

VILLAGE OF SCHUYLERVILLE
MEETING MINUTES
Wednesday May 15, 2019

PRESENT:

Mayor Daniel Carpenter
Deputy Mayor Jason Young
Trustee Whitney Colvin
Trustee Bryan Drew
Trustee Timothy Le Baron
Attorney Dave Kliengbiel

ABSENT:

None.

A public hearing on the Charter Communications contract had been scheduled for this meeting but was cancelled as the attorney was still working on a detail in the contract.

BOARD ANNOUNCEMENTS:

- Schuylerville/Victory Board of Water Management Meeting Monday, May 20th at 7:00 pm in the Victory Meeting Hall
- Planning Board Meeting Monday, May 20th at 7:00 pm at the Schuylerville Village Hall
- Schuylerville Tree Committee Meeting to be announced
- Sidewalk committee to be announced
- Schuylerville Village Board Workshop Meeting Monday June 3 at 6:30 pm at the Schuylerville Village Hall.
- Schuylerville Village Board Meeting Wednesday June 12th at 7:00pm at the Schuylerville Village Hall.

MINUTES:

- Approval of the minutes from the last meeting; Bryan Drew made the motion to approve the minutes Jason Young seconded all in favor.

TREASURER'S REPORT:

General Fund	\$676,308.25
Sewer Now Account	\$159,994.11
Trust Agency Account	\$38,234.66
Housing Rehab	\$0.00
AHC home imp.	\$0.00
Septage receiving	\$69,234.21
Capital Sewer	\$90,606.62
Repair reserve	\$4,654.94
Sidewalk repair res.	\$25,056.02
Sewer Equipment	\$59,053.22
Harbor Project	\$5,080.00
Memorial Day	\$4,362.39
Capital Project	\$10,061.01
Morgan's Run	\$14,162.73
Ft. Hardy Park	11,788.46

DEPARTMENT AND COMMITTEE REPORTS:

- **CODE ENFORCEMENT**

Gilman Albert listed the inspections and permits issued during the month. He brought it to the attention of the board that he has deemed the building belonging to the village which is located on the towpath road to be unsafe, and recommended that the building be taken down, He also stated that the boat which is currently in the canal is unsafe and asked that it be removed from the canal. Mayor Carpenter asked the board if they had any questions for the Gil, there were none.

- **DEPARTMENT OF PUBLIC WORKS**

Morgan's Run is still on Schedule for the 22nd of May for Kubricky Construction to begin work on the paving project. He asked if the village is still maintaining the Veteran's park. Trustee Drew stated that the village was still responsible for the maintenance of the park.

He asked if the board had made any decisions regarding the summer hours that were proposed at the last meeting, This was proposed for review at the next meeting. Rob Decker stated that he had planned to take vacation in the last week of May, but that he was unsure whether he would be able to do so with the staffing issues that the village was experiencing with the DPW. He currently had 2 weeks due to him and was hoping to be allowed to roll these over to the next year. Mayor Carpenter stated that the board would need to review the handbook. Rob Decker also stated that he had created a chart to keep track of the maintenance of the retention ponds and the culvert on green street.

- FIRE DEPARTMENT

April 11th Six sets of new Morning Pride turnout gear were distributed to members. Gear was purchased from MES Fire NY at a cost of \$15,273.84.

April 15th – 19th Millertown Garage conducted annual service and DOT inspection of our apparatus. ER573 will need rear springs replaced and ER-572's on board compressor will need to be repaired or replaced. Arrangements are being made for both repairs.

April 26th Three members with F-575 provided parking assistance at the request of Town Supervisor Tom Wood for the congressional forum held at town hall.

April 28th Members hosted an open house as part of the Recruit New York program.

May 4th Members set up a recruitment and fire prevention table at the Bacon Hill Bonanza Road Race.

May 4th Members manned ER-573 & T-577 and participated in the OSAA Little League Parade.

WASHINGTON COUNTY RADIO UPGRADE

Washington County is in the process of updating their emergency radio system with an anticipated inservice date being this summer. We will be required to replace the antiquated low band apparatus and portable radios that we currently use for Washington County. Based on the initial quotes received the upgrade project will cost approximately \$10,000. Unfortunately, this project is an unfunded update. Grants are being investigated but most likely we will reallocate funds from our upcoming fiscal budget for this project.

ALARMS

Department responded to 16 alarms in the month of April.

As of April 30th a total of 41 alarms have been answered

- WASTE WATER TREATMENT PLANT

No report.

- HISTORIAN/VISITORS CENTER

No report.

- WILTON EMERGENCY SQUAD

No report

- PLANNING BOARD

Leona Colvin was attending the meeting and reported that the planning board would be meeting on May 20, to review the plans for the proposed brewery at 7 Broad street.

- SCHUYLERVILLE/VICTORY BOARD OF WATER MANAGEMENT

Mayor Carpenter read from the water board minutes, which are available on the website.

PUBLIC COMMENT:

Wendy Lukas corrected the minutes, stating that Gil Albert had referred to the library as belonging to the school. It was determined that although the school collects the library taxes, they are their own separate entity. Also, she asked if the Mayor would be appointing a commissioner to the water board to fill the vacancy. Mayor Carpenter stated that he would be doing this.

OLD BUSINESS:

Recognition of Bob Sullivan for community service was on the agenda, but as the family was unable to attend, it was tabled until a time when they could be present to receive this.

NEW BUSINESS:

Village Clerk, Rebecca Christner, presented on the Guardian plan renewal. She explained the plans offered and the pros and cons for each. The board had information regarding these in their packets. Ms. Christner had reviewed the plans with the employees who were currently enrolled, and they all agreed that they would like to remain in the plan that they were currently in. Trustee Colvin made the motion to stay with guardian for the dental plan, Trustee LeBaron seconded the motion, all in favor.

Village Clerk Christner also presented on the renewal of the vision plan, which the village does not contribute to. The current plan, although slightly higher than the other option offered through a VSP plan was slightly less than the current plan, but would have higher co-pays, and would not work out to be any better for the persons who were enrolled. Again, Christner stated that she had discussed the options with those persons who were participating, and all agreed that it was best to remain in the plan that they were in. Trustee LeBaron made the motion to stay with the current plan, Trustee Drew seconded the motion.

Village Clerk Christner presented on the issue of the proposed cafeteria plan. The startup fee is to pay the provider for the documents needed to institute the program. The renewal fees charged by some of the providers are to ensure that the documents we have are the most up to date legally and include any changes to the tax laws. Pro benefits charges \$250.00 per year for that service.

CIBA will not provide that service and the onus is on Clerk Christner to ensure that the documents are up to date legally. She did not feel comfortable taking on this responsibility, as she is not a full time HR person. Benetech charges \$100.00 renewal only if they find that the tax laws have changed and need to be updated. They monitor tax law on an ongoing basis. The last option is an online service, which is inexpensive, but she did not feel comfortable with this company as she would not have a contact with them. Deputy Mayor Young made the motion to go with Benetech, Trustee Colvin asked if they would be required to go into contract with this company. Village Clerk Christner stated that they would not. Trustee Drew seconded the motion, all in favor, motion passed.

Next up on the agenda was the review of bids for the bond for the purchase of the dump truck.

Glens Falls National came in at 2.75%

M&T came in at 4.25%

Green County Commercial came in at 2.45%

Mercedes Benz financial, maker of the vehicle came in at 4.79%

Mayor Carpenter stated that we have done business in the past with Greene County and that they are also recommended by our bond attorney. Trustee Colvin made the motion to go with the Greene County Commercial Bank, Trustee Lebaron seconded the motion, all in favor.

Next up for review was the site access permit for a proposed parking lot for the Empire State Trail head on the property of the Hudson River Partnership behind the new visitor's center. Mayor Carpenter stated that Attorney Klingebiel has reviewed and approved this agreement. Mayor Carpenter stated that the board had all been provided copies of this agreement for their review. Deputy Mayor Young stated that when they first discussed this he was under the impression that the parking lot was originally supposed to be at the old visitor's center. He felt that the cost was not appropriate to the effect. Mayor Carpenter stated that the board had already committed the \$20,000.00 for this project when they passed the budget. Trustee LeBaron stated that he felt that the board had not been aware that Mayor Carpenter had signed the LOU.

Mayor Carpenter presented documents to each board member to show that copies of the LOU were attached to e-mails that went out to the board members on March 1st, three days prior to the workshop on March 4th. The board then voted to approve the LOU at this March workshop. This was done as Mayor Carpenter would not be attending the March meeting and upon consulting Attorney Klingebiel, Mayor Carpenter was informed that it was legal to approve this at a workshop. Mayor Carpenter played the pertinent portion of the recording of the March workshop to the board to demonstrate that at the March workshop meeting the board was read the agreement, which had also been provided to them in their packets. The agreement was discussed at length in the recording, with any questions put forth by the board answered. It was clear from the recording that Deputy Mayor Young made the motion to approve this LOU, Trustee Le Baron seconded the motion, and all were in favor.

Mayor Carpenter stopped the recording. Deputy Mayor Young asked who from the partnership would be the appointed contact. He did not feel that the parking lot should be moved at such a cost to the village. Mayor Carpenter stated that there were several representatives from Saratoga

County and the partnership as well as the town who voiced their opinion that the parking lot should be located at the trail head, which would be at the new visitor's center.

Joe Finan, project director of the new visitor's center spoke. He stated that the original design for the visitor's center did not include plans for a parking lot behind the building. He also brought it to the attention of the board that the village did not actually own Red's Road, and that the road was owned by the Historic Hudson Rivers Partnership and therefore was technically owned by the state. He felt that the proposed parking lot would greatly compliment the purpose of the visitor's center. Mayor Carpenter stated that the LA group, throughout all of the discussions regarding the Empire State Trail development, had highly supported the change of location of the trailhead to the new visitor's center, with the knowledge that the village was considering hiring them to develop a master plan in regard to the reformation and development of Fort Hardy Park. Deputy Mayor Young asked if that \$20,000.00 could not be reallocated to the development of the Fort Hardy Park land as opposed to the land owned by the Hudson River Partnership. Trustee LeBaron asked why the partnership relocated the parking lot from it's original location. Mr. Finan stated that the original plan involved two handicap spots adjacent to Red's Road on the eastern portion of the property. That was planned before the Empire Trail was conceived, which changed the criteria for parking requirements from the state. Trustee Colvin asked who the chairman of the board of directors was, as this was not made clear in the agreement under the signature line. Mayor Carpenter stated that it was Tom Richardson. Mayor Carpenter stated that this would be remedied, and the signer's name would be printed below the signature line. There were no other questions or comments. Mayor Carpenter recommended that there be a motion to approve the agreement. Trustee Drew made the motion, Trustee Colvin seconded the motion, Mayor Carpenter aye, Trustee Drew aye, Trustee Colvin aye, Deputy Mayor Young nay, Trustee LeBaron nay, motion passes three to two.

Next on the agenda was the discussion of the proposal of a master plan by the LA group for the redesign of Fort Hardy Park. Total cost up front to apply for the CFA grant would be \$3,500.00. If the CFA were to be approved the tasks 1-11 of the master plan presented by Tracey Clothier would be covered by the funds from this grant. Trustee Colvin asked if the plan included ballfields. Mayor Carpenter stated that the master plan development had included several entities input, including OSAA. The original master plan had been presented at the prior workshop, which Trustee Colvin was unable to attend. Deputy Mayor Young made the motion to approve the expenditure of \$3,500.00 to the LA group to write the CFA grant. Trustee LeBaron seconded the motion all in favor.

There was a discussion as the fact that Art Thieverge was unable to complete the sidewalk project due to health issues.

There were some documents that needed be approved by the board, including the release from contract for Mr. Thieverge, as well as a renewed RFP for the remainder of the project. 710 linear feet remain from Saratoga to Ferry street on the east side. Deputy Mayor Young asked if this was something that our own crew could manage. Rob Decker stated that he felt that the crew could handle the job, but that there were too many other jobs that needed to be done on a regular basis to take the time to do the sidewalk project.

Trustee LeBaron asked how long we would wait to get bids. It was decided that the board should move forward on putting out the RFP, and that if they did not receive any bids on the project, that they could decide how to move forward from there. Trustee Drew made the motion to accept the revised RFP and send it out to bid, Deputy Mayor Young seconded the motion all in favor.

There was a request from Charlotte Meader of 106 Pearl Street for a handicap sign in front of her house. Village Clerk Christner stated that although we have granted these in the past, she was concerned that if we give a handicap sign to this person, that there could be several other requests to follow, and how would this affect the situation with the alternate parking in the winter? It was clarified that the woman in question had no other parking access. Rob Decker stated that the reason he feels that this has become an issue is that with the additional persons parking on the street due to the construction at the school, that Ms. Meader has not been able to find parking anywhere near her home. Deputy Mayor Young asked if we could require an annual renewal for these signs. Robin Decker stated that there were a few signs already that he did not know the origin of. He was not sure if the addresses that the signs were in front of were still persons who would qualify for them. It was determined that as long as the person residing at these addresses was eligible for a handicap permit, that they should be allowed to have a handicap sign in front of their home, unless they had off street parking. Rob Decker stated that unless there is a declaration of a snow emergency, a handicapped person does not need to move their car. Deputy Mayor Young made a motion to approve the handicap sign at 106 Pearl Street, Trustee LeBaron seconded the motion, all in favor.

There was a discussion regarding a dead tree on 27 church street. Rob Decker had observed the tree, and agreed that it should come down. He stated that in the past for a tree in our right of way, we have paid for 50% of the cost to remove these trees. He asked if it was the responsibility of the village to get these quotes, or the resident. Mayor Carpenter stated that the resident should get three quotes for the villages review.

Treasurer Heyman spoke regarding the suggestion by Evison, the village website host, for some upgrades to security and ADA compliance. There would be a one-time fee of \$85 to upgrade from http to https with an auto managed ssl, an ADA compliance plug-in for a one-time fee of \$75 and a privacy policy page for a one time set up of \$50. Total cost for all these upgrades would be \$210. Treasurer Heyman felt that this was not a lot of money to ensure security and to comply with the ADA. Deputy Mayor Young made the motion to upgrade the website for a total of \$210.00 Trustee Drew seconded the motion all in favor.

Treasurer Heyman would like to seek approval from the board to attend the advanced accounting school offered by the New York State Comptrollers in the fall for a total cost of \$85.00. Trustee Colvin made the motion, Trustee Drew seconded the motion, all in favor.

Trustee Drew asked for approval of expenditure of \$220 from this year's budget, and then 25% of the following year's trustee contractual (\$125.00) for a total of \$345.00 for him to attend the leadership program. It was determined that the board could not approve expenditure for the following year. Trustee Colvin made the motion to approve the expenditure of \$220 for the leadership course from trustee contractual. Trustee Lebaron seconded the motion, all in favor.

A resolution was presented to transfer funds in the sewer fund as follows;

From

G.8130.100 Waste Water Treatment Plant Personal	\$1,500.00
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G.8130.400 Waste Water Treatment Plant Contractual	\$500.00
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To

G.8130.200 Waste Water Treatment Plant Equipment	\$1,500.00
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G.9030.800 Social Security	\$400.00
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G.9035.800 Medicaire	\$100.00
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Deputy Mayor Young made the motion to approve the resolution as read, Trustee LeBaron seconded the motion, roll call all ayes, resolution passed.

A resolution was presented for a budget amendment for the water expenses and revenues as follows;

Increase A.2378.00 water services \$1000.00 and increase A.8350.100 water services personal \$1,000.00. Trustee Colvin made the motion to approve the resolution, Trustee Drew seconded the motion, role call all ayes, motion passed.

A resolution was presented to transfer funds in the general fund as follows;

From

A.5142.100 Snow Removal Personal	\$620.00
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A.5142.400 Snow Removal Contractual	\$67.00
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To

A.9010.800 Retirement	\$387.00
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A.3620.100 Safety Inspection Personal	\$300.00
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Trustee Colvin made the motion, Deputy Mayor Young seconded the motion, roll call all ayes, resolution passed.

Next on the agenda were the annual reorganization resolutions;

They were as follows;

Reorganizational resolution;

Whereas the Board of Trustees wishes to adopt its annual re-organizational resolutions, such as Designation of Depository, Mileage Allowance, Advance Approval of Claims, Attendance of Schools and Conferences, and Designation of Official Newspaper.

The Village of Schuylerville met at its annual re-organizational meeting on May 15th at 7:00 pm and hereby made the following appointments to Village Offices:

Village Attorney / David Klingebiel, Esq. Deputy Mayor / Jason Young, DPW Working Foreman / Robin Decker, Village Historian / Kristina Saddlemire, Visitor's Center / Kristina Saddlemire, Code Enforcement Officer / Gil Albert, Health Officer / Village Board of Trustees

Now Therefore Be It Resolved: Section 1: That the Board of Trustees does hereby designate the following institutions as depositories of all money received by the village treasurer, clerk and receiver of taxes **Glens Falls National Bank**

Now Therefore Be It Resolved: Section 1: That the Board of Trustees shall approve reimbursement to such officers and employees at the 2018 IRS Standard Mileage Rate of 58 cents per mile.

Now Therefore Be It Resolved:

Section 1: That the Village of Schuylerville employees and officers are hereby authorized to attend continued professional education classes, seminars and conferences, contingent on approval of the Mayor and Board of Trustees

Section 2: That this resolution shall take effect immediately

Now Therefore Be It Resolved:

Section 1: That the Board of Trustees does hereby designate the following newspaper for all publications pertaining to village business, **The Post Star**

Now Therefore Be It Resolved

Section 1: That the Board of Trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges, and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees

Section 2: That this resolution shall take effect immediately

Trustee Colvin made a motion to approve the reorganizational resolution which includes all of the above resolutions, Trustee Drew seconded all in favor, resolutions passed.

Application for a parade gathering for the 15th annual cardboard boat race, Deputy Mayor Young made a motion to approve the Hudson Crossing Park annual cardboard boat race, on the approval of the local fire department to ensure safety and on the condition that proof of insurance is provided. Trustee Drew seconded the motion, all in favor.

request from the American Legion for a coin drop for 6-15 from 9 am to 3 pm. Trustee Drew assured the board that they had all of the required safety equipment and insurance. Trustee Colvin made a motion to approve the coin drop, Trustee LeBaron seconded the motion, all in favor.

Mayor Carpenter made the motion for the appointment of Bryan Drew to the water board, Trustee LeBaron seconded the motion, all in favor. The resignation of Dan Baker from the water

board created an opening on the Schuylerville side. Trustee Colvin asked if there was conflict of interest in Trustee Drew receiving pay for both trustee and water commissioner. Attorney Klingebiel stated that he felt fairly certain that as the water board is a separate entity from the village that it did not qualify as a conflict of interest. Trustee Colvin made the motion to approve the appointment, Trustee LeBaron seconded the motion, all in favor.

PUBLIC COMMENT

Wendy Lukas asked about the status of the climate smart issue. Trustee Drew stated that he had reached out to Mike Mc Laughlin as well as an attorney with experience in these matters.

Wendy Lukas spoke in regard to the trail head permit agreement, she reminded the board that there would be an increase in the villages insurance to cover the parking lot, and that she did not agree with the permit. Mayor Carpenter thanked her for her opinion.

She also noted that she felt that the village would be better to spend their \$20,000.00 on taking down the building located by the water treatment plant, as she felt the building was a serious liability now that the building inspector had deemed it unsafe.

Trustee Drew made a motion that the village should put out an RFP for the demolition of the building on the Tow Path Road discussed earlier as well as to fence off the area for safety, as well as an RFP for asbestos removal, as well as a deadline for Mr. Roberts to remove the boat that was condemned, Trustee Colvin seconded the motion, all in favor, motion passed.

Leona Colvin stated that she was disappointed that the resolutions were not made available to the public or read aloud. Mayor Carpenter read all of the above reorganizational resolutions aloud.

APPROVAL OF VOUCHERS;

The may vouchers for the general fund totaled \$33,755.16 and the vouchers for the sewer fund totaled \$2,800.44. Deputy Mayor Young made the motion to approve those vouchers, Trustee LeBaron seconded the motion, Trustee Drew aye, Mayor Carpenter aye, Trustee Colvin abstained, as he had not had a chance to review the vouchers, approval passed.

EXECUTIVE SESSION:

Attorney Klingebiel stated that the board was going into session for the charter contract negotiation, as well as the claims against the village regarding the Green Street culvert failure, which could result in potential litigation. Trustee Colvin made the motion to go into executive session, Trustee LeBaron seconded the motion, all in favor.

Trustee Colvin made the motion to come out of executive session, Deputy Mayor Young seconded. Attorney Klingebiel reviewed the content of the executive session, stating that the board was going to wait for further negotiation with Charter, and that they were awaiting word from the insurance company regarding the litigation on the Green Street culvert.

ADJOURNMENT;

Deputy Mayor Young made the motion to adjourn the meeting, Trustee Colvin seconded the motion, all in favor meeting adjourned

Recording Secretary,

Cory Heyman

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PUBLIC COMMENT;

APPROVAL OF VOUCHERS;

EXECUTIVE SESSION;

ADJOURNMENT;

