

**Village of Schuylerville**  
**Meeting Agenda**  
July 10, 2019

ROLL CALL:

PRESENT:

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

ABSENT:

Deputy Mayor Jason Young

BOARD ANNOUNCEMENTS:

- Schuylerville/Victory Board of Water Management Meeting Monday, July 22<sup>nd</sup> at 7:00 pm in the Victory Meeting Hall
- Schuylerville Tree Committee Meeting, to be announced.
- Schuylerville Village Board Workshop Meeting Monday August 5<sup>th</sup> at 6:30 pm at the Schuylerville Village Hall.
- Schuylerville Village Board Meeting Wednesday August 14<sup>th</sup> at 7:00pm at the Schuylerville Village Hall.
- Schuylerville Planning Board Public Hearing Monday July 15<sup>th</sup> at 6:30pm followed by the regular Meeting at the Schuylerville Village Hall

MINUTES:

- A motion was made for the approval of the minutes from the last meeting by Trustee LeBaron and seconded by Trustee Colvin, all in favor

TREASURER'S REPORT:

|                      |                |
|----------------------|----------------|
| General Fund         | \$1,168,591.42 |
| Sewer Now Account    | \$174,920.96   |
| Trust Agency Account | \$39,868.81    |
| Housing Rehab        | \$0.00         |
| AHC home imp.        | \$0.00         |
| Septage receiving    | \$69,240.00    |
| Capital Sewer        | \$90,614.19    |
| Repair reserve       | \$4,655.33     |
| Sidewalk repair res. | \$25,058.16    |
| Sewer Equipment      | \$59,058.16    |
| Harbor Project       | \$5,080.43     |
| Memorial Day         | \$3,862.75     |
| Capital Project      | \$10,061.01    |
| Morgan's Run         | \$14,162.73    |
| Ft. Hardy Park       | \$11,794.27    |

DEPARTMENT AND COMMITTEE REPORTS:

- **CODE ENFORCEMENT**

Gil Albert reported on the permits and orders to remedy. Mayor Carpenter thanked Albert for following up on some complaints earlier this month.

- **DEPARTMENT OF PUBLIC WORKS**

Rob Decker stated that three of his employees had not received a handbook when they joined the village crew. He stated that there was little else to add to the report given at the workshop other than the ongoing issue with the beaver that is wreaking havoc with the canal gate operations.

Mayor Carpenter brought up the fact that the crew has been trying to catch up, as they got behind due to the lack of staff earlier in the year. Mayor Carpenter stated that he had contacted Saratoga County to see if he would be able to get some temporary help from them, he has not heard back

from them as of this point. He noted that the DPW are currently responsible for projects that they would not normally handle. Mayor Carpenter asked the attorney if the board would need to hold a special meeting to hire a seasonal part time person. Attorney Klingebiel stated that the board could not hire a person for a seasonal position unless the village has this position currently created. Attorney Klingebiel also stated that the board would need to refer to the village code to see if hiring an additional employee would need to be approved by the board.

- FIRE DEPARTMENT

Schuyler Hose Co., Inc. June 2019 Report July 10, 2019 ANNOUNCEMENTS / NEWS  
June 15th – Members provided a fire apparatus escort for the Schuylerville High School baseball team as they returned home from state championship game. June 20th – 15 members attended the Stop the Bleed training program at our station. Stop the Bleed is intended to cultivate grassroots efforts that encourage bystanders to become trained, equipped, and empowered to help in a bleeding emergency...becoming the beginning of the trauma care chain of survival. Instructor was Chris Georgia from Wilton EMS.  
ALARMS Department responded to 13 alarms in the month of June. As of June 30th a total of 72 alarms have been answered. 2019 First Half Alarm Responses (Type): Fires – 7 Rescue & EMS – 22 Hazardous Condition – 7 Service Call – 7 Good Intent – 14 False Alarms – 15 2019 First Half Alarm Responses (Location): Village of Schuylerville – 19 Town Contractual – 36 • Saratoga (9) • Northumberland (17) • Greenwich (3) • Easton (7) Mutual Aid to – 17 • Quaker Springs (11) • Middle Falls (2) • Victory Mills (1) • Greenwich (1) • Gansevoort (1) • So. Glens Falls (1)

- WASTE WATER TREATMENT PLANT

Charles Sherman gave a detailed report. He stated that the flow levels were down from the previous month. He reported on the situation regarding the brewery that is being built at 7 Horicon. He is working with Gil Albert, the DEC and Rural Water to ensure that the waste added to the system by the operation of the brewery will not have a negative impact on the ability of the waste water treatment plant to process the waste water. They have proposed a plan which has been reviewed by all three parties. This includes a holding tank and a sump pump pit so that the waste can be brought to an acceptable PH level before being introduced to the sewer system. Charles Sherman asked if the board could approve the plans as presented. Attorney Klingebiel stated that he did not feel that this was a matter that needed board approval. The board agreed that they were satisfied that with the parties involved in the project that all requirements would be met.

- HISTORIAN/VISITORS CENTER

Kristina Saddlemire gave her report. She is currently working to finish up her project that will allow a virtual walking tour with QR codes that will point tourists to websites and pages she will create that will give detail on various locations throughout the village. These locations will be designated on laminated brochures that can be distributed from locations such as the visitor's center and the village.

- WILTON EMERGENCY SQUAD

No report

- PLANNING BOARD

Leona Colvin noted that the planning board will be holding a public hearing before the meeting at 6:30 pm. She stated that the owner of property on 231 Broad Street who is requesting permission to go from a single-family home to a six-unit apartment building. He will be presenting some of the changes to the original plans that the planning board had requested.

- SCHUYLERVILLE/VICTORY BOARD OF WATER MANAGEMENT

Mayor Carpenter read from the minutes from the water board. These minutes were also available at the meeting and will be posted on the village website after they have been approved by the water board. There was a discussion between Rob Decker and Mayor Carpenter as to the requirements for the DPW crew members to get their water operator licenses. Rob Decker stated that it was his impression that the individuals needed to be employed for a full year before they could get their water licenses.

PUBLIC COMMENT:

Pat Behrens stated that she is concerned regarding the property at 28 Burgoyne Street, and that she has brought Gil Albert in on this matter. She stated that when you are turning onto Burgoyne Street the overgrowth from that side of the road is obscuring the view. She stated that Gil has informed her that the resident has been issued an order of remedy. Gil stated that the resident has stated that he will be addressing this as soon as possible.

Wendy Lukas thanked the DPW for the removal of the condemned house on Tow Path Road. She asked when the boat she had referred to would be removed. Mayor Carpenter stated that he had asked the owner of the boat if he could remove the upper section of the boat that Gil Albert had determined to be a hazard, and that the remainder of the boat had been determined to present no safety issue. The board decided that they would like to see the boat removed altogether, stating liability concerns. Ms. Lukas also asked about the pending approval of the Chazen invoice and questioned why the invoice was for 16,770 and not for the original \$20,000.00. She was informed that the difference between the \$20,000.00 and the \$16,770.00 was because there had been previous payments towards the \$20,000.00.

Linda Lloyd asked how the village would be reimbursed if landlords did not clean up debris left on streets from tenants. Mayor Carpenter stated that this situation had not come up, as the landlords have historically cleaned up any items left by departed tenants in an adequately timely matter.

OLD BUSINESS:

NEW BUSINESS:

A resolution was presented for the approval of payment to Chazen for TA work. Mayor Carpenter noted that as this work was approved and completed in fiscal year 2019, that he had determined that it was appropriate for this invoice to be paid from the 2019 fiscal year. He stated that there were funds available for this. He read the following resolution;

Whereas, The Chazen Group has completed the Downtown Building Analysis as agreed upon with the Village of Schuylerville;

Whereas, The Board of The Village of Schuylerville Does Hereby Approve The Final Payment Of \$16,770.00 to the Chazen Group;

Therefore, Be It Resolved, that the Board of The Village of Schuylerville does hereby approve this resolution.

Mayor Carpenter addressed Trustee Colvin's question regarding the charge by Chazen for zoning review, when the village has no zoning. He clarified that this is a question that is required by the state in the RFP. Trustee Drew made the motion to approve the Chazen payment for \$16,770.00, Trustee Colvin seconded the motion. Roll call was as follows Mayor Carpenter, aye, Trustee Drew, aye, Trustee Colvin, aye Trustee LeBaron , aye Deputy Mayor Young absent vote 4-0.

Regarding the handbook, Mayor Carpenter asked if the board could wait until September to approve the handbook, as he would not be able to attend the August meeting. It was agreed that the board would wait until September.

There was a discussion regarding a letter which concerns the canal and a program called the Earthen Embankment Integrity Program. The Canal Corporation would like the Village of Schuylerville to allow New York State to have SEQR in this matter. The town of Saratoga has granted permission for this for their section of the canal. This will be further discussed at the August meeting.

Attorney Klingebiel spoke regarding the safety issues previously discussed about the Stewarts intersection, Attorney Klingebiel stated that he had spoken to both the hospital and Stewarts and that neither party is willing to take responsibility for the situation. Klingebiel suggested that the village could use the plans submitted by the hospital for a dividing island to prevent drivers from cutting through the parking lot of the hospital. He suggested that the village put out an RFP for this project, as he has been made aware that the DPW currently would not be able to handle the project. Trustee Colvin made the motion to put out an RFP for this, Trustee Drew seconded the motion, all in favor

Mayor Carpenter stated that he had met with the DOT, the DEC and the Canal Corporation regarding the canal blockage. They discussed the breaching of the canal during high water events. DOT and the Canal Corporation stated that they would investigate how this issue could be resolved. After the meeting there was a follow up phone call at which Mayor Carpenter was advised that he would be receiving a letter from the Canal Corporation. He read aloud the letter to the village.

In summation, The Canal Corporation has advised the village that this section of the canal is included in the EPA's Hudson River flood plains area of investigation. Mayor Carpenter stated to the board and persons present that the EPA had been testing the canal at top levels for PCBs and will come back to test at 2-4 foot levels in the canal. We are also advised that during a recent visit between The Canal Corporation and the mayor the parties discussed the need for preparation of a hydrological study including non-dredging options to prevent overtopping of the canal. A few weeks later the village received a letter stating that the New York State Canal Corporation claims that overflow events did not occur before the time that the village reconstructed our stormwater collection system which now directs stormwater into the old Champlain canal. They claim that the contribution of the stormwater to the Old Champlain

Canal is at a minute minimum a significant contributing factor to the overflow. They feel that since the Village contracted the design and construction of the system the most sensible approach to this matter is for the village to follow up with the hydrological analysis of what causes the overflow including water volume that is being discharged into the Old Champlain Canal from the Village systems. The canal corporation is willing to meet with the village to provide analysis of the results and ways to resolve it once completed. The Mayor stated that in other words they're passing the buck they're taking very little responsibility for this situation. The feasibility study that the EPA is proposing could take as long as 5 to 10 years to complete. Mayor Carpenter stated that this was not acceptable, Mayor Carpenter does not believe this belongs in the floodplain study. Mayor Carpenter feels that the overflow situation has been ongoing for many years and that storm water had already been being expelled into the canal long before the project. Mayor Carpenter also does not feel that the stormwater that is being expelled into the canal could possibly account for the full amount of sediment that has filled the canal, which is supposed to be somewhere between four and seven feet deep.

Wendy Lucas stated that she had a document from the county which seems to claim that the village of Schuylerville owns that portion of the Canal. Attorney Kliengbiel said that he would do a title search on that tax map ID.

There was further discussion regarding how the sediment could be disposed of should the village decide to go forward with dredging. The issue at this point is that we do not know the level of contamination of PCPs which would be a large component of the cost of dredging. The estimate for dredging, if the levels are below the threshold for contamination, would still be around \$1 million assuming that it's reasonable fill and could be disposed of within 10 miles. Next was the review of quotes for a new computer switch for the office. Clerk Treasurer Heyman had contacted our IT company, Stored tech to get an estimate to install a switch. The quote was in the thousands. This item can be purchased for less than \$400 and installed in house. Trustee Drew made the motion to approve the expenditure of up to \$450 for the computer switch for the office Trusty Colvin seconded the motion all in favor.

There was a request for funds from the Schuylerville Garden Club. Trustee Colvin brought up the point that there were charges for sales tax to the garden club included in the invoices. Leona Colvin offered that the village could submit to receive a refund for this at the end of the year. There was a request for consigned garbage tickets from Byron's Supermarket. It was determined that the Village would not be able to provide this service for Byrons as the village with then have to provide this for all village businesses and residents and that it would create a hardship for the clerk to keep track of the receivables.

Request for reimbursement for the sidewalks installed by Old Schuylerville Ventures. This was discussed at length as there were some items included in their submission for reimbursements that included pavers and work done by Adirondack tree surgeons that the mayor did not feel that Village should be responsible for. The village is only reimbursing for new sidewalk expense. Mayor Carpenter felt that the total expenses that the village should actually be responsible for is \$7600 for the cost of the concrete divided by 50%. Trustee Drew made the motion to approve the reimbursement in the amount of \$3,800.00, Trustee Colvin seconded the motion, all in favor. Resolution to use Morgan's Lookout reserves for Morgan's lookout paving project. Mayor Carpenter read the resolution as follows; Whereas, a budget amendment is needed to allow the

use of the reserve funds designated specifically for improvements or repairs to the development known as Morgan's Run, referred to as Morgan's Lookout Project. To the account A.0511.007 Morgan's Lookout Appropriated Reserves shall be posted \$14,162.73 and a balancing entry to A.5110.400 Street Maintenance Contractual of \$14,162.73. Trustee Drew made the motion to approve the resolution, Trustee Colvin seconded the motion, all in favor, motion passed.

Attorney Klingebiel recommended that the board make a motion to close the Morgan's Run savings account, as the board did not anticipate any further funds to be added to this account. Trustee Drew made the motion to close the account Morgan's lookout, Trustee LeBaron seconded the motion, all in favor, motion passed.

A resolution was presented to the board to balance year end budget. Mayor Carpenter read from the resolution as follows;

Whereas, a budget amendment is needed to transfer money from the budget between appropriations for those costs associated

From:

|   |            |
|---|------------|
| A.1640.200 Central Garage Equipment           | \$2,323.07 |
| A.1640.400 Central Garage Contractual         | \$1,000.00 |
| A.1680.400 Central Data Processing            | \$2,107.71 |
| A.1990.400 Contingency Contractual            | \$6,300.00 |
| A.7140.400 Playground Rec Centers Contractual | \$2,499.50 |
| A.7510.100 Historian Personnel                | \$1,378.52 |
| A.8140.400 Storm Sewers Contractual           | \$1,775.00 |
| A.8160.400 Refuse and Garbage Contractual     | \$2,975.25 |
| A.8560.400 Trees Contractual                  | \$9,643.90 |
| A.9030.800 Social Security                    | \$1,049.91 |
| A.9035.800 Medicare                           | \$1,111.97 |
| A.9060.800 Hospital and Medical Insurance     | \$705.92   |

To:

|  |             |
|--|-------------|
| A.1620.400 Buildings Contractual               | \$16,100.77 |
| A.8989.400 Homes and Community Services Grants | \$16,770.00 |

Trustee Colvin made the motion to approve the transfer of funds, Trustee LeBaron seconded the motion, all in favor, resolution passed.

There was an application for a gathering permit from Jennie Winter for a youth program fund raiser. The fundraiser was for a night of camping at Fort Hardy Park. It was agreed that there

would be no campfires at the park, and cooking would be only on the grills supplied. Trustee Colvin made the motion to approve the youth program fund raiser, Trustee Drew seconded the motion, all in favor.

There was an application for a gathering permit from Faith Chapel music in park, Trustee Colvin made the motion to approve the Faith Chapel gathering, with proof of insurance. Trustee LeBaron seconded the motion, all in favor.

There was a complaint from 26 Church Street. Groundwater is causing damage to the property, as there is no curb at that location. It was determined that there was no curb previously at this location to the knowledge of the board. Water is coming from the alley and down Church Street. Rob Decker stated that it is an old swale and that the sidewalk is actually lower than the road. It was determined that the village should put out an RFP for an engineer to make an assessment of the situation. Rob Decker asked if the town has an engineer that we could consult with and was advised to look into this.

OSAA had requested that they be allowed to install batting cages at the park. The plans submitted included a concrete pad. Attorney Klingebiel stated that he did not feel that it was appropriate for a concrete pad to be installed in what has historically has been a multi-use area. Mayor Carpenter stated that he would inquire as to whether it was actually necessary to have poured concrete for the batting cages, particularly as these would be installed and broken down on an annual basis.

Mayor Carpenter announced the resignation of Village Clerk Rebecca Christner. He stated that he had interviewed eight candidates as of this point. Trustee Colvin made the motion to accept the resignation, Trustee Drew seconded the motion, all in, resignation accepted.

#### PUBLIC COMMENT:

Wendy Lukas requested that the light on the corner of Burgoyne and Pearl Street be reinstalled. The pole was hit and National Grid replaced the pole, but the light was not replaced. She also stated that she did not think that there was actually a law that required that the village reimburse residents for sidewalk repair. Wendy Lukas also expressed her disapproval of the master plan for Fort Hardy Park.

#### APPROVAL OF VOUCHERS:

Trustee Colvin made a motion to approve the vouchers for the General Fund for \$140,373.46 and the Sewer Fund for \$5,545.40. Trustee LeBaron seconded the motion, all in favor.

#### EXECUTIVE SESSION:

#### ADJOURNMENT:

Trustee Drew made the motion to adjourn, Trustee Colvin seconded the motion all in favor, meeting adjourned.

Recording Secretary,

Cory Heyman