

**VILLAGE OF VICTORY
VILLAGE BOARD OF TRUSTEES**

JUNE 13, 2017 7:00pm

MONTHLY MEETING MINUTES

Call Monthly Meeting to Order

Approval of Minutes:

- Minutes – May 9, 2017 - Monthly Meeting
- Minutes – May 31, 2017 – Special Meeting/Fiscal Year End Meeting

A motion was made by Mayor Dewey and seconded by Trustee Healy to approve the minutes of the monthly meeting of May 9, 2017 and the special meeting of May 31, 2017 for the fiscal year end meeting. All in favor – aye. Motion passed.

Village Board Correspondence or Announcements:

- **ZBA Meeting:** June 21, 2017 Public Hearing held at 6:35pm/Regular Meeting to follow.
- **Planning Meeting:** June 20, 2017 at 6:30pm
- **Schuylerville/Victory Water Board Meeting:** June 19, 2017 at 7:00pm in Victory
- **USDA Rural Development:** Information was received on applying for grants to support the development of rural community facilities.
- **CDPHP:** Notification of rate change March 2018.
- **Selective Insurance:** Notice of change in policy terms/summary of policy changes provided.

Monthly Reports:

All reports are read as presented and are as follows;

A. DPW REPORT

- Working Supervisor Bill Lloyd provides written report. **Mayor Dewey stated that sometime next week he will assist with the post hole digging for the installation of the kiosks.**

B. SEWER DEPARTMENT:

- Included with DPW report
- Rebuilt sewer pump was picked up from Emericks Associates
Trustee Healy asked the status of the village grinder pumps. DPW Lloyd responded the village had eight, used one as the housing was shot, leaving seven on the shelf.

C. CODE ENFORCEMENT OFFICER REPORT

- Larry Wolcott submits report later this week (absent for meeting)
- Trustee Sullivan inquired about Order to Remedy/Investigation Report he completed two months ago but hasn't heard anything yet. Mayor Dewey stated he will catchup with CEO Wolcott later on this matter.

D. FIRE DEPARTMENT REPORT

- Fire Department report by Chief Wolcott to be sent later this week (absent from meeting)
- Reserve Account Discussion

E. WATER DEPARTMENT REPORT

- Draft minutes from May 15, 2017 meeting

F. VILLAGE TREASURER'S REPORT

- Monthly report ending May 31, 2017 was read and will remain on file.

G. PLANNING BOARD REPORT

- Chairman Corey Helwig – no report submitted.

H. ZONING BOARD OF APPEALS REPORT

- Chairperson Jaime O'Neill-provides report for April and May meetings
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I. GENERAL SCHUYLER EMS

J.R. Hanna provided a report for the month of May. This included 79 calls of which 71 were from the Rt. 29 station, 7 from Wilton and 1 mutual aid call for a consolidated total volume of 266 total calls for the month of May. They have had a blood drive, met with the Quaker Springs group, the Seniors Group and covered 3 regattas at Saratoga Lake. The only thing they have going on this month is the Take Back Day, June 24, 2017 between the hours of 12 and 3pm at the Schuylerville Station for unused meds. The Sheriff's staff will be there and there is no charge for this service. The EMS has a new logo and the merger is progressing and is scheduled for some time in September or October. Trustee Sullivan asked Mr. Hanna about the availability of financial reports in the future. Mr. Hanna's response was they do not typically do that. Trustee Sullivan also stated he would like to see the reason for the merger. Mr. Hanna said they will speak to both boards and get back to us. Trustee Sullivan stated he appreciated Mr. Hanna coming to our board meeting and informing us what is going on, but would also like financial information provided. Mr. Hanna did admit that there was lack of communication in the past. Trustee Sullivan asked if they ever sold the ambulance. Mr. Hanna responded, yes, they received \$15,000. They were hoping for \$25,000 to which the money will go back into other ambulance costs.

OLD BUSINESS:

- A. **Litigation:** Ongoing Sewer Manhole and Flow Meter Issues with Village of Schuylerville. Mayor Dewey stated that Schuylerville Mayor, Dan Carpenter, was supposed to meet with his village board and decide when to meet, but he has not gotten back to him.
- B. **Mill Redevelopment/Riverview Realty**
- Demolition/Building #8 status. Mayor Dewey stated he would forward him an email he had received regarding getting a piece of equipment in July. Trustee Sullivan asked about the court order and the Judge determined Riverview's responsibility, but the village has not actually seen the court order. Mayor Dewey noted that the village has an outstanding OTR to take the building down as Mr. Kaufman has taken responsibility. Trustee Sullivan said he would like to know what the time period is for taking care of the demolition. Mr. Kaufman was supposed to have someone lined up to do this. Trustee Sullivan asked if there was timeline noted in the court order. Trustee Healy said that the court order was only for ownership only between Mr. Kaufman and ENEL. Mayor Dewey stated he will forward the email on Thursday as he is away on Wednesday. Trustee Sullivan requested the village keep on top of this.
- C. **DPW Truck**
- Final Bid Documents Received/Out to Bid
 - Bid Due Date: July 10, 2017 by 5:00pm
 - Bid Opening: July 11, 2017 at 7:00pm
- A motion was made by Mayor Dewey and seconded by Trustee Healy to move forward and put out the bids for the new DPW truck. All in favor: 2-1 in favor, Trustee Sullivan abstained. Motion passed.**
- D. **Proposed Local Law on Fee Schedule**
- Update: Table A Fee Schedule has been provided to the Village Attorney updating any fees etc
 - Request by Village Attorney to receive copies of local laws and ordinances. Request was completed last week and the draft local law will be sent in the near future for village board review. This item is pending.

New BUSINESS:

- A. **Turning Point Parade Committee:** 23rd annual parade scheduled for Sunday, August 6, 2017
- Response Form on Parade Participation deadline is July 15, 2016. Trustee Healy stated he will be decorating the float again this year and requested Mayor Dewey's assistance pulling the 24' trailer with his truck.
- B. **LA Group/Tracey Clothier**
- Scheduled for July meeting to discuss grant application due in September 2017.
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- C. **Sidewalks: 7 Horicon Avenue/**Work has commenced on the site for a new foundation and the sidewalk has been covered by the new resident. Owner informed the village office about this but added he would be replacing them when finished. No other information was received at this time as to when that would happen. Trustee Sullivan stated Mr. Roberts has buried the entire width of the sidewalk and placed cones, which makes people walk on the highway and feels this is a clear violation of the local law. Trustee Sullivan said this is not the first or second time this type of action has taken place, and this is a problem. It appears that the property owner does what he wishes. Mayor Dewey asked Trustee Sullivan if he had submitted a written complaint and Trustee Sullivan responded he was going to do so, but Village Clerk Lewsey suggested discussing the matter at the village meeting first. Trustee Sullivan also stated that common sense tells you that Mr. Roberts won't replace the sidewalk until his project is over. Trustee Sullivan said he will be in tomorrow morning to sign the complaint form. Mayor Dewey said that he will speak with CEO Wolcott or Mr. Roberts regarding a timeline on this issue. Trustee Sullivan then asked about the Mitchell property on Gates Avenue and if we are aware of what his plans are. Mayor Dewey said he will speak to Mr. Mitchell about the village sidewalk plans.
- D. **Approve Reorder of Solid Waste Disposal Stickers: Quote \$770.00** (\$734.00 + approx. \$25.00 shipping). **A motion was made by Mayor Dewey and seconded by Trustee Healy to approve the reorder of solid waste disposal stickers in the amount of \$770.00. All in favor – aye. Motion passed.**
- E. **Office Copier:** Quote: \$3,500.00 for black and white copying and electronic sorting and collating
- Other quotes pending. It was noted that the biggest user of this copier would be the Water Department which would amount to about 90% of the copying. The costs for toner and paper, etc. are currently being shared between the village and water department. Trustee Healy asked about the scanning availability. Mayor Dewey feels it would be more appropriate for the village to purchase the copier as it may be complicated later if water goes to Schuylerville, that way the copier stays in Victory. Trustee Sullivan noted that under the current agreement with SV/BOWM the monthly \$500 administrative fee goes toward such costs the use of office equipment, rent and phones. Trustee Healy asked if this copier has the capability of scanning. The Village Clerk responded it could, but that would increase the cost of the copier, but she said she would look into the additional costs. Mayor Dewey said that if it is not a big additional expense, it may be worth us adding the scanner to the cost.
- F. **RESOLUTION: Tax Warrant Fiscal Year 2017.2018 \$239,133.77. A motion was made by Trustee Healy and seconded by Mayor Dewey to approve the resolution for Tax Warrant for Fiscal Year 2017-2018 in the amount of \$239,133.77 which includes Real Property Taxes of \$185,510.16, Re-levied Water Rent of \$25,595.33 and Re-levied Sewer Rent of \$28,028.28 for the grant total of \$239,133.77. All in favor – aye. Motion passed.**

Open Floor: Mayor Dewey asked everyone if they saw the email today regarding the “Monument Lake”. Trustee Healy said he wanted to talk about that email. A lively discussion followed and the following are highlights of that discussion. Trustee Healy stated he would like to make a motion to write a letter to the Water Board requesting them to investigate this issue as there is obviously a leak. Trustee Sullivan said it is not a leak. Resident Tim Fort said it is a water leak, as one of the on-site test showed chlorine and magnesium in the water. Trustee Sullivan stated samples were sent out to a professional lab and they used special equipment more accurate. Trustee Sullivan said that report came back and asked Mr. Fort if he saw that report. Mr. Fort said that 1M gallons of water were pumped from the “lake.” Mayor Dewey stated from the pictures he saw, from when it was pumped out, the very next morning it was filled up again with no rain. Mr. Fort asked why the area filled up the very next day after the pumping. Trustee Sullivan said it is because the ground is so saturated. Mr. Fort said that that area has never had that problem like this before. Mayor Dewey said that he has spoken to people from the County and if you take the leak out of the equation, not matter what you look at there is a pond that requires drainage. There has been a ponding for the past 30, or so, years and obviously the past two have been worse. Mayor Dewey has reached out to some individuals because the Park Service is there if pumping is needed, but not willing to help with any financing or with getting anything else done. Mayor Dewey has also spoken to John Hayes, Cemetery Association, about putting a catch basin across Cemetery Road toward Burgoyne Road for drainage and Mr. Hayes was going to check with property owner Ruth Drumm, Burgoyne Road about the possibility of using her property with this process. Trustee Sullivan stated there has been a water problem since 2002 when they put the parking lot in per Joe Finan, past Superintendent and Facility

Manager from the Park Service, and at that time there was a drain there. Mayor Dewey responded that according to the County says no, there wasn't. Trustee Sullivan said, Joe Finan admitted it to Bill Peck. Mayor Dewey responded that if Joe Finan says yes, there was a drain, have him put it in writing and show us where it is. Mr. Fort said there is a drain to which Trustee Sullivan said when the Park Service went to take care of a drain, the county said they couldn't so the Park Service put a drain in from the middle of the parking lot back into the low spot to keep the water off their parking lot. Mayor Dewey stated he has spoken to Steve Bulger, Saratoga County Republican Office, and Mr. Bulger has contacted our local Representative Elise Stefanik's office, as this is a National Monument and they should come in and take care of it. The Town, Saratoga County, and Village should all put our heads together and figure this out. Ms. Stefanik is supposed to contact Mayor Dewey to try to get all involved to do something. Mayor Dewey again said the idea of draining across Cemetery Road to disperse to the stream in the next couple of weeks. EMS representative, Mr. Hanna, asked if this a water leak would restrict water pressure to hydrants. Mayor Dewey responded there isn't a water pressure problem, as the hydrants are presently at 17lbs not 30lbs. We can argue about a water leak for the rest of our lives, but right now we need to get the drainage problem resolved. Trustee Sullivan commented that the pumping rates at the two plants show no increase of water being pumped (per DCK), because if it did, it would mean there was a leak. Again Ms. Stefanik's office should be reaching out to the Town, etc., When Ms. Stefanik contacts the Park Service they may listen. When the Park Service sent out the email, John Hayes was even listed as a contact. Trustee Sullivan noted that when the Park Service built and put in the bathrooms they didn't even get a permit to do so. When they put in the stone sign, once again, no permit, they even moved the stop sign as Trustee Sullivan had expressed concern that you can't see traffic where the stone sign is placed. Joe Finan had told Trustee Sullivan that the Park Service don't have to get permits. The result was that the County moved the stop sign. Trustee Sullivan referenced the recent leak on Pine Street, when nothing surfaced, and if there was a water main leak, there would have been water all around. Trustee Sullivan stated everyone wants the Water Board to take care of the problem. He then asked what would the board suggest be done. Mayor Dewey asked what it take to dig up the curb box. Trustee Sullivan noted that the curb box is on the other side of the road. DCK has done everything they can to detect a water leak and they have come up with zero. Trustee Healy said that the Water Board is the governing board and should continue to look into the problem and not just sit by and do nothing. Mayor Dewey once again said let's get the drainage taken care of first, pump out the area, wait 5 days (and as long as there is no rain) and see what happens then. Trustee Sullivan noted this is the wettest spring on record. Mayor Dewey stated he has not heard any comment on the chlorine test that was done. Mr. Fort asked about the magnesium. Trustee Sullivan said we treat to remove magnesium and iron from the water in the Victory plant. Mayor Dewey added that iron and magnesium don't evaporate. Trustee Sullivan asked what happens if you dig up the road and expose the water main and find no water leak, what then. Mayor Dewey asked what it would cost to dig up the curb box, maybe a couple of hours. After that possibly put a drain in there. Both Mayor Dewey and Mr. Fort agreed that there is a drainage problem that needs to be rectified. Trustee Sullivan reminded everyone that the NPS last summer pumped out the area using Dale Cox. Trustee Healy also stated that the NPS did it more than once. Mr. Fort noted that the neighbor across the street has water and sand in her cellar. DCK was supposed to go to that house and check the water in the cellar. Mayor Dewey said that John Hayes was supposed to talk with Ruth Drumm for an easement to be done in order to go through property, but that is a Town issue not a Victory one. Mr. Fort noted that Mr. Hayes had called Tom Wood, Town Supervisor, and he wanted nothing to do with it. Mayor Dewey also noted that Saratoga County used ground penetrating radar up Burgoyne Road to check for a drain and found nothing, so where could the drain have been. Trustee Sullivan again stated that per Joe Finan, there was a drain, but is pointing the finger at the Water Board. We had a meeting with all the higher ups, and as of now, there has been no follow-up. Trustee Sullivan inquired as to if there was a legal lease agreement between the Park Service and the Cemetery Association as he would like to see it. Trustee Sullivan finally asked if everyone had read the email from Bill Peck a couple of months ago, basically stating there has been a drainage problem for a number of years and that the NPS and Cemetery Association should hire an engineer and get this problem taken care of.

Village resident, Leslie Dennison inquired about the change in the process for filing complaints regarding 21 Pond Street. Mayor Dewey explained the process and said if OTR is not complied with the owner can be taken to criminal court, and the village would have to have more money for legal costs to be able to take them to court. She also asked about 28 Gates Avenue. Mayor Dewey explained that the property was sold for taxes, and OTR was sent to the new owner on record, but came back undeliverable. Presently the OTR needs to somehow be delivered to the new owner

and the Village is trying to get a proper address to do so. Mayor Dewey also had briefly spoken to the new owner at a benefit and was told that there would be dumpster there this week. Trustee Sullivan asked why the Village doesn't start condemnation proceedings and tear down the house. It was noted that right now it is just posted. Mayor Dewey said he could contact Village Attorney, Mike Catalfimo and check on the procedures for condemnation. Ms. Dennison suggested a health officer may need to be involved.

Audit Claims:

- Abstract # 1 – JUNE 2017
 - General Fund \$ 8,433.38
 - Sewer Fund \$ 1,388.88

A motion was made Mayor Dewey and seconded by Trustee Healy to approve abstract #1 for June 2017 as submitted. All in favor – aye. Motion passed.

Executive Session:

UPCOMING VILLAGE BOARD MEETINGS:

- Next Monthly Meeting:
 - Truck Bid Opening – July 11, 2017 7:00pm
 - 2nd Tuesday, JULY 11, 2017 - Regular Meeting to follow Bid Opening

Adjournment: A motion was made by Mayor Dewey and seconded by Trustee Healy to adjourn the meeting. All in favor – aye. Motion passed.

Respectfully Submitted,

JoAnn Bielikiewicz

Recording Secretary
