

The regular meeting of the Board of Trustees was held on March 10 2025, at 6:01 p.m. in the Council Room of Village Hall.

Present: Mayor John Barton
Trustee Daniel Hogan
Trustee Michael Horrigan
Trustee Jeffrey Gaulin
Trustee James Gallagher, Jr.
Attorney Bill Nikas

Mayor Barton began the meeting with an update on Warren Street. He confirmed with Attorney Nikas that the court date is set for March 20, 2025. Date confirmed.

Next, Mayor Barton requests a Special Meeting be scheduled to present the 2025-2026 Village Budget. Special Meeting scheduled for Wednesday, March 19, 2025 at 12:15 pm.

Next, Mayor Barton requests to schedule a public hearing for Charter Communications Franchise Agreement. Public Hearing scheduled for April 14, 2025.

Upon motion made by Trustee Hogan, seconded by Trustee Gallagher and unanimously carried it is;

RESOLVED, to approve the following budget appropriations and revenue recognition:

	Debit	Credit
<u>Front Sign</u>		
A-1620.1.000 Buildings	2170	
A-1620.4.001 Build: Repair		2170
<u>A.C Unit</u>		
A-1620.1.000 Buildings	5,300	
A-1620.4.001 Build: Repair		5,300
A-1990.4.000 Contingency	9,300	
A-1620.4.001 Build: Repair		9,300
<u>Postage</u>		
A-1325.4.005 Treas: Agree/Member		3,000
A-1325.4.003 Treas: Office Supp/Equip	3,000	
<u>Property/Liability Insurance</u>		
A-1910.4.000 Unallocated Insurance		12,500
A-5680.4.000 Joint Bus	7,000	
A-9040.8.000 Worker's Comp	5,500	
<u>Dues Increase</u>		
A-1920.4.000 Municipal Assoc Dues		54
A-1210.4.001 Mayor: IT	54	
<u>Miscellaneous Purchases</u>		
A-3120.4.010 Police: Union Agreements		5,000
A-3120.1.000 Police	5,000	
<u>Recognize Revenue- DONE</u>		
A-2555.000 Building Permits	600	
A-3620.4.000 Safety Inspections		600
A-2089.000 Other Cultural & Rec	20,000	
A-1910.4.000 Unallocated Insurance		18,000
A-7140.1.000 Village Parks		2,000
A-3089.000 State Aid Other	25,000	
A-1210.4.000 Mayor		25,000

Upon motion made by Trustee Gaulin, seconded by Trustee Hogan and unanimously carried it is;

RESOLVED, Monthly Reports approved as submitted.

Fire Department, submitted by John Santa Croce
Police Department, submitted by John Kibling
Code Enforcement, submitted by Will Celeste

Upon motion made by Trustee Horrigan seconded by Trustee Hogan and unanimously carried, the following abstracts were audited and ordered for payment:

General Fund
Water
Trust
Payroll
2%

Check Nos. 36973 - 37025
Check Nos. 6000 - 6002
Check Nos. 8068 - 8074
Check Nos. 31467 - 31473
Check No. 1022

Mayor Comment:

No Comment.

Board Comment:

No Comment.

Public Comment:

Carol Walkup from St. Mary's Church approaches the Board. She reminds the Board that for many decades the Village and St. Mary's church had an agreement for \$50 a year, that the Village would maintain the property and the church would pay for the materials, in return the church would allow for the use of the parking lot to be used by the public. The Village has chosen not to renew that agreement. After discussing the topic with the dynasties, it was decided that if the village chooses not to renew the agreement, then the church will put up signs to indicate "Church Parking Only". She shares a print of the lay out of the parking lot with the board to show the boundary line. She is approaching the board requesting them to reconsider their decision. Mayor Barton informs her that the village board has been discussing it and has decided to begin meeting as a workshop to discuss the village parking areas. Ms. Walkup also inquiries of paving requirements of National Grid if they choose to replace lines. Mayor Barton explained if they do and must break up the road to replace a line, then yes, National Grid must replace that section. Ms. Walkup also would like to confirm that sidewalk replacement is the church's responsibility. Mayor Barton agrees. She requests to be notified of the parking lot workshops. Mayor Barton will ensure that will happen.

Ron Atkinson, Burgoyne Avenue, approaches the Board to mention about the standing water that accumulates in the Wall Street parking lot. He is inquiring if the Board can look at it to find a solution. Mayor Barton informs him that they are just drywells. In addition, he also adds in the event that if anyone was to walk the sidewalk next to the church it is in very rough condition, he is inquiring on the curb of the sidewalk. He questions who is responsible of the curb to the road. So, when the village replaces the road, who is responsible for the curb. The person responsible for replacing the sidewalk is responsible to replacing the curb. Mayor Barton thanks him for his time.

Rosemary Madonna, Ferry Street, approaches the Board to discuss Wheelabrator. She inquires of the conversation with Department of Environmental Conservation (DEC). Mayor Barton informs her that 26 questions have been sent to DEC. She inquires to get a copy of the email. Clerk Allen will share the email with her. Next, she inquires about fire hydrants. In the recent newsletter she does not see anything about hydrant flushing. Mayor Barton does inform her that they do flush the hydrants, but the timeline varies. She inquires if they are being tested. Mayor Barton informs her that during the flushing they are also be tested. She refers to the fire on River Street. John Santa Croce, volunteer at the Fire Department shares that during this fire the mutual aid that assisted hooked into the wrong hydrant. There was nothing wrong with the hydrants, were fully functional. The amount of water that was needed could not be supplied by two different hydrants on the same line. It is added that hydrant flushing also gets published on our website for a form of communication. Lastly Ms. Madonna would like to discuss the March 6th noises that came from Wheelabrator, one at noon and one around 6:30, Mayor Barton states it was two turbine trips. Mayor Barton explains the reasoning of the sound to the public from what he was informed by Wheelabrator. A brief discussion ensued, including discussion on noise ordinance and decibel readings.

Matt Benedetti, Notre Dame Street, approaches the Board to shares his finding of a FOIL request. He found that the results are inconsistent when he compares what was previously told, what is reported and what actually happened. He is requesting that every time there is a nuisance they should be sited \$250 every time. He thanks the Board for their time.

Shannon Gillis, Maple Street, approaches the Board to discuss concerns about Wheelabrator. She shares information that she received from Wheelabrator about details on reporting to the DEC and points out the inconsistency on the dates and times that are incorrect when compared to the data that she has collected or witnessed. She provides the Board with copies of the research that she has conducted and discusses it thoroughly. She expresses her concerns of pollution that is being disbursed into the air and may be affecting our area and what she believes is being incorrectly reported to the DEC and the improper actions being taken by DEC. A brief discussion ensued.

Ms. Gillis is requesting for the Board's support and that the Board hires outside lawyers. Trustee Horrigan and Trustee Hogan responds to Ms. Gillis in a manner to defend the Village when Ms. Gillis states her concerns of the lack of involvement the Village Board is having during this process and the lack of being proactive at getting Wheelabrator shut down.

Mr. Nikas informs her of the conversation that he had with a reputable attorney, Mike Ewall, and the risk of liability. The first red flag that he encountered was the inquiry on the Village's insurance policy. He explains the process that Fort Edward recently did with a moratorium. That a moratorium can be used in instances that haven't occurred yet, this isn't the case for Wheelabrator. With the discussion with Mr. Ewall, he recognized the potential of a cross lawsuit far more than the village could afford. Mr. Nikas explains that to Ms. Gillis that as she continues to approach the board, they have shown that they are being receptive. In order to set up a case

and present it to the DEC, it will require everyone to compile information and work collectively. Everyone has interest, everyone must work together. A brief discussion ensued.

Rosemary Madonna reapproached the Board, she states that she has also received copies of the liability policy, and that Mike Ewall had informed her that the village was going to look into increasing the liability policy. She is inquiring if the village has done so yet. Mr. Nikas explains that as soon as the village requests to increase their liability policy the insurance company is going to ask why, if the village responds because they are thinking about shutting down a multibillion-dollar company, we'd be lucky if they don't cancel us. If we did call fall into an issue that would require filing a claim with out insurance, the first question they are going to ask us is if we were aware of the risks, then we are in litigation with no coverage. If we were to get sued, it would be all of us, all taxpayers. A brief discussion ensued explaining lawsuits that we could be subject to.

Ron Atkinson, Burgoyne Ave, approaches the Board to inform them that he received an email from Tracy Frisch, after talking with Erin Burns, that they will be holding an in person public meeting. He reads an email verbatim. Next, he commends the board on the 26 questions that were sent in. Next, he refers to information that he brought in referring to a PPE contact list, stating that you may contact Wheelabrator to get your name added to that list. Next, he shares with the Board frequently asked questions sheet with regard to a letter a resident received on a blood and urine sample participation survey. He reads verbatim from the information sheet. A brief discussion ensued.

Andrea, River Street, received the letter from Depart of Health to participate with the survey. It will test levels in her blood. She does have some questions and about the traffic and garbage, she is inquiring if the village will send someone to clean up the trash that falls off the trucks and into the yards of the residents. Next, she explains a recent noise nuisance that occurred around 3:30 in the morning, hat woke her up. She also expresses her concerns on the constant noise, smells and trash and how she can't enjoy her outdoors during the warmer months. She is also requesting for the Village to test soil samples. A brief discussion ensued including other residents speaking up on same topics as a continued discussion.

Jess Donnelly approaches the Board and reads about a survey that was created to support the conversation about the permit being reviewed. The letter is based on a survey on childhood cancers in our area. Ms. Donnelly reads verbatim from a letter that she would like to share with the board that discusses the cancers in our area in children. It is a report that was created by a resident on Dean Road whose young daughter unfortunately passed away due to cancer. Ms. Donnelly reads a letter that she will submitting to DEC that expresses her concerns with the risks associated with the Wheelabrator Plant.

Mark Layden, North Oak Street, approaches the Board to also share the noises he recently heard at the lant that is a nuisance. He also inquires if the village sent a letter to state that they are against the permit. Mr. Nikas informed him that we did not, we requested an in-person meeting. Mr. Layden would like the Village to submit a letter to decline their application to show that we are against the permit renewal. The Board collectively informs him that they must allow them to go through the steps to share they permit information before we oppose the renewal. Mr. Nikas, explains that they did express concern and that is why we submitted questions. It is not credible to oppose something that has not been formally discussed. Mr. Layden compares the Wheelabrator to the ESMI in Fort Edward. A brief discussion ensued.

Theresa Gillis, Fort Edward, thanks the Board for taking the time to listen to everyone. These people have put in many hours of work to share with everyone. She explains different approaches that can be taken to give violations as she references her personal experience with the ordinance with the dewatering facility. She explains that the community in being exposed to these health risks and she supports the efforts in fighting the plants. A brief discussion ensued.

Mike, Notre Dame street, approaches the Board to inquire what evidence are we looking to gather. Mr. Nikas explains everything that we discussed tonight in chronological order, in writing, with videos and all supporting documents. The courts need it to be in writing to be able to read it and understand it. He thanks the Board for their assistance.

Open discussion within the crowd begins by multiple people in attendance to discuss a plan moving forward and to contact DEC in multiple different ways and to work together.

The next regular meeting will be held on Monday, April 14, 2025, at 6:00 p.m.

Upon motion made by Trustee Hogan, seconded by Trustee Horrigan and there being no further business to come before the Board the meeting was adjourned at 7:34 p.m.

Cassandra Allen, Village Clerk-Treasurer