

**Village of Schuylerville**  
**Monthly Meeting Minutes**  
June 10, 2020

PRESENT:

Mayor Dan Carpenter  
Deputy Mayor Jason Young  
Trustee Whitney Colvin  
Trustee Tim LeBaron  
Trustee Bryan Drew

ABSENT:

None

BOARD ANNOUNCEMENTS:

- Schuylerville/Victory Board of Water Management Meeting June 15th at 7:00 pm in the Victory Meeting Hall SOCIAL DISTANCING PROTOCOLS WILL BE ENFORCED.
- Schuylerville Village Board Workshop Meeting Monday June 29th at 6:30 pm at the Schuylerville Village Hall. This meeting will also be offered in a zoom format as well for those who may not be comfortable attending the meeting in person.
- Schuylerville Village Board Meeting on Wednesday July 8th at 7:00pm at the Schuylerville Village Hall. This meeting will be offered in a zoom format as well.

MINUTES:

The minutes from the previous meeting and the workshop were presented for approval. Trustee LeBaron made the motion to approve the minutes and Trustee Drew seconded the motion, all in favor, minutes approved.

TREASURER'S REPORT:

General Fund Statement balance	\$53,912.60
Sewer Now Statement Balance	\$292,267.25

Trust and Agency	\$38,021.97
General Fund CD	\$504,026.50
Sewer Fund D	\$201,610.60
Memorial Day	\$3,863.39
General Fund Money Market balance	\$206,769.95

Treasurer Heyman gave a brief year end report stating the total revenues for 2020 as 1,337,648.70 and total expends as 1,279,643.22. She noted that this means that we did not end up needing to spend the fund balance we had posted to balance our budget. Treasurer Heyman also stated that due to the way that the bank accounts have been restructured, there will be a fee at the end of this month due to the total balances of all checking accounts having fallen below a threshold that allows us to incur no fees for maintenance of accounts.

Heyman stated that the balances should be back up to well over the threshold soon, as spring is typically a low balance period due to the fact that tax revenues are realized only June through October. The account that needs to be added is A.1380.400 Fiscal Agent Fees. Trustee Colvin made the motion to add this account to our ledgers, Trustee Drew seconded the motion, all in favor, motion passed.

#### DEPARTMENT AND COMMITTEE REPORTS:

- **CODE ENFORCEMENT**

Gilman Albert listed the inspections and permits issued for the month. He brought up the situation that occurred back in late 2019, when he issued a stop work order to the owner of KO Motorsports, Mr. Farillo, as he had pulled up sidewalks on the Spring Street side of his building without permission from the village. The removal of the sidewalk also resulted in a waterline being exposed. In the interest of public safety and for the protection of the involved water infrastructure, the board decided at that time to allow him to commence with the paving. Attorney Klingebiel drafted an agreement for him to sign stating the village, for a period of five months from the execution of this agreement shall not bring any violation, enforcement or other proceedings against him in connection with the removal of the sidewalk, stating that the parties would work out an agreement at that time to resolve this issue.

Mayor Carpenter asked the board for permission to send out a letter to the owner of KO Motorsports regarding this issue. The board agreed, although Trustee LeBaron did caution that he thought that the board would be facing issues with this as there were other businesses that were not following the law regarding not parking on the sidewalks.

- **DEPARTMENT OF PUBLIC WORKS**

Supervisor Decker gave the DPW report. He stated that the parking lot for the visitor's center had been paved, but that the company had poured the pad in the wrong place. He stated that the company had agreed to come out and correct the problem, and that they had offered to resolve the issue one of two ways; either they could take up the incorrectly paved area and repave in the right spot or add to the area and there would be a seam. Decker felt that the seam would not be an issue and that this would give us a bigger paved area.

He stated that there was another quote from Delsignore to pave Spring Street and Ranger Road. The third company, Evolution, has not responded. The details of the quotes were gone over by the board extensively and the quote from Delsignore was determined to be considerably lower than Kubricky's.

The portable radio that was ordered to allow the DPW to bring sludge to the landfill is still on backorder but Supervisor Decker was able to borrow a CB radio from the town of Greenwich.

Decker was also able to borrow a chipper from the Town of Saratoga to clean up the debris from some trees that had come down in Fort Hardy Park.

He stated that the docks were in at the beach at Fort Hardy. Mayor Carpenter thanked Decker for the work done by the DPW and for the quick work to finish the office partition to allow the village office to reopen in time for phase 3. He encouraged the board members to take a look at the excellent work that DPW member Nate Brockway did in finishing this project.

- FIRE DEPARTMENT

1. COVID-19

- Precautions in compliance with NYS on PAUSE Executive Orders that were established in March pertaining to Incident Response and Disinfecting Apparatus and the Station remain in effect until further notice.
- During the months of April & May the fire department has conducted eight training sessions and seven meetings using Zoom video conferencing.
- Since the start of the COVID-19 restrictions eighteen members have completed a total of sixty-six training assignments on our Learning Management System – Target Solutions.
- Phase II of NYS Reopening Plan started June 3.
- SHC conducted their June 4th monthly meeting in station with several precautions taken.
- Department members have been assigned to work groups with a max of ten members per work group for the month of June. Work groups will carry out training and apparatus / equipment inspections.

2. ANNOUNCEMENTS / NEWS

April 3rd – ER-571 “new engine” returned from Killian's with fresh red paint.

April 13th-17th – All apparatus (except 575) was serviced and NYS Inspected by Millertown Garage.

April 20th – Received five new set of turnout gear (MES FIRE NY). Gear was distributed April 21 & 22 to be placed in service. One set was sent back for re-sizing.

May 9th – Tim Belden finished lettering ER-571.

May 25th – Tower 577 along with Mechanicville’s Tower Ladder displayed the American flag at the Memorial Day services at the Saratoga National Cemetery. The five members representing SFD were; Asst. Chief Decker, Capt. Derway, Lt. Varner, FF J.Carr and FF Young.

### 3. ALARMS

- Month of April – 14 responses.
- Responded to several mutual aid requests; Gansevoort, Wilton, Quaker Springs, Ft. Edward & Middle Falls.
  
- Month of May – 24 responses.
- 10 storm related (5/14,15,&29)

Frank Merrill sent a letter to the village announcing the election of officers to Schuyler Hose on June 4<sup>th</sup> as the following.

Fire Chief Brian Myers Junior.

Chief Myers listed the following as his choice for line officers;

Assistant Chief; Robin Decker

Captains; Scott MacGuire and Matthew Derway

Lieutenants; Raymond Carr, Matthew Varner and Mark Wells

Safety Officer Richard Behrens

Mr Merrill asked on behalf of Schuyler Hose that the board approve these appointments.

- **SCHUYLERVILLE/VICTORY BOARD OF WATER MANAGEMENT**

Bryan Drew gave the report. He stated that the budget for the 2021 fiscal year had passed. There was a discussion regarding the suspected Pine Street leak. There is an abandoned water line that runs through the lots that are behind Pine Street. Supervisor Decker stated that according to anyone that he had discussed this with, this line is no longer in service and has been capped off for years. He stated that the tests done on the water coming from this line tested negative for chlorine.

Mayor Carpenter asked if he could have an update regarding the Theodore Derby Workman’s Comp claim. Theodore Derby receives a check for \$453.09 every other week. This claim will continue until May of 2023.

### PUBLIC COMMENT;

Wendy Lukas asked when the new signs for the towpath were going to be installed. Mayor Carpenter stated that he would find out when the scouts would be able to move forward, as he felt that it was likely that they were being held up by restrictions due to COVID-19.

She also asked why cardboard could not be recycled in the village. Mayor Carpenter stated that it was his understanding that cardboard could not be recycled if it got wet. Mayor Carpenter stated

that he would be reaching out to the town to find out if they would be willing to put out a dumpster for cardboard recycling.

She also complained about the condition of the municipal parking lot near the sewer plant and the dirt piles in the parking lot at Fort Hardy Park. She asked if these could be moved to the area near the water plant where they would not be as visible.

She also asked if the stop sign that was near the intersection where the town building used to be was still necessary. She stated that she never stops there. Mayor Carpenter stated that he disagreed with her and that he felt that this helped to keep the speed of vehicles passing through to a safer speed.

Wendy Lukas asked how much it cost the village to have the paving done at the new visitor's center. Mayor Carpenter stated that the cost to pave was \$1,500.00.

She asked if there was an update regarding zoning. Mayor Carpenter stated that there was no update at this point but that he would be reaching out to Supervisor Wood to see if the village and the town could work together on a joint zoning plan.

Ms. Lukas asked why the residents of Schuylerville had to pay a proportionately larger amount for sewer than Victory residents. She felt that the agreement that was signed between the villages was not fair.

Mayor Carpenter stated that the advice from legal counsel at that time was to take the deal that was offered. Legal counsel stated that if the village were to continue to pursue the avenue that Lukas was suggesting that there was no guarantee that we would win and no guarantee that we would recover the costs of litigation. This was the advice of the legal counsel that we had hired to represent and advise us on this issue.

Attorney Klingebiel stated that he would like to weigh in on this matter. When Attorney Matthew Fuller, who represented the village in the sewer litigation, broke down the numbers, one of the big discrepancies, going back to the first round of litigation is the I and I issues that the village of Schuylerville has and the excess cost going to treat this additional stormwater. The argument was that since Schuylerville is a larger contributor of I and I to the plant, they should be responsible for a larger portion of the costs. Attorney Klingebiel stated that there is not an apples to apples comparison. She asked if the I and I has been reduced. Attorney Klingebiel stated that this has been reduced and that the village is working on reducing the I and I further.

Deputy Mayor Young at this point stated that he wanted to commend Village Clerk Paterson on her work on investigating exactly what work was done during the time of the reconstruction of some of the storm drains and the mitigation of the I and I that was completed during that period. He stated that they were still working on this project and mentioned that the scoping of the system scheduled earlier in the year had been cancelled due to COVID.

Ms. Lukas complained that the most distressing part of the contract was that the village did not have a way out of their contract with Victory. Attorney Klingebiel stated that there could be no way out at any rate as according to the department of health that even if there was a cancellation

of the contract, the village still has to accept the effluent. The only recourse would be to go to court to try to recoup the loss of revenue, which would leave us in exactly the same position that we were originally in. Attorney Klingebiel stated that if we are able to reduce our I and I, Schuylerville's bills will go down, but the costs to Victory are fixed.

#### NEW BUSINESS:

Discussion of progress regarding phase two for Village office and DPW. Department of Public works has come back full strength and has social distancing policies in place. At the office Phase three hours will be in place. These hours are listed on the website. Trustee Colvin asked if a picture of the office could be posted on the website so that people will not be startled at the restructuring of the office.

Mayor Carpenter stated that the quotes for the paving had been discussed during the DPW report and asked for a motion to approve the quote that had been decided on by the board. Trustee Colvin made the motion to approve the quote from Delsignore for \$34,745.12 to pave the area of Spring street by the intersection of Spring and Broad Street as well as the portion of Ranger road adjacent to this area, Deputy Mayor Young seconded the motion, all in favor.

There was a presentation of a resolution to amend the budget to bring revenues earned by fire dept to fire contractual. Mayor Carpenter asked Treasurer Heyman to give the detail on the proposed resolution. Treasurer Heyman stated that Chief Myers had asked that the revenues earned in the sale of the chief's car (which was purchased with fire contractual funds) be put back into the fire contractual expense line for use as well as the revenues received in the insurance refund for monies expended from the fire contractual line for the towing of the fire truck to be repaired. The chief's car sold for \$1,026.75 and the insurance refund was for \$1,360.00 making a total of \$2,386.75 proposed to go back to fire contractual. Trustee Drew made the motion to approve the resolution, Trustee LeBaron seconded the motion, all in favor, resolution passed.

A resolution to transfer funds was presented as follows;

From: A.9060.800 Hospital and Medical \$1,720.45

To: A.1910.400 Unallocated Insurance \$491.58, A.8020.100 Planning Board Personnel \$435.00, A.9030.800 Social Security \$184.29 and A.5110.100 Street Maintenance Personnel \$609.58.

Mayor Carpenter asked Heyman to explain the transfers. Heyman stated that the transfer to unallocated insurance was needed due to the increased cost of insurance to cover the new dump truck and the recently acquired fire engine. The increase to planning board personnel was due to the fact that planning board secretary Anna Welfley had only recently invoiced for some work completed in the prior fiscal year. The other transfers were just to increase balances to round out the end of the year. Trustee Colvin made the motion to approve the resolution, Trustee Drew seconded the motion all in favor, resolution passed.

The Greenwich Titans travel baseball team as well as the Schuylerville Stallions baseball team have requested to use the field at Fort Hardy. The board had been provided with the requested dates from the teams. Certificate of liability forms had been received from both entities. Trustee Colvin asked if the teams had submitted COVID safety plans. Mayor Carpenter stated that the

teams had both submitted plans. Attorney Klingebiel confirmed that the baseball leagues were all required to comply with the NY forward. Trustee Colvin made the motion to approve the use of the fields, Trustee Drew seconded the motion, all in favor.

The Schuylerville Youth program submitted a request to reschedule the original date for their annual coin drop from June 30<sup>th</sup> to August 22<sup>nd</sup>. Mayor Carpenter noted that if the board approved the rescheduling of the coin drop they would still maintain the right to cancel the event if it was determined not to be in compliance with COVID regulations. Trustee Drew made the motion to approve the change of dates, Trustee LeBaron seconded the motion, all in favor.

Jim DeConno from the US Census Bureau reached out to us to request the use of a meeting space for census employee training (5-12 people) on the follow seven days; July 14 and 31<sup>st</sup> August 1, 3 through 5<sup>th</sup> and August 14<sup>th</sup>.

Training would run from approximately 8am to 4pm or 9am to 5pm all days.

Chief Myers had no issue with this as long as they did not go into the apparatus room. There was some discussion regarding the costs we would incur to determine how much we would need to charge for sanitation to comply with COVID standards as well as the additional cost to air condition the meeting room.

Mayor Carpenter asked for a motion to approve the officers for Schuylerville Hose. Trustee LeBaron made the motion to approve the officers, Trustee Drew seconded the motion all in favor.

#### PUBLIC COMMENT

Wendy Lukas asked if there would be an audit on the village finances. She stated that she felt that it should be done on an annual basis. She said that Barbara Tierney had one done every year. Treasurer Heyman stated that she would reach out to Tierney to find out who the village had contracted to do this and what was the cost.

Mayor Carpenter stated that some village residents had put in a request to move up the date for trash week to the week of July 13<sup>th</sup>. Supervisor Decker stated that this would be okay with him. Each person who wants to participate in junk week must register at the village, where they would be given a special trash ticket to put on the items they would like to have taken away. Trustee Colvin expressed disappointment that the village was only charging ten dollars per sticker, as he felt that the village would still be losing a substantial amount of money from trash week.

Dianna Martindale asked if the revenues and expenses could be tracked for junk week Mayor Carpenter stated that he felt this would be a good idea.

#### APPROVAL OF VOUCHERS:

Trustee Colvin made the motion to approve the 2020 May general fund vouchers in the amount of \$15,282.56 and the sewer fund in the amount of \$27,634.74 Trustee Drew seconded the motion, all in favor.

Trustee Drew made the motion to approve the 2021 June general fund vouchers in the amount of \$5,433.62 and the sewer fund in the amount of \$483.0, Trustee Colvin seconded the motion, vouchers approved.

EXECUTIVE SESSION:

ADJOURNMENT:

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