

**REGULAR MEETING -BOARD OF TRUSTEES- SEPTEMBER 15, 2015-7:00 P.M.**

**PRESENT: RICK NELSON, MAYOR, TRUSTEE JUDY WOOD-SHAW, TRUSTEE TIMOTHY CAMPBELL, TRUSTEE JOHN MURPHY, TRUSTEE FRANK TATUM - ABSENT**  
**CLERK/TREASURER: SHERISTIN TEDESCO**  
**DEPT. OF PUBLIC WORKS: MATT RIFENBURGH**  
**ATTORNEY, JAMES PELUSO - ABSENT**  
**FIRE CHIEF – JEFF MAHAR**  
**BUILDING CODE OFFICER – LAWRENCE ALLEN**

The meeting began with The Pledge of Allegiance and a moment of silence.  
Public Attendance – 3

**CORRESPONDENCE – None**

**FIRE DEPARTMENT CHIEF:**

There were 4 drills and 2 fundraisers during the past month. The 150<sup>th</sup> year celebration will be next weekend 9/26/15. The parade will start at SCSD at 1 pm. Chief Mahar requested the steamer be moved to the fire house in preparation for the coming celebration. (Report on file)

**DPW: Matt Rifenburg**

The sewer upgrades will soon be done at the main pump station and the American Linen station.

**BUILDING CODE OFFICER:** Lawrence Allen reported there were two permits issued during the month. He stated he is currently working on catching up on his paperwork. (Report on file)

Adirondack Mtn. Engineering representative Ed Hernandez gave a summary of the sewer project. He also stated he expects an answer regarding the grant application for the Hillside Water Tank Replacement within the next 90 days. The chlorine analyzer has been completed at the Cordero Tank and the Village is now ready to sell water to outside users. He suggested you have any applicants submit their request in writing and be reviewed by the Village attorney. The MS4 plan will be due by 3/9/16 and is currently being worked on and there is a free conference in Lake George on 10/15/15 he suggested Matt attend. (Report on file)

**COMMITTEE REPORTS:**

Trustee Campbell reported Momentive is researching security systems for the Major Dickinson Park and there are more playground selections in the works.

Trustee Murphy stated the Major Dickinson Park has been very active. He stated he has spoken to James Doyle regarding water usage at Stillwater Landings and there has since been two water meters installed. He attended the Waterfront Revitalization meeting and there will be another meeting on 1/11/16 at Town Hall.

Trustee Wood-Shaw reported Phase I and Phase II have been completed at the Major Dickinson Park and seven picnic tables have been purchased. She stated we still need cameras, a toddler area, benches, trash receptacles and a bike rack. The Police will be patrolling the area more often and if you see something, say something. There will be a meeting on 9/28/15 regarding the Bicentennial and she would like help with the parade for the Fall Festival. There will be an EOC exercise on 11/14/15, from 8-12 at Town Hall, with a surprise scenario. Senior Time will resume 9/25/15 with a Breast Cancer Awareness Theme, all are invited.

**TREASURER REPORT – Sheristin Tedesco**

Voucher Totals By Account 9/15/15

“A” General Fund	\$ 35,962.84
“F” Water Fund	\$ 5,160.39
“G” Sewer Fund	\$ 5,123.97
<b>TOTAL</b>	<b>\$ 46,247.20</b>

Treasurer’s Report – copy provided to all board members

Up to date Revenue and Expense Control Reports have been provided to all board members.

I am currently working on the water/sewer billing to be mailed for Oct. 1.

**MOTION** to accept the budget adjustments as follows, made by Trustee Campbell, seconded by Trustee Murphy

Increase A.5110.400 Street Maintenance Contractual of \$10,000.00 to cover repairs to the water valves and hydrants, to be taken from the general "A" fund balance

Increase G.8110.420 Sewer Admin, Prof. Services by \$10,000.00 to cover the WWTP coverage services, to be taken from the sewer "G" fund balance

Motion carried 3-0

Treasurer's Report – copy provided to all board members

**MOTION** to open the floor to the public and press made by Trustee Campbell, seconded by Trustee Murphy

Motion carried 3-0

Jeff Mahar inquired to the status of the house in front on the Mayor's house and what can be done to remedy the situation. It was answered, the health board is working on multiple violations, but it is very hard to locate the bank that owns the property.

**MOTION** to close the floor to the public and press made by Trustee Murphy, seconded by Trustee Campbell

Motion carried 3-0

### **NEW BUSINESS**

Mickey Rich requested he has the fee waived for a new sewer connection at 1044 Hudson Ave. He explained he was very accommodating to the Village during the drainage portion of the Sidewalk Project and granted a large easement to the Village and thinks it would be fair "in good faith". It was decided the topic would be tabled until the Village attorney could be present or could be consulted.

The following resolution was read by Mayor Nelson,

**VILLAGE OF STILLWATER  
BOARD OF TRUSTEES  
DECISION DENYING LAND DEVELOPMENT  
AND SPECIAL USE PERMIT APPLICATIONS**

WHEREAS, Dennis DeGennaro, North Hudson Avenue LLC (Camelot Associates Corp.), as owner of certain lands in the Village known and distinguished as 950 North Hudson Avenue identified by Tax Map No. 243.76-2-1, has submitted a (1) Land Development Permit Application pursuant to Village of Stillwater Local Law No. 4 of 1994 and (2) Special Use Permit Application pursuant to Article VI of the Village of Stillwater Zoning Law; which applications are for the construction of four (4) apartment buildings comprising of 40 or 35 apartment units plus 6,250 retail space, a ten-unit garage and associated parking, utilities and landscaping as set forth in the maps and plans submitted in support of its application; and

WHEREAS, the Village Board of Trustees received and duly reviewed the application materials, plans, maps, etc. dated January 7, 2015 and thereafter amended December 9, 2014; February 27, 2015; and September 1, 2015; and

WHEREAS, the Village Board of Trustees, after due notice and publication, held public hearings and accepted public comments on the permit applications on April 21, 2015 and September 8, 2015; and

WHEREAS, the Village Board having considered the requirements set forth in Local Law No. 4 and Article VI of the Zoning Law, together with public comment thereon, and after due deliberation and consideration of said permit applications hereby determines the following:

NOW THEREFORE BE IT KNOWN AND RESOLVED THAT pursuant to Village of Stillwater Local Law No. 4 of 1994, the Village Board of Trustees by roll call vote set forth below, hereby denies the Land Development Permit Application. The basis for the decision denying the Land Development permit, as set forth on the record at the public hearing held on September 8, 2015 and summarized in the attached Special Meeting Minutes, is as follows: there is not a need for the project as proposed; the project as proposed does not fit with the existing character of the surrounding neighborhood and adjacent land uses consisting of 1-2 family homes; the location and size of the four (4) two-story apartment buildings containing 40 apartment units (or 35 units with retail space) and accessory garage building relative to one another is too large and dense; the project lacks sufficient usable green and open space for residents; the project is in close proximity to the school and problems with existing traffic flow issues on Route 4 during peak hours are not addressed; the project lacks internal sidewalks or open space for pedestrian access and circulation to and from the buildings, parking areas and garages; the height and bulk of the buildings and their relation to other structures in the vicinity is too large for the site and character of the surrounding neighborhood; the project as designed is not consistent with historic character of Village and

harmonious development of the neighborhood; the project will have undue negative impacts on adjacent properties and the neighborhood relative to aesthetics, density, traffic and noise.

NOW THEREFORE BE IT KNOWN AND RESOLVED THAT pursuant to Article VI of the Village of Stillwater Zoning Law, the Village Board of Trustees by roll call vote set forth below, hereby denies the Special Use Permit Application. The basis for the decision denying the Land Development Permit Application, as set forth on the record at the public hearing held on September 8, 2015 and summarized in the attached Special Meeting Minutes, is as follows: the project as proposed is not consistent with desired and appropriate land use and development in the area and will have a negative effect on adjacent land uses; the project does not fit with the existing character of the surrounding neighborhood and adjacent land uses consisting of 1-2 family homes; the location and size of the four (4) two-story apartment buildings containing 40 apartment units (or 35 units with retail space) and accessory garage building relative to one another is too large and dense; the project lacks sufficient usable green and open space for residents; the project is in close proximity to the school and problems with existing traffic flow issues on Route 4 during peak hours are not addressed; the project lacks internal sidewalks or open space for pedestrian access and circulation to and from the buildings, parking areas and garages; the height and bulk of the buildings and their relation to other structures in the vicinity is too large for the site and character of the surrounding neighborhood; the project as designed is not consistent with historic character of Village and harmonious development of the neighborhood; the project will have undue negative impacts on adjacent properties and the neighborhood relative to aesthetics, density, traffic and noise.

Voting:	Aye:	Nay:
Mayor Rick Nelson	X	
Trustee Timothy J. Campbell	X	
Trustee John M. Murphy	X	
Trustee Frank Tatum - Absent		
Trustee Judith Wood-Shaw		X

The foregoing decision and resolution was duly adopted at a meeting of the Board of Trustees of the Village of Stillwater duly conducted on September 15, 2015. Said decision shall be forthwith filed with the Village Clerk's Office and a copy mailed to the applicant.

**OLD BUSINESS**

Trustee Wood-Shaw commented on the pot holes in Carpenter Place, it was answered the DPW will be working on filling the pot holes and repairing the catch basins.

**MOTION** to approve the audit claims for the month made by Trustee Murphy, seconded by Trustee Campbell  
Motion carried 3-0

**MOTION** to approve the Treasurer's report made by Trustee Campbell, seconded by Trustee Wood-Shaw  
Motion carried 3-0

**MOTION** to approve the minutes from Regular Meeting dated 8/18/15 and Special Meeting dated 9/8/15 made by Trustee Campbell, seconded by Trustee Murphy  
Motion carried 3-0

**MOTION** to adjourn made by Trustee Campbell, seconded by Trustee Murphy  
Motion carried 3-0

Meeting adjourned 8:20 pm

Respectfully submitted,

Sheristin Tedesco  
Clerk/Treasurer