

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

Supervisor Middleton called the meeting to order at 7:00 p.m.

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

OTHERS PRESENT: Todd Humiston, Brian Brockway, Richard Belden, Elizabeth O’Leary, Laurie LaFond, Gwendolyn Craig (Post Star), Ron Renoni and Town Counsel Donald Boyajian

APPROVAL OF MINUTES: MOTION by Councilman Fisher, Seconded by Councilman Mercier to approve the minutes of the budget workshop, public hearings & regular meeting of October 9, 2018 and the budget workshop of October 26, 2018 **ALL AYES**

APPROVAL OF THE REPORTS: MOTION by Councilman Orsini, Seconded by Councilwoman Mullen 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 Councilman Fisher to approve Abstract #11 in the amount of \$58,176.19 **ALL AYES**

ABSTRACT #11

GENERAL A: 7785-7787,7792-7796,7800-7826	\$17,535.49
GENERAL B: 7827-7830	\$ 802.80
HIGHWAY: 7831-7850	\$14,813.79
MUNICIPAL: 7788,7851-7861	\$ 2,962.96
SPECIAL LIGHTING: 7789,7797-7798	\$ 2,872.18
SPECIAL WATER: 7790,7799,7862-7867	\$19,067.03
SPECIAL WATER 2: 7791,7868-7869	\$ 121.94

TOTAL: \$58,176.19

RESOLUTIONS:

**RESOLUTION NO. 29
OF THE TOWN BOARD
OF THE TOWN OF FORT EDWARD FOR THE YEAR 2018**

**Introduced by Councilman Fisher
Who moved its adoption**

Seconded by Councilman Orsini

WHEREAS, the Town of Fort Edward, with the assistance from Washington County has gathered information and prepared the Washington County Natural Hazard Mitigation Plan; and

WHEREAS, the Washington County Natural Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Town of Fort Edward is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Town of Fort Edward has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Fort Edward adopts the Washington County Natural Hazard Mitigation Plan, and resolves to execute the actions of the Plan.

Dated: November 13, 2018

Roll Call Vote: Councilwoman Mullen – AYE
Councilman Mercier – AYE
Councilman Orsini – AYE
Councilman Fisher – AYE
Supervisor Middleton - AYE

I, Aimee Mahoney, Clerk of the Town of Fort Edward do hereby certify that the above resolution was adopted by the Fort Edward Town Board at the regular meeting held on November 13, 2018.

Dated: November 13, 2018

Aimee Mahoney, Town Clerk

**RESOLUTION NO. 30 OF THE TOWN BOARD
OF THE TOWN OF FORT EDWARD FOR THE YEAR 2018
AUTHORIZING TRANSFER OF REAL PROPERTY AT 46-48 EAST STREET, FORT
EDWARD TO HUDSON HEADWATERS HEALTH NETWORK**

Motion by Councilman Orsini

Seconded by Councilman Mercier

WHEREAS, the Town currently owns certain real property situated at 46-48 East Street, Fort Edward (“Real Property”); and

WHEREAS, the Town and Hudson Headwaters Health Network, a non-profit corporation (“HHHN”) facility constructed a facility upon said Real Property, with said building and related fixtures, structures, and equipment owned by HHHN and real property owned and maintained by the Town pursuant to an agreement by and between the Town and HHHN dated November 30, 2010 (the “Agreement”); and

WHEREAS, the Town desires to modify said Agreement and transfer said Real Property to HHHN.

NOW THEREFORE, BE IT RESOLVED that the Town Board authorizes the transfer of real property situated at 46-48 East Street, Fort Edward from the Town to Hudson Headwaters Health Network.

AND FURTHER, BE IT RESOLVED that the Town Board authorizes any required modifications to the Agreement by and between the Town and Hudson Headwaters Health Network, to reflect such transfer and previous obligations related thereto.

Dated: November 13, 2018

Roll Call Vote: Supervisor Middleton – AYE
Councilman Mercier – AYE
Councilman Orsini – AYE
Councilman Fisher – AYE
Councilwoman Mullen - AYE

**RESOLUTION NO. 31 OF THE TOWN BOARD
OF THE TOWN OF FORT EDWARD FOR THE YEAR 2018
AMENDING FEE SCHEDULES FOR THE TOWN OF FORT EDWARD**

Motion by Councilman Fisher

Seconded by Councilwoman Mullen

WHEREAS, Chapter 50-1 of the Town of Fort Edward Town Code authorizes the Board to establish a fee schedule and to amend said fee schedule from time to time; and

WHEREAS, the Town Board desires to amend its fee schedule pursuant to Town Code Chapter 50-1.

NOW THEREFORE BE IT RESOLVED, that a Public Hearing be held on the tenth (10th) day of December 2018 at 6:50 PM, at the Fort Edward Town Hall, 118 Broadway, Fort Edward, New York 12828 on amending the Town fee schedule pursuant to Chapter 50-1 of the Town Code; and

BE IT FURTHER ORDERED, that the Town Clerk shall cause a certified copy of this order to be published at least once in the Glens Falls Star, the first publication to be not less than 10 nor more than 20 days before the date of the aforementioned hearing, and shall cause a copy

of this order to be posted on the sign board of the town maintained pursuant to Section 30 subdivision six of the Town Law of the State of New York.

Dated: November 13, 2018

Roll Call Vote: Supervisor Middleton – AYE
Councilman Mercier – AYE
Councilman Orsini – AYE
Councilman Fisher – AYE
Councilwoman Mullen - AYE

**RESOLUTION NO. 32 OF THE TOWN BOARD
OF THE TOWN OF FORT EDWARD FOR THE YEAR 2018
CALLING FOR PUBLIC HEARING ON REVISED
LOCAL LAW FOR DOGS AND DOG IMPOUNDMENT**

Motion by Councilman Orsini

Seconded by Councilman Mercier

WHEREAS, the Town Board has previously adopted a local law, Town Code Chapter 42, Article IV titled “Dogs”; and

WHEREAS, the Town Board desires to amend said law Chapter 42, to increase penalties for violations of said chapter pursuant to Section 13 and Section 19, relating to dogs and dog impoundment; and

NOW THEREFORE, BE IT RESOLVED that the Town Board hereby calls for a public hearing to be held on December 10, 2018 at 6:30 p.m. at Town Hall, 118 Broadway, Fort Edward, New York, at which time the public may comment on the text of said law as annexed hereto.

Dated: November 13, 2018

Roll Call Vote: Supervisor Middleton – AYE
Councilman Mercier – AYE
Councilman Orsini – AYE
Councilman Fisher – AYE
Councilwoman Mullen - AYE

**RESOLUTION NO. 33 OF THE TOWN BOARD
OF THE TOWN OF FORT EDWARD FOR THE YEAR 2018
AUTHORIZING AGREEMENT FOR DONATION FROM FRIENDS OF
WASHINGTON COUNTY GRASSLANDS IBA, INC.**

Motion by Councilman Orsini

Seconded by Councilwoman Mullen

WHEREAS, Friends of the IBA’s mission is to protect endangered, threatened and at risk grassland birds and to conserve their habitat, and

WHEREAS, the State of New York, through the Department of Environmental Conservation, has executed an agreement on to acquire approximately 180 acres of critical grassland bird habitat from landowner Merrilyn Pulver, hereinafter referred to as the Pulver Property, to create a Wildlife Management Area (WMA) which is supportive of the mission of Friends of the IBA, and

WHEREAS, New York State has recently passed a law requiring the state to pay taxes on property it owns in the Washington County Towns of Fort Edward, Argyle and Kingsbury, including WMAs, starting on January 2019 and

WHEREAS, Friends of the IBA recognizes that the town of Fort Edward will lose tax revenue between the time of the State’s purchase of the Pulver parcels and the enactment of the new tax law in January 2019.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to enter into an agreement with Friends of the IBA to accept a donation from Friends of IBA for one-thousand dollars (\$1000.00).

Dated: November 13, 2018

Roll Call Vote: Supervisor Middleton – AYE
Councilman Mercier – AYE
Councilman Orsini – AYE
Councilman Fisher – AYE
Councilwoman Mullen - AYE

RESOLUTION NUMBER 34 OF 2018

MOTION BY COUNCILMAN FISHER

SECONDED BY COUNCILMAN ORSINI

RESOLUTION TO ADOPT THE 2019 TOWN BUDGET

WHEREAS, the Town Board of the Town of Fort Edward held its public hearing on the 2019 Preliminary Budget on October 9, 2018, and

WHEREAS, there was limited public comment on the town budget.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Fort Edward hereby adopts the 2019 Town Budget in the amount of \$1,776,742.00

Dated: November 13, 2018

Roll Call Vote: Supervisor Middleton – AYE
Councilman Mercier – AYE
Councilman Orsini – AYE
Councilman Fisher – AYE
Councilwoman Mullen - AYE

PUBLIC COMMENT: None

Supervisor Middleton: The phone service we currently have with Magna 5 has increased significantly and we are currently getting quotes from other companies.

MOTION by Councilman Fisher, Seconded by Councilman Orsini to enter into Executive Session at 7:17pm to discuss pending litigation **ALL AYES**

MOTION by Councilman Orsini, Seconded by Councilman Fisher to come out of Executive Session at 8:03pm **ALL AYES**

ADJOURNMENT:

MOTION by Councilman Fisher, Seconded by Councilman Orsini to adjourn the meeting at 8:05pm **ALL AYES**

DATED: November 14, 2018

Aimee Mahoney, Town Clerk

