

**VILLAGE OF VICTORY  
VILLAGE BOARD OF TRUSTEES  
MONTHLY MEETING MINUTES  
~ September 14, 2021 ~**

**PUBLIC HEARING – 7:00pm**

**PROPOSED LOCAL LAW NO. 1 OF 2021**

**ENTITLED “VILLAGE OF VICTORY CANNABIS OPT-OUT LOCAL LAW”**

**Open Public Hearing**

**Mayor Dewey made a motion to open the public hearing with Trustee Leslie Dennison seconded the motion. Vote: 3-0, all yes. Motion Passed. Public Hearing Open.**

**Public Comments**

There was village department heads and two village residents in attendance.

Larry Wolcott, Pine Street: asked why the village was opting out (on the cannabis retail sales). Mayor Dewey replied that it didn't make sense to have marijuana distribution/sales in the village to him.

There were no other comments.

**Close Public Hearing**

**Mayor Dewey made a motion to close the public hearing with Trustee Leslie Dennison seconded the motion. Vote: 3-0, all yes. Motion Passed. Public Hearing Closed.**

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**CALL MONTHLY MEETING TO ORDER**

Deputy Mayor Tim Healy called the meeting to order and led the pledge of allegiance.

**Roll Call:**

Mayor Patrick Dewey, Trustees Tim Healy and Leslie Dennison and Village Clerk Treasurer Maureen Lewsey. Also in attendance; department heads; DPW/Fire Chief Ryan Campbell, CEO Larry Wolcott and two village residents.

**APPROVAL OF MINUTES:**

- Minutes – Monthly Meeting – August 10, 2021

**Trustee Dennison made a motion to approve the August 10, 2021 monthly meeting minutes as presented with Mayor Dewey seconded the motion. Vote 3-0, all ayes. Motion passed; minutes approved.**

- Minutes – Special Meeting – August 31, 2021/pending

**VILLAGE BOARD ANNOUNCEMENTS OR CORRESPONDENCES:**

- Zoning Board of Appeals Meeting: No meeting in September 2021
- Planning Meeting: No meeting in September 2021
- Schuylerville/Victory Water Board Meeting: September 20, 2021 at 7:00pm in Victory
- Kruger Energy/KEI Power Management Inc.: provides notice about a Federal Energy Regulatory Commission inspection for the licensing process and its approval. A site inspection was held on August 24, 2021 for the Battenkill Hydro.
- Shelters of Saratoga: announces program for emergency rental assistance. For more information – [www.sheltersofsaratoga.org](http://www.sheltersofsaratoga.org) or call (518) 602-3004.

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- NYS Empire State Development: provides information for small business recovery grant program for businesses who began operation on or before March 1, 2019. For more information, visit – [nysmallbusinessrecovery.com](http://nysmallbusinessrecovery.com)
- NYS Department of Public Service: National Telephone Discount Lifeline Awareness Week 9/13-9/17/21. For information AskPSC.com go to the Lifeline page.

#### MONTHLY REPORTS:

All reports are read as presented and highlighted as follows:

##### A. CODE ENFORCEMENT OFFICER REPORT

- CEO Larry Wolcott provides verbal report:  
29 Burgoyne Street – Issued a building permit for roofing.

28 Gates Avenue - Discussion on property renovation with the new owners. CEO Wolcott met on site and is requiring the property maintenance be brought to code before any building permit will be issued for the renovation. The building has been gutted but cannot be restored until the lawn and debris is taken care of.

Schuyler Heights Drive – A meeting was held with Mayor Dewey, DPW Campbell and the owner of the vacant property. An engineering report was requested by Mayor Dewey since clearing and removal of the land created stormwater and run off issues. CEO sent a letter to the property owner to stop work and they requested this meeting to further discuss. Mayor Dewey stated the engineering report and CEO letter was reviewed and discussed with the owner before the stop work order would be lifted. It was also noted concerns of the village water main runs through this property and does not appear to have an easement on file in the event of water repair etc. CEO confirmed his letter supported further action as suggested by the engineering report prepared by Longtin Engineering.

##### B. DPW/SEWER/WATER DEPARTMENT REPORT

- Provisional Working Supervisor Ryan Campbell provides report  
Deputy Mayor Healy read the report as received. There was no new business for the water and or sewer departments.

Mayor Dewey asked about sidewalk costs charged to Curtis Lumber and if those charges were for the village or for the contractor. Campbell said it was items that will be used for DPW.

Mayor Dewey also noted two roofing contractors; Pinnacle and Ultimate Roofing that can be contacted for looking at the village hall roof repairs.

Also asked about the delivery of the chains for the trucks. Campbell said they were in. Logan Steele has been hired as the permanent part time dpw MEO. He is working out ok Campbell notes.

As a follow up on training on plowing; Campbell replied that he has literature from Saratoga County that is basic but Mayor Dewey wants a training record and requested Campbell set that up.

##### C. FIRE DEPARTMENT REPORT

- Chief Ryan Campbell provides report  
Deputy Mayor Healy read the report as received.

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Firehouse Committee: Campbell talked to the committee and has asked if Mayor Dewey will be available this Thursday at 6pm. Dewey replied he is available and will attend the meeting.

Trustee Dennison inquired about Narcan and if the fire department can have access and or training in order to have this on hand. She stated there is a huge need. Campbell replied it was attempted before and it only consists of the nasal shot. He will look into it again. Individuals can take the class and have it available.

**D. WATER DEPARTMENT**

- Draft minutes from the August 16, 2021 monthly meeting was received.

**E. VILLAGE TREASURER'S REPORT**

- Monthly report ending August 31, 2021

**F. PLANNING BOARD REPORT**

- No meeting/no report

**G. ZONING BOARD OF APPEALS REPORT**

- No meeting/no report

**OLD BUSINESS:**

- A. Discuss Letter sent to property owner – 54/56 Gates Avenue: This issue will be addressed in Executive Session.

**NEW BUSINESS:**

- A. Adopt Cannabis Local Law – Opting Out of Retail Sales: **Mayor Dewey made a motion to adopt Local Law No. 1 of 2021 entitled “Village of Victory Cannabis Opt-Out Local Law” with Trustee Dennison seconded the motion. Vote: 3-0, all ayes. Motion Passed.**
- B. Sidewalk Project was completed on Gates Avenue and Bridge Street: The sidewalk project for this year was completed and the paving project will begin mid-September for Bridge Street and part of Cemetery Road.
- C. Resolution: Budget Amendment/Sidewalk Project \$12,777.50: **Trustee Healy made a motion to approve the resolution to amend the general fund budget for the sidewalk costs to date in the amount of \$12,777.50 with Mayor Dewey seconded the motion. Vote: 3-0, all ayes. Motion Passed.**
- D. Discuss Fence Quote approved last month for Siege Trail
  - a. Last month AFSCO Fence was approved \$6,746.00 but had 6-month delay
  - b. New Quote from 2<sup>nd</sup> bidder, Access Anvil Corp. \$6,027.00Discuss the reason why the fence still has not been repaired. Apparently AFSCO Fence is not able to schedule the repair for at least six months. Dave Roberts received an updated quote from Anvil Corporation and was looking for approval. **Mayor Dewey made a motion to rescind the previous motion to approve the fence repair in the Siege Trail in the amount of \$6,746.00 from last month with Trustee Dennison. Vote: 3-0. All ayes, motion passed.**

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Mayor Dewey noted that there is approximately \$5,000 in the village grant account to pay for the fence repair. Dewey requested the funds that the Chamber of Commerce received as a donation from Stewarts be transferred to the village.

Roberts stated that first the job is going to be started tomorrow, as he approved (and signed) the contract. Mayor Dewey discussed the fiduciary responsibility of the village board and that he can't sign a contract and commit the village. That would be the roll of the village board. Roberts replied they are doing it as a favor to him and he didn't want to lose out on that. Dewey brought up the village's procurement policy and explained decisions have to be made at the village board meeting. Roberts stated this couldn't wait and he is providing his time for in-kind services to be used for the county grant. Dewey said the money should be in the village account and Roberts replied he has the checkbook and the village isn't getting it. There was no further discussion currently on this matter.

Roberts also noted that he has met with the consultant last Friday on several items that will be produced as far as marking the trail and mapping. The overall trail is not the Siege Trail, was named the Victory Loop Trail and is now the Victory Trail. There will be a name branding and signage to support the outreach of the improvements. A draft map has been done and will be preparing a formal map once discussion has been finalized. The loop is a total of 3.2 miles. The trail off Evans Street is adjacent to Brookfield Power and access needs preapproval in order to connect the trail system. The issue of crosswalks was raised by Mayor Dewey stating it was committed to be done years ago but still hasn't been completed. The entrance off Route 4 is overgrown and not accessible without crossing the highway and a crosswalk for safety is needed. Roberts replied that is one item being addressed in finding who regulates, when are they mandated and who is responsible (for paying for them).

Mayor Dewey will talk to Town Supervisor Don Ormsby on mowing now that the fence was repaired. Maintenance is not being done and was agreed to be done by the Town Highway Department.

**Mayor Dewey made a motion to approve the fence contract in the amount of \$6,027.00 to Access Anvil Corporation with Trustee Healy seconded the motion. Vote: 3-0, all yes. Motion Passed.**

- E. Discuss Results of Survey on Retaining Wall - Luke's Alley: The survey results reflect that most of the retaining wall in Luke's Alley is on private property and outside of the village property (roadway). Mayor Dewey talked to Village Attorney Michael Catalfimo regarding a potential project for the village correcting the retaining wall. Years of improper drainage and run off management has created the cracked wall compromising it behind two of the four properties. A temporary easement would have to be established and in place before any work could begin. This allows work access to the job sites legally at 19 & 21 Herkimer Street. After brief discussion, **Mayor Dewey made a motion to approve moving forward with replacing the retaining wall behind 19&21 Herkimer Street as supported by the survey prepared by CT Male with Trustee Dennison seconded the motion. Vote: 2-1 (abstention/Tr. Healy) Motion Passed.** Detail of the survey will be forwarded to Attorney Catalfimo for preparation of the temporary easement.

**OPEN FLOOR:** None

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**AUDIT CLAIMS:**

- Abstract # 4 – September - 2021
  - General Fund \$ 41,100.12
  - Sewer Fund \$ 225.96
  - Land Use Escrow Account \$ -0-
- **Trustee Dennison made a motion to approve Abstract #4 with Mayor Dewey seconded the motion. Vote: 3-0, all ayes. Motion Passed.**

**EXECUTIVE SESSION:**

**Mayor Dewey made a motion to enter into executive session to discuss potential litigation with Trustee Healy seconded the motion. Vote: 3-0, all ayes. Motion Passed.**

**Mayor Dewey made a motion to exit out of executive session with Trustee Healy seconded the motion. Vote: 3-0, all ayes. Motion Passed.**

Mayor Dewey notes that the village has decided to pursue litigation on 54 Gates Avenue and 56 Gates Avenue for lack of a building permit and encroachment in the village right of way.

Additional litigation was discussed regarding two code violations; one for property maintenance (Gates Avenue) and the other was a zoning violation (Pearl Street).

**UPCOMING VILLAGE BOARD MEETINGS:**

- Tuesday, October 12, 2021 at 7:00pm ~ Monthly Meeting

**ADJOURNMENT**

**Trustee Dennison made a motion to adjourn the meeting with Mayor Dewey seconded the motion. Vote: 3-0, all ayes. Motion passed, meeting adjourned.**

Respectfully Submitted,

*Maureen Dewsey*

Village Clerk/Treasurer