

**Village of Schuylerville**  
**Public Hearing**  
October 14, 2020

Present;  
Mayor Carpenter  
Trustee Colvin  
Trustee Drew  
Trustee LeBaron  
Attorney Klingebiel

Mayor Carpenter opened the public hearing with the pledge of allegiance. The public hearing was held regarding the purchase of a new garbage truck for the village and the creation of a specific reserve for said purchase in the amount of \$44,953.60 to be used in conjunction with a bond of \$100,000.00.

Two members of the public were present, Wendy Lukas and Leona Colvin. Neither resident had any comment regarding the purchase of the truck or the creation of the reserve that was presented. Trustee Colvin asked how long the bond should be taken for. He suggested that the board should determine whether it would be more fiscally appropriate to take out a bond for 3 or for 5 years. Treasurer Heyman stated that she would request quotes for both so that the board could determine which would be a better choice for the village. Trustee Colvin made a motion to adjourn the public hearing, Trustee Drew seconded the motion, all in favor hearing adjourned.

**Village of Schuylerville**  
**Monthly Meeting**

Present;  
Mayor Carpenter  
Trustee Colvin  
Trustee LeBaron  
Trustee Drew  
Attorney Klingebiel

**BOARD ANNOUNCEMENTS:**

- Mayor Carpenter stated that he had reluctantly accepted Trustee Young's resignation, as Young no longer resided in the village. Mayor Carpenter will be making an appointment at the next village meeting to fill this trustee position until the next election in March.

- Schuylerville/Victory Board of Water Management Meeting Monday October 19th at 7:00 pm in the Victory Meeting Hall SOCIAL DISTANCING PROTOCOLS WILL BE ENFORCED.
- Schuylerville Village Board Workshop Meeting Monday November 2<sup>nd</sup> at 6:30 pm at the Schuylerville Village Hall.
- Schuylerville Village Board Meeting on MONDAY NOVEMBER 9<sup>TH</sup> as the usual date on November 11<sup>th</sup> is Veterans day 7:00pm at the Schuylerville Village Hall.

MINUTES

Trustee Drew made the motion to approve the minutes from the September meeting, Trustee Colvin seconded the motion, all in favor, minutes approved.

TREASURER’S REPORT:

General Fund Statement balance	\$147,572.83
Sewer Now Statement Balance	\$177,521.89
Trust and Agency	\$37,335.82
General Fund Money Market	\$1,011,888.24
Sewer Fund Money Market	\$301,905.52
Memorial Day	\$3,863.39

Mayor Carpenter asked the board to consider what types of reserves that they would like to see formed. He asked them to please be prepared to discuss this at the next workshop.

Mayor Carpenter announced, following Heyman’s report, that Village Historian, Kristina Saddlemire had joined the meeting via Zoom.

DEPARTMENT AND COMMITTEE REPORTS:

- DEPARTMENT OF PUBLIC WORKS

DPW Supervisor Rob Decker was not able to attend the meeting, so Mayor Carpenter updated the board. Mayor Carpenter announced that the last day to put leaves out without bags was November 15<sup>th</sup> or the first snowfall, whichever is first.

He informed the board that the new hire for the DPW, Aaron Brody started today at the village. DPW assisted Mayor Carpenter and David Roberts (volunteer) in installing the signs along the canal trail.

- **CODE ENFORCEMENT**

Gillman Albert was not present for code enforcement

Trustee LeBaron asked if Mr. Albert could investigate a truck that was parked on North Broadway at the top of Liberty Street. Trustee LeBaron did not believe that this vehicle is registered and has heard several complaints from residents in this area that the vehicle is causing a visual obstruction.

- **FIRE DEPARTMENT**

Mayor Carpenter stated that the board would like to offer condolences to the Zerwick family. The loss of the former chief was felt by everyone in the community.

- **WASTE WATER TREATMENT PLANT**

Charles Sherman was not present to give the wastewater treatment report.

- **HISTORIAN/VISITORS CENTER**

Historian Saddle mire reported on the visitor's center and the inquiries received. She thanked Supervisor Decker for the excellent job on the bathroom renovations.

- **PLANNING BOARD**

Leona Colvin reported for the planning board, she announced that they had held a public hearing concerning the North Broad proposed micro apartments. She stated that the planning board had set a tentative date of November 16<sup>th</sup> to review the transcript for this public hearing. She noted that the planning board was required to vote on this matter within 62 days of the public hearing. She stated that there were some other items on the docket but that she did not believe that the board intended to bring these to a meeting at this point. She mentioned that she felt that there were several instances of changes of use of properties, recently, within the village that were not being addressed. She felt that the building inspector was not bringing these issues to the planning board.

Heyman noted that there was something that she forgot to add to the announcements. She received an e-mail from planning board secretary asking her to place a public notice in the paper to announce a public hearing on October 19<sup>th</sup>. The public hearing was for the following applications to the board; One for construction of a structure at 48 Church Street in the rear of the property bordering Walnut Lane, and the second for property division on Crow Street. Leona Colvin stated that this was the first she had heard of this. Treasurer Heyman stated that she had also received an email from Linda Lloyd that contained her letter of resignation from the planning board.

Trustee LeBaron stated that he felt that the planning board was not using proper procedure in giving sufficient notice for these public hearings. Attorney Klingebiel cautioned that as long

as the chairman of the planning board gives the legally required amount of time to notice the public, the village board does not have jurisdiction over this. He noted that the other matter of enforcement, he did agree that there needed to be more investigation into the matter of whether the businesses are coming to the planning board to apply for a change of business. There was a discussion regarding the need for the planning board to make a recommendation for the village board to appoint another planning board member and two alternates. Mayor Carpenter asked Treasurer Heyman to post an ad in the paper for the vacancies in the planning board.

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

Trustee Drew, water commissioner gave his report on the last meeting of the water board.

Among other topics he reported that Donna Liptak had applied for a water connection on Ferry Street for the proposed home to be built behind her former place of business, “Lippy’s Video” Nick Gadus has requested a water connection on 102 Monument Drive. Nick would like to have a curb box installed before the end of this year. He was advised by the water board that the deadline to add water connections was October 31<sup>st</sup> to avoid exposing water lines to freezing temperatures. The board gave permission for him to use his own contractor but stated that the connection would need to be inspected by the DPW before it could be backfilled.

Various repairs and maintenance to the plant were discussed.

Mayor Carpenter asked Drew to check in with the water clerk to ensure that Pat Grogan will be registered to take his water licensing course which was cancelled due to Covid restrictions earlier this spring.

Drew reported that Chairman Healy continued to have concerns regarding the matter of Mr. Sullivan’s rights to receive water free of charge. Mayor Carpenter asked Drew to please have the letter from Attorney Dixon sent to Mr. Sullivan informing him that he will be billed for water from this point on, as Mayor Carpenter felt that as both the village attorney and the water board attorney agreed that Mr. Sullivan was not eligible for free water services, that this should be sufficient to begin issuing a bill to him.

**PUBLIC COMMENT:**

Lukas asked if the public comment from the previous meeting be amended to state that she was referring to the water billing register and not the regular village billing register. Trustee Drew made the motion to add the word, “water” before the word register to clarify the issue Trustee LeBaron seconded the motion, all in favor.

**OLD BUSINESS:**

A resolution was presented to the board to adopt a tobacco free policy. Mayor Carpenter read the resolution as follows;

**WHEREAS;** The Village of Schuylerville is committed to providing a safe and healthy workplace and promoting the health and wellbeing of its employees. The personal health hazards related to tobacco products, which include but are not limited to, smoking (e.g. cigarettes, pipes, cigars, etc.) and/or using smokeless tobacco (e.g. snuff, chew, etc.) have been well documented. The health hazards related to smoking impact both the smoker and the non-smoker who is

exposed to second-hand smoke. We care about the health of each and every employee, and it is our intent to provide all employees with a work environment conducive to good health. Therefore, employees may not use any form of tobacco, smokeless tobacco, electronic cigarettes or Electronic Nicotine Delivery Systems (ENDS) anywhere at all of our workplaces.

### **SCOPE OF COVERAGE;**

All facilities and grounds, owned, leased or operated by The Village of Schuylerville and all company-owned or company-leased vehicles are designated as tobacco-free areas. The use of tobacco is prohibited on village property at all times, including entryways to our buildings, parking lots, and in employee owned or leased vehicles. There will be designated smoking areas that will be located a minimum of twenty-five feet from any entrance to a village owned building.

This policy applies to the following individuals at all times while on village property;

- Regular employees, whether fulltime or part-time
- Temporary workers, contractors, consultants, interns
- This policy will be clearly communicated to all full and part-employees (including temporary workers, contractors, etc.), prospective employees and visitors to our sites.

### **CONSEQUENCES;**

An initial violation of this tobacco-free workplace policy by an employee will result in a reminder of our policy and an offer of tobacco-cessation support. Subsequent violations will be addressed through disciplinary action as deemed appropriate by the individual's supervisor in accordance with company practices concerning violations of any policy. An initial violation of the policy by temporary workers, contractors, consultants or visitors will result in a reminder of our tobacco-free rule. Subsequent violations will be addressed through formal disciplinary action. In both cases, policy violations that adversely impact workplace safety may result in immediate action. Our concern, first and foremost, is for the health of all of our workers (our own employees as well as any of our temporary workers) and visitors to our sites.

Tobacco-cessation support will be provided to employees (and their dependents who are covered under our health benefit plans) who wish to quit the use of tobacco.

Trustee Colvin made the motion to adopt the tobacco free policy Trustee Drew seconded the motion, all in favor resolution passed.

The process of adopting the zoning that was previously presented to the board several years ago was discussed extensively at the last workshop meeting. Members of the board have all been provided copies of the proposed zoning. The board has decided to move forward with the procedure to adopt the zoning. Mayor Carpenter asked Attorney Klingebiel to find out what the legal requirements were for the board to adopt this plan.

The board voted to purchase the garbage truck. Trustee Colvin made a motion to approve the purchase of the new garbage truck. Trustee Drew seconded the motion. Trustee Colvin made a motion to approve the resolution to form a specific reserve to purchase a new garbage truck in the amount of \$44,953.60 to be used in conjunction with a bond of 100,000.00, Trustee Drew seconded the motion, all in favor, resolution passed.

#### NEW BUSINESS:

Mayor Carpenter brought up the matter of the proposed amendments to certain provisions of the current sidewalk law that Trustee Drew has been working on. He noted that the board members had been provided with copies of these proposed amendments and asked if the board had any questions regarding these amendments. Attorney Klingebiel suggested that the members read and compare to the previous law. Trustee Colvin noted some wording that he felt should be clarified regarding the village contributions to the owner's expenses. The board agreed that this needed to be adjusted.

Mayor Carpenter next addressed the issue of the alleyway between Badger's Cigar Den and the Bullard Block building. The village received two letters from Oscar Everts of Old Schuylerville Ventures. The first stated that the alleyway was in serious disrepair and that they felt that the alley was too narrow for vehicle traffic. He included pictures of the sides of the building depicting scratches made by trucks scraping down the side of the building and of a cable that became detached when a truck scraped it off. Mr. Everts asked if the village could address this issue. Upon consulting the tax map it was determined that the village does not own this alley. Upon receiving this news, Mr. Everts drafted a second letter stating that he would be very happy to close this alley and create a more inviting and safer walkway from the public parking to the stores on Broad Street. Mayor Carpenter stated that, in a phone conversation, Mr Everts committed to installing the signage marking the alley as pedestrian only and barricades to prevent vehicles from entering the area. Mr Everts expressed hope that the village would assist them in this venture. Mr Everts stated that he felt that the application of salt over the years had caused some deterioration of some of the windowsills in the lower portions of his building. Mayor Carpenter expressed that he had discussed possibly helping Old Schuyler Ventures in obtaining a grant for this project, or possibly offering some assistance from the DPW.

Trustee Colvin made the motion to accept the appointment of Darren DeMarco to the planning board. Trustee Drew seconded the motion, all in favor appointment approved.

Trustee Colvin made the motion to approve moving forward with the LED conversion which has been discussed at length at previous meetings, Trustee Drew seconded the motion, all in favor. The cost to convert the entire Village is estimated at \$1,907.07. The estimated energy efficiency incentive for this conversion is \$7,055.00. This will give the village a net gain of approximately \$5,147.93. Additionally, it is estimated that the energy savings per year will be around \$2,160.

The next item for discussion was the matter of the illegally removed sidewalk by KO Motorsports. Building Inspector Albert had issued an order to remedy with a deadline of October 15<sup>th</sup>. Mayor Carpenter stated that he had not seen any changes at the property when he passed by earlier that day. Attorney Klingebiel stated that Dr Ferillo, the owner of the property had attempted to contact him earlier that week and that he would reach out to him.

A resolution was presented to increase the budget for storm sewer personnel A.8140.100 by \$2,000 and to increase the corresponding revenue public works by that same amount. Trustee Colvin made the motion to approve the resolution, Trustee Drew seconded the motion, all in favor resolution approved.

Trustee Drew made the motion to approve the DPW hire, Aaron Brody effective this day. Trustee Colvin seconded the motion, hire approved.

PUBLIC COMMENT:

Wendy Lukas pointed out the there were some instances in the resolution where the document referred to a company, where it should refer to village and hat the word visitor appeared in the section over the paragraph headed as, “consequences” which seemed out of place. Trustee Drew made the motion to correct these items, Trustee Colvin seconded the motion, all in favor, resolution amended. Wendy Lukas complained that she did not believe that the board ever officially accepted the donations of the fountains that were currently installed in the canal. Mayor Carpenter asked for a motion to accept the donation of the two fountains in the canal and the donation of the power that will be provided to one of these. Trustee Colvin made the motion to approve the acceptance of these donations, Trustee Drew seconded the motion, donations approved. Leona Colvin, who had spoken at the last meeting regarding the proposed Zoning asked that it be clarified that the reference to a zoning committee was not correct and that it was a zoning commission, a legally organized commission that is authorized through the village

APPROVAL OF VOUCHERS:

Trustee Colvin made the motion to approve the vouchers for the General fund in the amount of \$52,321.43 and the sewer fund for \$2050.00, Trustee Drew seconded the motion, all in favor, vouchers approved.

EXECUTIVE SESSION:

ADJOURNMENT:

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

Recording Secretary,

Cory Heyman