

MINUTES OF THE TOWN OF FORT EDWARD TOWN BOARD MEETING HELD ON MONDAY, APRIL 14, 2025 AT TOWN HALL COMMENCING AT 7:00 P.M.

Supervisor Fisher called the meeting to order at 7:00pm

Pledge of Allegiance

PRESENT: Supervisor Fisher
Councilman Middleton
Councilwoman Collier
Councilman Suprenant
Councilwoman Mullen

OTHERS PRESENT: Steve Davie, Kyle Cozzens, Katie DeGroot, Chuck Bump, Amanda Durkee, Brian Brockway, Richard Belden, Therese Gillis, Ben Bramlage, Town Attorney Bill Nikas and Town Clerk Aimee Ives

APPROVAL OF MINUTES: MOTION by Councilwoman Mullen, Seconded by Councilman Suprenant to approve the minutes of the meeting of March 10, 2025 **ALL AYES**

APPROVAL OF REPORTS: MOTION by Councilwoman Collier, Seconded by Councilman Middleton to approve the monthly reports of the Town Clerk, Dog Control Officer, Town Justice, Building Inspector, Highway & Supervisor as submitted **ALL AYES**

APPROVAL OF BILLS: MOTION by Councilman Middleton, Seconded by Councilman Suprenant to approve Abstract #4 in the amount of \$90,821.16 **ALL AYES**

ABSTRACT #4

GENERAL A – 13206,13207-13208,13209-13222,13230-13262	\$14,355.43
GENERAL B - 13263-13270	\$15,873.13
HIGHWAY – 13271-13284	\$16,726.73
MUNICIPAL – 13223-13224,13285-13291	\$3,339.11
SPECIAL LIGHTING – 13225	\$ 3,476.35
SPECIAL WATER – 13226-13228,13292-13300	\$36,590.47
SPECIAL WATER 2 – 13229,13301-13304	\$ 459.94

TOTAL: \$90,821.16

RESOLUTIONS:

RESOLUTION NUMBER 12 OF 2025

MOTION BY COUNCILWOMAN COLLIER

SECONDED BY COUNCILMAN MIDDLETON

WHEREAS, the Fort Edward Town Board does hereby reappoint Katie DeGroot to fill the unexpired term of Ann Hayes as a member of the Town of Fort Edward Board of Assessment Review for a five-year term ending September 30, 2026.

Dated: April 14, 2025

Vote: Councilman Middleton – AYE
Councilwoman Collier – AYE
Councilman Suprenant – AYE
Councilwoman Mullen – AYE
Supervisor Fisher – AYE

RESOLUTION NUMBER 13 OF 2025

MOTION BY COUNCILMAN MIDDLETON

SECONDED BY COUNCILWOMAN MULLEN

WHEREAS, the Fort Edward Town Board does hereby appoint Richard Fisher to fill the unexpired term of Stanley Maziejka as a member of the Town of Fort Edward Board of Assessment Review for a five-year term ending September 30, 2028.

Dated: April 14, 2025

Vote: Councilman Middleton -AYE
Councilwoman Collier -AYE
Councilman Suprenant – AYE
Councilwoman Mullen – AYE
Supervisor Fisher – AYE

BUSINESS:

Supervisor Fisher: We have an agreement for the purchase and sale of water with the Village of Fort Edward for Water District 3 located at the dewatering site.

MOTION by Councilman Middleton, Seconded by Councilman Suprenant to authorize Supervisor Fisher to sign the Agreement for the Purchase and Sale of Surplus Water for Water District 3 **ALL AYES**

CORRESPONDENCE:

- Fort Edward Historical Association Spring 2025 Report – (Added to Town Website)

OTHER BUSINESS:

Brian Brockway:

- Need a resolution for next month for Highway School in Ithaca
- I talked to the people constructing the solar project on Blodgett Rd. Ext., they broke up the road quite a bit. The property owner has notified the company and they do not plan on blacktopping the whole road but they are planning to do the spots that they broke up. If that is the case and the Board agrees, I will drop one of the other roads that I was going to blacktop this year and finish Blodgett Rd. Ext. while the machine is there. I will suggest that they pay for the machine for the day and we will pay for the blacktop that is over and above.

Supervisor Fisher: Let's contact them and see if they will agree to do the entire road.

Brian Brockway: They are using Blodgett Rd. as well and I am not sure what route they agreed on during construction. They are going up Duer Rd. and cutting across Blodgett Rd. and they are 8' into the front lawn of the house on the corner of Duer Rd. and Blodgett Rd. He tried to put stakes up but they mowed them down over the weekend.

Katie DeGroot: There is a phone number on the board for the project on Woodard Rd. but it's a fax number. They are supposed to have a working number.

Brian Brockway: I check into a Bucket Truck, there is a 2016 Dodge in Pennsylvania that has been completely restored but it's expensive. Terry found one in New Hampshire for a lot less money but it's not in great shape and it has a large red X on the window which could mean that it won't pass inspection. Kingsbury bought their own and Argyle teamed up with them.

Supervisor Fisher: I will talk to the Argyle Supervisor again.

Brian Brockway:

- MS4 is having a local training session regarding the updates
- I backed into a delineator with my truck and I would like permission to go to Beebe's and get it repaired.

Councilman Suprenant: What other roads are you going to pave?

Brian Brockway:

- O'Brien Rd. (Bridge to Hunter Rd.)
- Putnam Ave.

- Ethan Allen St.
- Caputo Ave.
- Orsola Ave.
- Maybe Gates Ave.

Councilman Middleton: The County has food trucks for the employees every Tuesday. That is our business district and places like Mandy's lose business on Tuesday's. They do not have a permit to do so by the Town.

Attorney Nikas: Hudson Falls has a regulation pertaining to food trucks that I will send the Board for review.

Councilman Suprenant: Are we applying for the grant that Kyle sent to us?

Kyle Cozzens: I sent an email to Drew from Flatley Read. You mentioned the pavilion at Mill Park and resurfacing of the court so I mentioned that if we tied this in with the Trail Town agenda items; it will be a benefit to Fort Miller and Mill Park but also it may increase the chances of getting that grant. He sent back a proposal with vague estimates just for the initial proposal for the Board. The grant is a 10% match, and it doesn't cover planning but if Drew is doing some of the planning that may be covered under the planning grant that we already have.

Councilman Middleton: April 23rd from 5pm-7pm in Schuylerville at Canal Park there will be people from the State there on the new Schuylerville Bridge.

PUBLIC COMMENT:

Kyle Cozzens: We are doing our Clean Sweep event again this Saturday 4/19 from 11am-3pm. We would like to ask that the Town please pick up the trash again this year. The Village is providing the bags.

Katie DeGroot: Thank you to Brian and the Highway Dept. for sweeping our road on a damp day. We appreciate it.

Amanda Durkee: There is a lot going on with DEC Permits in our area right now that I think we should all be aware of. I have been in direct email correspondence with Beth Magee and Rob Martin with regard to the Clean Earth public in person meeting; that information will be coming any day now. They are anticipating that the in-person public information meeting will be held in Quarter 2, and it is anticipated that it will be at Hudson Falls School District because it is the only location that can hold the volume anticipated. Everyone needs to inform themselves, attend the meeting, if you did not attend the virtual meeting it is now posted on the public participation plan website. There is also another DEC permit in Hudson Falls at the Wheelabrator site and to be clear they are now known as Win Waste. They are also in a DEC permitting process for their Air Permit and there is an in-person meeting for that Wednesday, April 16th at the Kingsbury Firehouse at 6pm. Toxic chemicals need to be stopped before coming into our community.

Ben Bramlage: Win Waste is in the same phase that Clean Earth was when they did their virtual meeting.

Councilman Middleton: Isn't this their regular renewal of their air permit?

Ben Bramlage: Yes, with modifications due to some changes in EPA standards making it a more substantial permitting process. It's a 5-year Air Emissions Permit; their solid waste facility permit is a 10-year permit. Have you received any responses from DEC regarding the F.O.I.L. request.

Attorney Nikas: My F.O.I.L. request was for the permit history going back to 1995. I received the 1995 permit as well as the application for that. If you look at the application it's limited to specific petroleum products and specifically states there is no hazardous waste involved, they would have to go through a hazardous waste determination. In the 1995 site conditions they specifically state that hazardous waste is not acceptable for receipt at the facility. In the 2023 application they checked the box that they are applying for a waste acceptance rate increase so the volume would be the rate increase. There is a box for a new waste type which is not checked. The application if you were talking about bringing in PFAS would be inaccurate. I asked for an explanation of that because the 2023 permit application would be inconsistent with the original permit and I have not heard back yet, and that request was April 7th.

Ben Bramlage: There have been many changes over the 30 years that the facility has been in operation in terms of types of materials and various tests, etc. In that letter you also indicate that it is at least your opinion that a substantive change in operation would require a new site plan review process.

Attorney Nikas: That would be a normal Site Plan Review Local Law; most municipalities have the provision that if you change the use you have to go back to the Planning Board. I had asked for the original site plan review documents, but I did not receive anything. That is something that is probably in the Village office.

Ben Bramlage: One of the F.O.I.L.'s was to the Village for the Village level site plan review and land use permit process. I have a lot of those documents also; what I do not have is a copy of the land use permit. Have you looked at what would trigger a new site plan review or what that process is?

Attorney Nikas: It would have to be initiated by the Village Board for failure to comply with their site plan code.

Ben Bramlage: I assume there is a site plan review process and a land use permit for the portion of the facility that is sited in the Town.

Councilman Suprenant: There is no building or anything in the Town, they just store the stuff that they have already burned in the Town, not on Town property.

Ben Bramlage: Based on that, in your opinion, there would not be a need for site plan review or land use permit?

Councilman Suprenant: No because it is clean dirt.

Ben Bramlage: We have been advised that part of Fort Edward, and I am not sure if it is the Village or the Town, has been added to the potential environmental justice area on the disadvantaged community mapping. The maps haven't been released yet, and DEC is not telling anybody where they are.

Therese Gillis: Are PCBs considered a petroleum product?

Attorney Nikas: Yes, because they are petroleum based.

Therese Gillis: Do you have a copy of the permit they filed to burn PCBs?

Councilman Suprenant: You would have to get that from the Village.

Brian Brockway: The house at the top of McIntyre St. with the moving company vans burn everything that they bring home; couches, mattresses, etc. They had a fire the day the burn ban started, and the Fire Dept. was there and told them to put it out. They have a huge pile as big as the garage getting ready to burn now. Would that be something Matt French would handle or DEC?

Ben Bramlage: That can be taken care of by having the Fire Chief call DEC.

ADJOURNMENT:

MOTION by Councilman Middleton, Seconded by Councilwoman Collier to adjourn the meeting at 7:52pm **ALL AYES**

Dated: April 17, 2025

Aimee Ives, Town Clerk

