOURNMENT:

MOTION by Councilman Middleton, Seconded by Councilman Fisher to adjourn the meeting at 9:08pm **ALL AYES**

DATED: July 12, 2016

Aimee Mahoney, Town Clerk

