

**Village of Fort Edward
Board of Trustees – Regular Meeting
Monday, April 6, at 7:00 p.m.**

Mayor Traver called the meeting to order at 7:00 p.m.

Roll Call: Trustee Carpenter, Trustee Cutler, Trustee Boucher
Absent: Trustee Williams

Present: Therese Gillis, Dave Earsing, Sharon Tasker-Dalton, Dave Armando, Paul Guillet

Approval of March minutes

Motion by: Trustee **Carpenter**
Seconded by: Trustee **Cutler**
Dated: April 6, 2026
All Ayes. Motion Carried.

Approval of Reports - Clerk, Code, Street, Water, Sheriff

Motion by: Trustee **Cutler**
Seconded by: Trustee **Boucher**
Dated: April 6, 2026
All Ayes. Motion Carried.

Abstract #11

| | |
|---|--|
| General Abstract total - \$29,577.80 | Water Abstract total - \$8,190.00 |
| Pay Before - \$16,724.83 | Pay before - \$1,695.88 |

Motioned by: Trustee **Carpenter**
Seconded by: Trustee **Cutler**
Dated: April 6, 2026
All Ayes. Motion Carried.

Summary

The meeting addressed a range of municipal topics, including approval of previous minutes, financial reports, water rent collection, flood damage prevention legislation, facility permits, water agreements for the Canal Side project, subcontractor changes, and project financials. Additional discussions covered EFC financial agreements, facility use for local sports leagues, garbage violations and enforcement, signage improvements, garbage container regulations, water line maintenance, collaboration with the town for water district formation, forestry project updates, timber rights negotiations, cleanup efforts, planning for upcoming community events, a Christmas tree initiative, and zoning changes. Key decisions included scheduling a public hearing for the flood prevention law, approving a tank manufacturer substitution without cost impact, authorizing updated financial agreements, encouraging water district formation, moving forward with zoning changes, and allocating funds for community initiatives.

Collection of Water Rents

Resolution 29 authorizes the clerk to start collecting water rents totaling **\$127,198.57**.

RESOLUTION 29 OF 2025-2026

COLLECTION OF WATER RENTS, APRIL 1, 2026

Motion By: Trustee **Cutler**

Seconded By: Trustee **Carpenter**

Dated: April 6, 2026

WHEREAS, the Fort Edward Village Board does hereby authorize the Clerk’s office to collect water rents in the amount of **\$127,198.57** for the April 2026 billing period.

All ayes. Motion carried.

Flood Damage Prevention Law

Resolution 30 introduces a local law for flood damage prevention based on updated FEMA maps. A public hearing is scheduled for May 4th at 6:45 p.m. to discuss the proposed law.

RESOLUTION 30 OF 2025-2026

RESOLUTION INTRODUCING PROPOSED LOCAL LAW PROVIDING FLOOD DAMAGE PREVENTION IN THE VILLAGE OF FORT EDWARD

Motion by: Trustee **Carpenter**

Seconded by: Trustee **Boucher**

Dated: April 6, 2026

WHEREAS, the United States Federal Emergency Management Agency (“FMEA”) has updated its maps applicable to areas that are subject to flooding and therefore present a threat to the health, safety and welfare of the public; and

WHEREAS, changes to said maps have necessitated amendments to the Village’s local law providing for flood damage prevention; and

WHEREAS, an updated local law has been drafted which local law provides for flood damage prevention and references relevant maps and updated law; and

WHEREAS, the Board of Trustees wishes to proceed with the consideration of said draft local law and holding of a public hearing thereon.

NOW, THEREFORE BE IT

RESOLVED, that the proposed local law providing for flood damage prevention in the Village of Fort Edward is hereby accepted for introduction before the Board of Trustees. A public hearing is hereby scheduled to be held by the Board of Trustees on May 4, 2026, at 6:45 pm to consider the proposed local law at the Village Hall, 118 Broadway, Fort Edward, New York. Copies of the Local Law shall be available at the Village Clerk’s office for review; and be it further

RESOLVED, that the Village Clerk is hereby directed to publish and post the requisite public hearing notices, and to post a copy of the local law to the Village’s website; and be it further

RESOLVED, that the consideration of this local law is an unlisted action which will undergo uncoordinated review pursuant to the New York State Environmental Quality Review Act; and be it further

RESOLVED, that this resolution shall take effect immediately.

ROLL CALL VOTE

Trustee Williams - Absent
Trustee Carpenter - Yes
Trustee Boucher - Yes
Trustee Cutler - Yes

Facility Use Permit

ADK Softball was granted a permit to use the bottom field at Mullen Park for games and practices.

Resolution 31 of 2025-2026

Facility Use Permit – ADK USSSA Pride

Motion By Trustee **Cutler**
Seconded By Trustee **Carpenter**
Dated April 6, 2026

WHEREAS, the Fort Edward Village Board does hereby acknowledge receipt of the Facility Use Permit and supporting documentation from the Brad Tyler with ADK USSSA pride; and

NOW THEREFORE BE IT RESOLVED, the Fort Edward Village Board does hereby grant the ADK USSSA girls softball, permission to use Mullen Park softball field for practices and scrimmages from May through October and will coordinate the field use with the school; and

BE IT RESOLVED, this resolution shall take effect immediately

Peddling and Soliciting Permit

A renewal permit for Mr. Ding A Ling was also approved, with operations scheduled from 10 a.m. to 9 p.m.

Resolution 32 of 2025-2026

PEDDLING & SOLICITING PERMIT, MR. DING-A-LING

Motion by: Trustee **Cutler**
Seconded by: Trustee **Boucher**
Dated April 6, 2026

WHEREAS, the Fort Edward Village Board does hereby approve the Peddling & Soliciting permit for Michael DelSignore who operates Mr. Ding-A-Ling Ice Cream; and

WHEREAS, the approved days of operation are Monday - Sunday and the hours of operation are 10:00AM to 9:00PM from April 2026 to October 2026; and

WHEREAS, the applicant will not be able to work in the Village of Fort Edward during Locktoberfest in October.

Water Agreements and Canal Side Project

Resolution 33 of 2025-2026

RESOLUTION AUTHORIZING AGREEMENTS AND WILL SERVE LETTER FOR WARREN WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY PROJECT KNOWN AS “CANALSIDE ENERGY PARK”

Motion by: Trustee **Cutler**

Seconded by: Trustee **Carpenter**

Dated: April 6, 2026

Whereas, the Board of Trustees of the Village of Fort Edward (the “Village”) has reviewed a map, plan and report (the “MPR”) by LaBella Associates for a water district to be formed by the Town of Fort Edward relative to a project known as the Canalside Energy Park located on lands owned by the Counties of Warren and Washington Industrial Development Agency (the “WWIDA”) located partially in the Village on lands identified as tax map parcel ___ and outside the Village and within the Town of Fort Edward (the “Town”) on lands identified as tax map parcel ___, which project is to be a proposed industrial or light industrial park (the “Canalside Project”); and

Whereas, as part of the Project, the WWIDA has proposed certain drinking water system improvements within East Street in the Village, which will serve the Project site, as well as Village water users, which improvements include replacing approximately 1,900 feet of 8-inch cast iron water main with 10-inch PVC water main along East Street in the Village system to improve flow capacity to a water district formed or to be formed in the Town pursuant to the MPR (the “District”) and which replacement will extend from 128 East Street to Wing Street and will include a jack-and-bore installation beneath the Canadian Pacific Kansas City (CPKC) railroad tracks and installation of a flow control valve at the East Street connection to regulate the maximum flow to the to the Canalside Project and minimize potential water quality impacts within the Village system (the “Water Infrastructure Project”); and

Whereas, a project development agreement has been drafted between the WWIDA and the Village for the Water Infrastructure Project (the “Project Development Agreement”); and

Whereas, a draft letter by which the Village is willing to provide water to the District has been drafted (the “Will Serve Letter”); and

Whereas, an agreement by which the Village is willing to agree with the Town for water service to the District has been drafted (the “Water Agreement”); and

Whereas, the WWIDA coordinated review of the Canalside Project in accordance with the New York State Environmental Quality Review Act, of which the Village was an involved agency and provided the opportunity to comment thereon; and

Whereas, the WWIDA previously adopted a negative declaration in accordance with SEQRA; and

Whereas, the WWIDA has evidenced a desire for the Village to assist in coordinating review of the Canalside Project in accordance with the National Environmental Policy Act (NEPA); and

Whereas, the Board of Trustees having considered the foregoing and reviewed the documents, agreements and information set forth above, is prepared to act on the foregoing.

NOW THEREFORE BE IT

Resolved, that the Project Development Agreement be, and the same hereby is, approved, and that the Mayor be, and he hereby is, authorized to review and approve any further changes to said Project Development Agreement and to approve same as he may deem necessary and appropriate; and be it further

Resolved, that the Will Serve Letter be, and the same hereby is, approved, and that the Mayor be, and he hereby is, authorized to review and approve any further changes to said Will Serve Letter and to approve same as he may deem necessary and appropriate; and be it further

Resolved, that the Water Agreement be, and the same hereby is, approved, and that the Mayor be, and he hereby is, authorized to review and approve any further changes to said Water Agreement and to approve same as he may deem necessary and appropriate; and be it further

Resolved, that the Board of Trustees agrees to undertake coordination of required reviews in accordance with NEPA, and the Mayor be, and he hereby is, authorized to review and approve any forms, documents, notes and other documents necessary to complete the NEPA review; and be if further

Resolved, that the Mayor is authorized to take such other and further actions as he may deem necessary and appropriate to carry out this resolution; and be it further

Resolved, that this resolution shall constitute an action of the Board of Trustees taken this 6th day of April 2026, and shall take effect immediately.

Discussion on the water agreement related to the Canal Side project, including the need for property purchases for water and sewer lines.

A resolution was drafted to approve the project development agreement and authorize the mayor to finalize the water agreement.

Subcontractor Change Approval

Resolution 34 approves the substitution of Pittsburgh Tank and Tower Group LLC for Caldwell Tank Inc. as the tank manufacturer.

Resolution 34 of 2025-2026

RESOLUTION CONSENTING TO SUBCONTRACTOR SUBSTITUTION

Motion by: Trustee Boucher

Seconded by: Trustee Cutler

Dated: April 6, 2026

New York State Drinking Water State Revolving Fund Project No. 18458

Whereas, the Board of Trustees of the Village of Fort Edward previously authorized the Mayor to let bids for a drinking water project consisting of water tank replacement and booster pump improvements in the Village of Fort Edward (the "Project"); and

Whereas, bids were let and solicited in accordance with New York law; and

Whereas, bids received by the Village were opened and read aloud; and

Whereas, the Village's engineers, LaBella, have reviewed the bids and issued a Project Award Recommendation Letter dated January 27, 2026 for the general construction portion of the Project; and

Whereas, the Board of Trustees awarded the contract for general construction to Trinity Construction; and

Whereas, Trinity Construction thereafter filed its list of subcontractors, including therein Caldwell Tanks, Inc. as Trinity Construction's selected subcontractor for tank related work in accordance with the plans and specifications for the Project; and

Whereas, Trinity Construction issued a letter dated March 31, 2026 to the Village's engineer requesting a change in subcontractor to Pittsburg Tank & Tower Group, LLC, and included therein certain allegations with regard to the contract specifications, particularly that Trinity Construction, Inc. asserted that, after review, bidding on, and being awarded a contract, it objected to Specification Section 331614, as a violation of General Municipal Law Section 103 because of (i) the use of the term "pedosphere" as a proprietary product designation, (ii) the requirement for five prior pedosphere-style builds, (iii) EMR & TRIR thresholds and (iv) the prohibition on subcontracting the design and erection of the tank, because, Trinity Construction, Inc. asserts, the foregoing constitute a restriction on competition; and

Whereas, the Village's engineers have reviewed the request and issued a recommendation dated April 3, 2026; and

Whereas, the Board of Trustees having considered the foregoing and offered the contractor the opportunity to be heard before the Board of Trustees, is prepared to render a determination on said request.

NOW THEREFORE BE IT

Resolved, that the Board of Trustees hereby finds and determines that the allegations by Trinity Construction, Inc. that the plans and specifications of the Project somehow contradict or violate the provisions of New York General Municipal Law Section 103 are without merit. The requirements set forth in Section 33 16 44 of the contract documents provide relevant criteria by which the Village and its engineers can be assured that the tank to be supplied will provide the Village with a safe and properly constructed tank, and do not unduly restrict competition to one or more suppliers. The Village neither selected nor intended to select or direct the manufacturer of the tank to a single or limited source, and in fact, Trinity Construction, Inc. itself originally submitted its list of subcontractors, without objection, evidencing its intent to select Caldwell Group, Inc. That Trinity Construction, Inc. has now decided that it wishes to revisit its choice has no bearing on the legality of the specifications, and as such, the Board of Trustees rejects the allegations set forth in Trinity Construction, Inc.'s letter of March 31, 2026.; and be it further

Resolved, that based on the recommendation of the Village's engineers in evaluating the technical aspects of the request, and the discussion held by the Board of Trustees on April 6, 2026, the Board of Trustees consents to the substitution of Pittsburg Tank & Tower Group, LLC in the place of Caldwell Tanks, Inc., as subcontractor to Trinity Construction, Inc., in accordance with the plans, specifications and contract documents between the Village and Trinity Construction, Inc. subject to the following conditions:

The substitution is approved solely as to the identity of the tank subcontractor/manufacturer and does not otherwise modify the contract documents;

The substitution shall result in no increase in Contract Price and no extension of Contract Time, as defined in the contract documents;

Prior to commencement of any tank work, Trinity shall provide an updated Certificate of Insurance for Pittsburg Tank & Tower Group naming the Village of Fort Edward and LaBella Associates, DPC as an additional insured and meeting all insurance requirements of the Contract Documents;

Trinity shall remain fully responsible for the substituted subcontractor/manufacturer and for full compliance with all Contract requirements, including submittals, design, fabrication, erection, coatings, testing, warranties, insurance, bonds, and schedule obligations;

The Village's consent is based on the specific documentation submitted with this request and shall not establish precedent for any future substitution request;

Prior to commencing any tank work, LaBella shall confirm that Pittsburg satisfies all applicable DWSRF program requirements, and the Village shall thereafter provide written notice of the substitution to the Environmental Facilities Corporation (EFC) consistent with the requirements of the project's Drinking Water State Revolving Fund (DWSRF) financing;

All remaining requirements of the Contract Documents shall remain in full force and effect; and

That this resolution, Trinity Construction, Inc.'s substitution request, and LaBella Associates DPC's recommendation are hereby be made part of the Village's public record for the Project; and be it further

Resolved, that this resolution shall constitute an action of the Board of Trustees taken this **6th day of April 6, 2026**, and shall take effect immediately.

ROLL CALL VOTE

Trustee Boucher - Yes

Trustee Cutler - Yes

Trustee Carpenter - Yes

Trustee Williams - Absent

The change will not affect the project cost or timeline, and all contract requirements remain in effect.

Project Financial Overview

The overall project cost is now approximately \$7.5 million, with various grants and loans contributing to the funding.

The CDBG grant covers a previously completed project, while the WIA grant and EFC loan support ongoing work.

EFC Financial Agreement

The supervisor resolution is set at \$7.9 million, requiring authorization to sign the updated finance agreement with EFC once finalized by Matt.

EFC requested a 15% contingency to be included in the financial numbers, which has been addressed.

Resolution 35 of 2025-2026

AUTHORIZING THE MAYOR TO SIGN UPDATED FINANCIAL AGREEMENT WITH EFC

Motion by: Trustee Boucher

Seconded by: Trustee Carpenter

Dated: April 6, 2026

WHEREAS, the Fort Edward Village Board of Trustees authorizes the mayor to execute the updated project finance agreement amendment form with the New York State Environmental Facilities Corporation for the drinking water project DWSRF 18458 in the amount of \$6,691,234.

NOW THEREFORE BE IT RESOLVED, this resolution shall take effect immediately.

All Ayes. Motion Carried.

Fort Edward Little League Facility Use Permit

A late entry for facility use by Fort Edward Little League was discussed, with insurance information confirmed. The league has more teams participating this year compared to last, indicating growth in their program.

Resolution 36 of 2025-2026

Facility Use Permit – Fort Edward Little League

Motion By Trustee **Carpenter**

Seconded By Trustee **Boucher**

Dated April 6, 2026

WHEREAS, the Fort Edward Village Board does hereby acknowledge receipt of the Facility Use Permit and supporting documentation from Fort Edward Little League Youth Baseball; and

NOW THEREFORE BE IT RESOLVED, the Fort Edward Village Board does hereby grant Fort Edward Little League permission to use the Little League field on Bradley Ave for practices and games for the 2026 baseball season which is April through July; and

BE IT RESOLVED, this resolution shall take effect immediately

PUBLIC COMMENT

Signage Improvements

Sharon Tasker-Dalton – 115 Broadway suggested replacing a peeling sign with a more durable metal option, prompting a discussion on signage improvements.

The Promote Forever Group may have ideas for enhancing signage in the area, and collaboration with them was proposed.

Garbage Violations and Enforcement

Sharon also raised concerns about ongoing garbage violations at a specific property, with suggestions to escalate enforcement to court if issues persist.

The board discussed the need to hold property owners accountable for repeated violations and consider nuisance law implications.

Garbage Container Regulations

The board discussed the current regulations requiring garbage containers to be screened from view and the challenges this poses for residents with limited space.

Suggestions were made to revise the regulations to allow for more practical solutions, such as positioning containers further back from the street.

Water Line Maintenance and Billing

Therese Gillis – East Road The group discussed the history of the water line ownership and maintenance responsibilities, highlighting that they have been paying for the water line for many years.

There is a significant water leak resulting in the loss of treated water, prompting the need for repairs and potential billing for chemical treatments used.

The village plans to charge for the chemicals used to treat the leaking water, as taxpayers are currently covering the costs.

It was suggested that the affected parties should form a water district to address the ongoing issues and facilitate repairs.

The group discussed the importance of approaching the town to form a water district, which could help manage water supply and infrastructure improvements.

Concerns were raised about the contamination of local water sources, emphasizing the need for a reliable water supply for future development.

The discussion included the potential for the town to benefit from the establishment of a water district, which could resolve existing violations and improve water access.

Forestry Project Update

Gary Hill An update was provided on the watershed project, noting improvements to access roads and minimal environmental impact from logging activities.

The presence of emerald ash borers was reported, affecting ash trees on the property, but overall, the mixed forest is thriving.

The approach to forestry management has shifted to focus on maintaining a mixed stand of timber, with plans for selective thinning to promote healthy growth.

The project is progressing well, with plans to continue work as weather permits and to monitor the condition of the access roads.

Cleanup Efforts

There are ongoing cleanup efforts in the area, including the removal of trash and debris left by pack rats.

The Department of Public Works (DPW) will assist in the cleanup, and a dump truck will be utilized for trash removal.

The area has shown significant improvement, and further cleanup is planned once the road dries.

Upcoming Events Planning

Dave Earsing – Drifting Ridge, Founder’s Day parade 2026

The next meeting is scheduled for May 6th to discuss the parade and other community events.

Plans for the parade on September 12th are progressing, with a goal to finalize details and obtain necessary permits.

A raffle initiative is being considered to raise funds for community events, pending local law approval.

Christmas Tree Initiative

A proposal was made to bring back the Christmas tree display in the office, with plans to have a tree at the Founders Day Festival.

The initiative aims to encourage community participation in decorating trees, with a budget of \$2,000 allocated for this year.

A sponsorship booklet is being developed to raise additional funds for the initiative.

Zoning Changes Discussion

There was a discussion about changing the zoning of a property owned by Trent Holdings from residential to commercial/ industrial.

The board agreed to send a letter to the property owner to initiate the rezoning process.

Concerns were raised about ensuring the property is maintained properly to avoid issues seen with previous tenants.

A motion to adjourn was made by Trustee **Carpenter**, seconded by Trustee **Boucher**. All ayes. Motion carried.

Respectfully submitted,

Janelle Rose
Village Clerk-Treasurer