

**MINUTES OF THE TOWN OF FORT EDWARD TOWN BOARD MEETING HELD ON MONDAY, MAY 9, 2016 AT TOWN HALL COMMENCING AT 6:55PM**

Supervisor Suprenant called the meeting to order at 6:55pm

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

**OTHERS PRESENT:** Michael Suprenant, Town Attorney Mary-Ellen Stockwell, Darlene DeVoe, Jeannie Mullen, Brian Brockway

**Public Hearing  
2015 MS4 Annual Report  
6:55pm**

The following Notice was published in the Post Star on May 2, 2016:

**TOWN OF FORT EDWARD  
PUBLIC HEARING NOTICE**

**Notice is hereby given, that the Town Board of the Town of Fort Edward will hold a public hearing on Monday, May 19, 2016 at 6:55 P.M. at Town Hall, 118 Broadway, Fort Edward, New York for the purpose of hearing comments on the 2015 Town of Fort Edward MS4 Annual Report.**

**Interested persons may review the Annual Report at the Town Clerk's Office during regular business hours or on the Town website at: [www.fortedward.net](http://www.fortedward.net).**

**By Order of the Town Board  
Dated: April 29, 2016  
Publish: May 2, 2016**

**Supervisor Suprenant opened the Public Hearing at 6:55pm**

**No public comment**

**Supervisor Suprenant closed the Public Hearing at 6:56pm**

**Supervisor Suprenant called the regular meeting to order at 7:00pm**

**Pledge of Allegiance**

**APPROVAL OF MINUTES: MOTION** by Councilman Fisher, Seconded by Councilman Mercier to approve the minutes of the meeting of April 11, 2016 **ALL AYES**

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

The following Grant Report was submitted by Grant Coordinator Darlene DeVoe for May:

## **Grant Coordinator Report for May 2016**

Submitted by Darlene DeVoe 5/9/2016

### **Former Grand Union Brownfield Redevelopment Project**

CONGRATULATIONS!!!!

The Town's portion of the brownfield cleanup and redevelopment project is complete! The property was sold to 354 Broadway LLC on April 15<sup>th</sup>.

They began working with Price Chopper on their Environmental Review and Lease Amendments which would trigger PC accepting the site as "Pad ready". I am so happy to report that after a bunch of details were worked out, PC accepted the pad on Friday at 4:55pm!

PC is now in charge of the construction on site until it is time for paving which is on the developers to handle. The developers are also dealing with the traffic light which is held up on DOT permits right now.

A ground breaking photo-op is being planned and will get the Board those details as soon as a date is selected.

### **EPA Petroleum Assessment Grant -**

Attended the mandatory EPA Brownfield Roundtable meeting in Albany. Interesting sessions which included updates from DOS on their BOA program status gave us a heads up that the CFA Round would be announced on May 2<sup>nd</sup>. They are including BOA for the first time this year.

EPA grant apps will be due at the end of summer/early fall and am curious if the Board would be interested in applying for another Hazardous Substance grant? We have ½ of our Petroleum left which is difficult to use because it cannot be used on sites with any other type of contamination. The applications are extremely competitive but the Town has been very good with getting tangible results from assessments performed so we have some weight to our apps.

### **BOA Step 3 –**

I have been working with Jim Thatcher and Jim Edwards on preparing preliminary plans for the Route 4 Truck Access Road. We should have draft maps next month to review.

The Inter Modal Facility road is still being worked out as far as the boundary line adjustments needed before it can be transferred by the EPA. WCC and Canal Corp are working on these.

The County Board of Supervisors is still stalling the road issue. I believe the County Attorney should remove himself from these discussions entirely. His blatant conflict should have been addressed years ago- by him. He chose not to bring the fact that his property overlooks the facility to the Board at either Committee or Full Board meetings. Questions whether the EPA has the right to transfer the property is clearly laid out in Superfund Law but he and the new County Administrator feel that they are more knowledgeable and do not believe it is the EPA's right to transfer the property to the County. They have asked the Town to provide proof- even though the EPA was there at the large meeting which the County attorney skipped and to which the County Administrator showed up ½ hr late. This meeting had the Canal Corp Deputy Director and head of Real Estate's Legal Division, the CEO and CFO of WCC, the Town Supervisors from Fort Edward and Kingsbury, DEC project representative, and the Project Manager for the Hudson River Dredging Project all in attendance.

### **HOME 2013 –**

First case Work Scope is complete and ready for Homeowner review and approval. We will go to bid immediately upon approval. We now have 6 Contractors looking forward to seeing the package so hopefully the bids will be reasonable.

Once this project is out to bid, the Rehabilitation Coordinator and I will sit down to discuss any adjustments to the process that need to be made. Also, we will review his "windshield inspections" on potential projects to determine if HOME funding is appropriate for the types of repairs requested/needed.

*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.*

### **Bradley Beach –**

I supplied the DOS Project Officer and several others the contact information for the EPA to confirm the conditions at the beach and our concerns. I have not heard a peep.

### **Community Planning –**

I am currently drafting the updates to the Master Plan.

**Champlain Canalway Trail –**

This group is alternating meeting sites between Saratoga County and Washington County so more communities will get back involved. They are working on the 3<sup>rd</sup> Bike Tour that is likely to come north again from Schuylerville but final decisions haven't been made yet.

**CFA Round 6 –**

The State has opened CFA Round 6 with applications due in July so there is no time to waste. I suggest setting a Public Hearing for next month's meeting to discuss programs that will help us implement plans – like Water District 3, among others.

There is also a class on Wednesday that I am taking on a new program that may help with the water district too.

*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?

**APPROVAL OF BILLS: MOTION** by Councilman Middleton, Seconded by Councilman Mercier to approve Abstract #5 **ALL AYES**

**ABSTRACT #5**

<b>GENERAL A-</b>	<b>5601-5602,5605,5608-5643</b>	<b>\$ 25,343.03</b>
<b>GENERAL B-</b>	<b>5644-5651</b>	<b>\$ 1,964.93</b>
<b>HIGHWAY-</b>	<b>5652-5667</b>	<b>\$126,087.19</b>
<b>MUNICIPAL-</b>	<b>5668-5671</b>	<b>\$ 925.52</b>
<b>SPECIAL LIGHTING-</b>	<b>5603,5606,5672</b>	<b>\$ 2,608.69</b>
<b>SPECIAL WATER-</b>	<b>5604,5607-5673-5675</b>	<b>\$ 486.21</b>
<b>SPECIAL WATER 2-</b>	<b>5676-5677</b>	<b>\$ 70.00</b>
<b>354 BROADWAY SALE -</b>		<b>\$ 7,864.00</b>
<b>EPA PET ASSESS 2 -</b>	<b>45-46</b>	<b>\$ 574.75</b>
<b>2013 HOME-</b>	<b>5-6</b>	<b>\$ 2,720.00</b>
<b>BOA 3-</b>	<b>18-19</b>	<b>\$ 3,615.00</b>

**TOTAL: \$172,259.32**

**MOTION** by Councilman Middleton, Seconded by Councilman Mercier to draft a letter to the County from the Town asking that the County Attorney recuse himself from discussions regarding the Inter Modal Facility Road **ALL AYES**

**MOTION** by Councilman Fisher, Seconded by Councilman Orsini to set a Public Hearing for the June Town Board meeting for CFA potential submission to discuss programs that could implement plans at 6:55pm **ALL AYES**

**BUSINESS:**

**Keystone Fireworks:  
Location: Broadway Lanes  
Peddling & Soliciting Permit**

**MOTION** by Councilman Fisher, Seconded by Councilman Orsini to approve the Peddling & Soliciting permit for Keystone Fireworks permitting the sale of fireworks in the parking lot of Broadway Lanes **ALL AYES**

**Supervisor Suprenant:**

Champlain Canal Trail: There are plans of taking out the North River Road Bridge and I personally feel that they should repair the bridge instead and would like the Board to adopt a resolution to support that. They are also planning to take out the East St. bridge which I do not agree with mostly due to Emergency Responders and the amount of time it will take them to use an alternate route.

**MOTION** by Councilman Middleton, Seconded by Councilman Orsini to have Attorney Stockwell do resolutions for both the North River Road bridge and East St bridge **ALL AYES**

**PUBLIC COMMENT:**

**Brian Brockway:** Have you heard anything further from Greg Brown regarding water on 197?

**Supervisor Suprenant:** He isn't going to do that anymore but we are looking into doing a traffic study due to the 16 new lots out there for a speed limit reduction.

**Brian Brockway:** Parking Lot?

**Supervisor Suprenant:** Waiting for the last bid from Peckham to come in, we have 2 bids and waiting for a third. Greenough and CCP (lowest) are the ones we currently have.

**Brian Brockway:** Can we ask the Village to have Arv mow the lawn at Town Hall? We are down 3 guys right now.

**Supervisor Suprenant:** I will ask tomorrow

**Mary-Ellen:** I added solar information to your report this month.

**Councilman Middleton:** Do we have anything in the Code for fencing? For example up to GE they are putting barbed wire on the top of the fence they are installing and I'm not in favor of it.

**Mary-Ellen Stockwell:** Does it exceed the height requirement? That would be a violation and a Code issue to look into.

**Councilman Middleton:** Also the wood pile halfway down the property is a fire hazard so we should have the Code Enforcement Officer look at that as well.

**MOTION** by Councilman Fisher, Seconded by Councilman Orsini to go into Executive Session at 7:55pm **ALL AYES**

**MOTION** by Councilman Middleton, Seconded by Councilman Fisher to come out of Executive Session at 8:21pm **ALL AYES**

**ADJOURNMENT:**

**MOTION** by Councilman Fisher, Seconded by Councilman Mercier to adjourn the meeting at 8:22pm **ALL AYES**

DATED: May 10, 2016

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Aimee Mahoney, Town Clerk