

**VILLAGE OF VICTORY
VILLAGE BOARD OF TRUSTEES**

MEETING MINUTES

May 10, 2016 7:00pm

Call Meeting to Order
Roll Call

The first item being discussed is the draft resolution for the Saratoga Plan/Land Conservancy. Attending the meeting to discuss the issue was Jaime O'Neill, Saratoga County Planning Board. Jaime stated she had hoped that Clerk Lewsey had provided the resolution maps she had emailed her to the Village Board. Yes, she had. The property being discussed at this time is owned by Fred (Fritz) and Ruth Drumm and is not the family residence. NYS Agricultural and Markets provides a grant awards for farmland protection. Saratoga Plan is asking the Village Board to support, the application and the endorsement is required in order to send in the grant request. The Town of Saratoga has supported this on behalf of Ruth Drumm. Obviously with Fritz missing, Ruth has been named temporary administrative agent from County Court. If awarded, 50% would have to be set aside for Fritz. This is not the first time the Drumm's have applied and it not always awarded the first time around. Jamie then asked what questions the Village Board has for her. Mayor Dewey asked if there was any way to subdivide the Village of Victory property off of the farmland in town. Jaime responded the Drumm's reapplied in the fall to adjust property boundary lines in the Town. Agriculture and Markets look at the farm as a whole. They realized not much agriculture value is with Village of Victory property. They used various maps including soil maps for reference. Mayor Dewey then stated that if the Village Board granted the application the property could never be developed, or improved, and he is concerned as the Village already has lost woods and losing more land (the Battle Monument, Evans Street, Hydro Mill properties on Route 32). So Mayor Dewey commented he doesn't how the application should apply to the property in the Village. Mayor Dewey stated currently there are three buildable lots with one roadway on Cemetery Road and "forever" is a long time. Jaime said Ruth may never sell so it may never be developed. Mayor Dewey then said he can't support saddling future boards with no development. Trustee Sullivan repeated there are three lots and one roadway. Jaime then stated they had to file for the entire farm. Mayor Dewey stated that it is up to the board, but he can't support it. Village resident, Tom Drew asked if Ruth doesn't want it to get developed, how much money would she get? Jaime said an appraisal had to be done and there is a lot of work. She could get between \$2800 - \$4500/acre. Tom Drew then asked "the grant allows and is taking all farmlands?" Jaime responded the Koval brothers use the Drumm lands but in the future if purchased could build. Trustee Sullivan than asked if the Drumm could build on the property? Jaime responded yes, and explained building rights. Jaime stated that the application would request \$4500/acre for 171.5 acres. Mayor Dewey then said he isn't sure how he feels about this as he doesn't want future restricted lands. Jaime said it may never be sold or developed. Trustee Sullivan then said well, never if it gets supported. He then asked why the Village Board got this resolution the day before. Jaime said just last Tuesday's meeting with Agriculture and Markets it got county approval. She then brought to our attention. Mayor Dewey then asked if it is not passed, could Ruth reapply. Jamie responded, yes in 2018 as funding does run out. **A motion to deny the resolution for endorsement of a conservation easement for the Drumm Farm was made by Mayor Dewey and seconded by Trustee Sullivan. All in favor – aye. Motion passed.**

The following are minutes of the regular monthly meeting:

Approval of Minutes:

- Minutes – April 12, 2016 - Monthly Meeting. **A motion was made by Mayor Dewey and seconded by Trustee Sullivan to approve the minutes of the April 12, 2016 meeting as submitted. All in favor – aye. Motion passed.**

Village Board Correspondence or Announcements:

- **ZBA Meeting:** May meeting not yet scheduled
- **Planning Meeting:** May 17, 2016 at 6:30pm, if needed
- **Schuylerville/Victory Water Board Meeting:** May 16, 2016 at 7:00pm in Victory
- **NYS Department of Public Service:** NYS Public Service Commission is developing a process to consider a Clean Energy Program and mandates that by 2030 half of electricity used in the State will come from renewable resources as solar, wind and hydro. Information sessions have been scheduled for May 17, 2016 in our area; 2pm at Colonie Town Hall or 6pm at Albany Law School.
- **Correspondence:** A note was received from Helene Baker regarding office closure Friday April 29, 2016 was read. **There were no comments from the board.**
- **NYS OSC Capital Planning Webinar:** May 25, 2016 11am-12pm

Monthly Reports:

All reports are read as presented and are as follows;

A. DPW REPORT

- Working Supervisor Bill Lloyd provides written report

B. SEWER DEPARTMENT:

- Included with DPW report. In the report, it was noted that Action Septic pulled the grinder pump core from 108 Monument Drive and pumped out the tank. Trustee Sullivan stated to be sure to bill the homeowner. Clerk Lewsey confirmed that the homeowner had already been billed.

C. CODE ENFORCEMENT OFFICER REPORT

- CEO Report from Larry Wolcott. In regard to the 38 Schuyler Heights Drive issue, Village attorney, Mike Catalfimo hopes the DA gets back to him with approval to prosecute in court. As for the building collapse issue, Attorney Catalfimo will write a letter, and will need an engineering assessment, then will invite parties to a meeting officially condemning the building. The costs would be out of pocket, and would take years to get and the County would reserve rights not to reimburse. Mayor Dewey stated we should enforce the unsafe structure law. Trustee Sullivan commented he doesn't know of any other route the village could take. Mayor Dewey then said in order to give direction to Attorney Catalfimo will need the Village Board's decision. CEO Wolcott said that according to law, a fine could be imposed. Mayor Dewey said we need to prove who owns the property. We have options, prosecute in town court, however the Village doesn't get fine. Mayor Dewey then stated we need to check into Local Law #3 of 1978. For the OTR that was already sent, 30 days, what date is it up to? **A motion was made to draft a letter to prosecute, amend the budget to allow expenditure (as it is considered outside Attorney Catalfimo's retainer and will be expensive) was made by Mayor Dewey and seconded by Trustee Sullivan. All in favor – aye. Motion passed.** There is a risk of not getting reimbursed, as this is not definite. The ownership is under question, as that is who would be responsible. CEO Wolcott asked if he should send a notice or letter. One way or another, something needs to be done.

D. FIRE DEPARTMENT REPORT

- Fire Dept. Report from Chief Wolcott. He also noted pizza night, 5/21/16 to the report.

E. WATER DEPARTMENT REPORT

- Draft minutes from April 18, 2016 meeting. Mayor Dewey asked if the Village Board could have a clearer description of roles individuals play, i.e. who does shut offs and valve work. Clerk Lewsey also requested notification of water work being performed (for example hydrant work).
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F. VILLAGE TREASURER'S REPORT

- Monthly report ending April 30, 2016 was read and will remain on file.

G. PLANNING BOARD REPORT

- Chairman Pete Healy-no meeting/no report

H. ZONING BOARD OF APPEALS REPORT

- Chairperson Jaime O'Neill-no meeting/no report

I. HOME/CDBG Grant:

- Jim Thatcher, CT Male submits report through April 2016, which was not read, but, is available and on file.
- Conference call was held today to discuss benchmarks and extension request (CDBG). We need to write a letter regarding an extension request to 8/31/16. We have two new projects, one partial to do and outline the funding remaining.
- Two payment drawdowns have been submitted/awaiting review and signature by Trustees.

OLD BUSINESS:

A. **Litigation: Sewer Manhole and Flow Meter Issues**

- Court Date: Friday, May 13, 2016

B. **Public Health Officer Appointment**

- Dr. Somoza is not available due to her schedule. Mayor Dewey will reach out to the Town tomorrow,

C. **Mobile Home Park License Renewals.** CEO Wolcott will be sending something to Clerk Lewsey as the park is all set and the license will be mailed. As for Cherven, we can't issue a renewal due to outstanding OTRs.

D. **Mill Redevelopment/Riverview Realty.** Trustee Sullivan met privately with Uri Kauffman today. The original project is out due to financing turn downs and PILOT not adequate. He is presently looking into Workforce Housing Project which is "publicly subsidized State funded" status and privately owned 98 units: 59 Workforce (rent set by the State) and the balance units would be market value. Trustee Sullivan asked what sources of income qualifies and if he doesn't rent, he will lower the rents to get them filled. Uri is working on a market study which should be done in 1 to 1 ½ months. Mayor Dewey stated it is not Section 8 Housing, it is 60% of the annual median income (i.e., \$35k or \$50k for a family of four). He also stated he is not lending support yet. As an example Mayor Dewey checked into the starting salary for a Schuylerville High School teacher is \$37k. Uri will get subsidy in form of tax credits and can sell to a bank or finance institution. Trustee Sullivan said if the project fails, the loss is divided between all parties. Mayor Dewey stated there are lots of moving parts with this project and we need to get all this in writing. We need to get all the facts before making any decisions. Trustee Sullivan speculated this is not low income housing but there are three different levels of income: extreme low, very low (30-50% of annual median income), and "workforce" (60%). He asked Uri if this is low income housing, to which Uri responded yes. This is the first one of this kind he has done. Mayor Dewey said he is not even sure if this is a project. Trustee Sullivan requested Mayor Dewey forward emails he has sent to Uri, as he needs to know if Attorney Catalfimo knows about it.

E. **Salt Shed/Grant with Town of Saratoga.** Mayor Dewey asked for more information and no information has been received.

New BUSINESS:

A. **RESOLUTION: Budget Amendment FY 2016.2017/Summary Page.** A motion was made by Trustee Healy and seconded by Mayor Dewey to approve the Resolution dated May 10, 2016 to correct the summary page as the total for Public Safety did not populate properly and a correction was made to the appropriation column from \$399,448.50 to \$411,687.50 and to less expended balance column from \$720 (excess tax levy) to \$12,959.00 (this will not affect the revenue side of the budget or amount of the tax levy). All in favor – aye. Motion passed.

- B. RESOLUTION: Budget Amendment FY2015.2016/Sewer Fund Transfer.** A motion was made by Trustee Healy and seconded by Mayor Dewey to approve the Resolution dated May 10, 2016 to amend the sewer budget as follows: \$8174.00 from appropriation G8120.2 Sanitary Sewer Equipment and transferred as follows: \$1,500.00 to G8110.1 Administration salary, \$3948.00 G8120.4 Sanitary Sewers Contractual, \$2000.00 to G9501.9 Transfer to Debt Service, and \$726 to G9030.8 Social Security for a grand total of \$8,174.00. All in favor – aye. Motion passed.
- C. RESOLUTION: Saratoga Plan/Land Conservancy**
- Draft resolution and maps provided by Saratoga Plan
Presentation by Jaime O’Neill, Planner, SCPB. **As noted earlier in the meeting, a motion was made to deny the resolution for endorsement of a conservation easement for the Drumm Farm by Mayor Dewey and seconded by Trustee Sullivan. All were in favor and the motion was passed.**
- D. CONTRACT/AGREEMENT TURNING POINT PARADE**
- Parade scheduled August 7th starting at 1:00pm
 - Participation form request by July 15, 2016
A motion was made by Trustee Healy and seconded by Mayor Dewey to sign the agreement and enter into contract with the Turning Point Parade Committee whereby activities and the promotion of history for the residents of the Village of Victory with activities to include the scheduling of the TPP to be held in August 2016. The TPPC agrees to provide banners, staff and a lineup of other activities during the parade and thereafter in August 2016. The Village of Victory agrees to pay for services rendered in the sum of \$300.00. All in favor – 2 aye (Mayor Dewey and Trustee Healy), 1 nay – (Trustee Sullivan). Motion passed.
 - Trustee Healy tabled the discussion on the actual participation until next month’s meeting.
- E. CDBG Application Availability Determination/15 Jay Street**
- Memo Provided May 4, 2016 to the Village Board. Village Board Decision required
There was a brief discussion on the 15 Jay Street application/determination and it was determined that the Village Board felt they were at risk due to the co-owner benefits situation. **A motion was made by Mayor Dewey and seconded by Trustee Healy to deny acceptance of the application availability. All in favor – aye. Motion passed. CT Male to send letter to homeowner.**

Open Floor: Village resident Tom Drew asked what about the CDBG grant? Mayor Dewey stated it must be done by August. His scope of work has been sent to the Review Committee first, then to the Board. He then asked who is on the Review Committee.

Audit Claims:

- Abstract # 12 – MAY 2016
 - General Fund \$ 11,705.97
 - Sewer Fund \$ 28,480.78**A motion was made to approve Abstract #12 was made by Trustee Sullivan and seconded by Mayor Dewey. All in favor –aye. Motion passed.**

Executive Session: None.

UPCOMING VILLAGE BOARD MEETINGS:

- Monthly Meeting
 - June 14, 2016 7:00pm
 - Schedule Year End Meeting
 - May 26, 2016 7:00pm
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ADJOURNMENT: A motion was made by Trustee Sullivan and seconded by Mayor Dewey to adjourn the meeting. All in favor – aye. Motion passed.

Respectfully submitted,

JoAnn Bielikiewicz

Recording Secretary
