

**REGULAR MEETING -BOARD OF TRUSTEES- MAY 17, 2016-7:00 P.M.**

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

The meeting began with The Pledge of Allegiance and a moment of silence.  
Public Attendance – 12

**MOTION** to open the Public Hearing on Local Law #2 of 2016 – Vacant Building Law Amendment made by Trustee Campbell, Seconded by Trustee Tatum  
Motion carried 4-0

Mayor Nelson read a summary of the Local Law # 2 2016 amendment  
The definition of "Vacant Building" under "Section 2: Definitions" of Local Law No. 1 of 2016 is hereby amended as follows: The period "." at the end of paragraph (f) is replaced by a semicolon ";" and a new paragraph "(g)" is added to read: (g)in default on a mortgage, subject to a foreclosure action by a lender, subject to a lis pendens filed by a lender, subject to an application for a tax deed or pending tax assessor's lien sale, or is transferred to a lender by a deed in lieu of foreclosure.

**MOTION** to close the Public Hearing on Local Law #2 of 2016 – Vacant Building Law Amendment made by Trustee Campbell, Seconded by Trustee Tatum  
Motion carried 4-0

The following Resolution was read by Mayor Nelson

**Resolution Adopting Local Law No. 2 of 2016**

**WHEREAS**, the Village Board of Trustees of the Village of Stillwater has considered the amendment of Local Law No. 1 of 2016 entitled "Vacant Building Law";

**WHEREAS**, after due notice a public hearing was duly held before the Village of Stillwater Board of Trustees at the Village Hall on May 17, 2016 at 7:00 p.m. to consider the adoption of Local Law No. 2 of 2016, a local law amending Local Law No. 1 of 2016 entitled "Vacant Building Law", and all persons interested in the subject thereof were duly heard;

**NOW, THEREFORE BE IT RESOLVED**, that the Village of Stillwater Board of Trustees does hereby pass, approve and adopt Local Law 2 of 2016 in its entirety, a copy of which is attached hereto; and **IT IS FURTHER RESOLVED**, that the Mayor and Village Clerk are authorized to sign all documents and perform such actions necessary to effectuate the filing of the new local law with the New York State Office of the Secretary of State.

<b>Trustee Campbell</b>	<b>Voting</b>	<u><b>Aye</b></u>
<b>Trustee Marshall</b>	<b>Voting</b>	<u><b>Aye</b></u>
<b>Trustee Tatum</b>	<b>Voting</b>	<u><b>Aye</b></u>
<b>Trustee Wood-Shaw</b>	<b>Voting</b>	<u><b>Aye</b></u>
<b>Mayor Nelson</b>	<b>Voting</b>	<u><b>Aye</b></u>

The foregoing resolution was duly adopted at a meeting of the Board of Trustees of the Village of Stillwater duly conducted on May 17, 2016

**MOTION** to open the Public Hearing regarding granting a cable television franchise agreement by and between the Village of Stillwater and Time Warner Cable, made by Trustee Wood-Shaw, Seconded by Trustee Tatum  
Motion carried 4-0

It was explained by the Mayor that our current Time Warner Cable Franchise agreement will be expiring and they would like to extend the agreement for 15 years, at a new rate of 5%. The expiring rate was 3%.

John Basile inquired about the 3% fee from Time Warner Cable. It was explained it is a fee collected from the cable company and paid direct to the Village of Stillwater.

**MOTION** to close the Public Hearing regarding granting a cable television franchise agreement by and between the Village of Stillwater and Time Warner Cable, made by Trustee Campbell, Seconded by Trustee Marshall  
Motion carried 4-0

**MOTION** to pass the following Resolution, subject to legal review, and authorize Mayor Nelson to enter into a contract with Time Warner Cable at 5% for 15 years made by Trustee Campbell, seconded by Trustee Marshall  
Motion carried 4-0

**RESOLUTION**

An application has been duly made to the Board of the **Village of Stillwater, County of Saratoga**, New York, by **Time Warner Cable Northeast LLC ("Time Warner Cable")**, d/b/a Time Warner Cable, a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 120 Plaza Drive, Suite D, Vestal, New York 13850 for the approval of a renewal agreement for Time Warner Cable's cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission. The Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Village of Stillwater, New York on May 17, 2016 at 7:00 P.M. and notice of the hearing was published in the Express Newspaper on April 28, 2016

**NOW, THEREFORE**, the Board of the Village of Stillwater finds that:

1. Time Warner Cable has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Time Warner Cable has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Time Warner Cable can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

**BE IT FURTHER RESOLVED** that the Board of the **Village of Stillwater** hereby grants the cable television franchise of Time Warner **Village of Stillwater** for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years hence.

**BE IT FURTHER RESOLVED** that the Board of the **Village of Stillwater** hereby confirms acceptance of this Franchise Renewal Agreement.

Roll call vote

<b>Trustee Campbell</b>	<b>Voting</b>	<u><b>Aye</b></u>
<b>Trustee Marshall</b>	<b>Voting</b>	<u><b>Aye</b></u>
<b>Trustee Tatum</b>	<b>Voting</b>	<u><b>Aye</b></u>
<b>Trustee Wood-Shaw</b>	<b>Voting</b>	<u><b>No</b></u>
<b>Mayor Nelson</b>	<b>Voting</b>	<u><b>Aye</b></u>

The foregoing having received a 4-1 vote was thereby declared adopted.

**CORRESPONDENCE**

There is a Turning Point Parade on Sunday August 7th, 2016 at 1 PM at the Schuylerville campus and the theme will be "Every Hero has a Story" (Letter on file)

Thank you notes were received from the Mechanicville Senior Citizen Center and Mrs. Ronda on behalf of her mom Mrs. McClements. (Letters on file)

**FIRE DEPARTMENT CHIEF:**

There were 6 alarms and 3 drills for the month. The annual car show was postponed until the Fall due to the weather. Chief Mahar thanked the Arvin Hart and Round Lake Fire Departments for their help rescuing the crew team from the Hudson River. Chief Mahar requested approval for new members, on the social side of the dept. The new members being Chris and Rita Pellegrino, Lauren Mehan and Susan Mehan (Report on file)

**MOTION** to accept new members to the social side of the Newland Wood Fire Dept., as listed above, made by Trustee Tatum, seconded by Trustee Marshall  
Motion carried 4-0

Mayor Nelson thanked the Fire Dept. for a great banquet at the Century House.

**DPW** – Matt R. reported there has been a new pump installed at the Carpenter Pump Station and now we have an extra for emergencies. 90% of the catch basins are completed. The crew has been maintaining the sewer plant and water tanks. There was an annual sewer inspection last week by DEC and all went well.

**BUILDING CODE OFFICER-** There were 4 Building Permits issued during the month. Mr. Zink, 31 Russell Dr., is applying for a special use permit to sell firearms through the internet. Mr. Zink introduced himself and gave a brief explanation of his intent. It was decided Larry Allen will review the Zoning Law for R1 specifications and report back to Mr. Zink and the Board. (Report on file)

**ENGINEERING** – Ed Hernandez spoke in detail about possible grant funding available for specific Village projects. He had many handouts and showed who received what grants in the last round of

applications. (All Information on file) It was decided Trustee Tatum and Trustee Marshall would meet with Ed Hernandez to review specifics. Ed Hernandez also stated there has been a new chemical approved by DOH to inject into our water lines to help address some ongoing issues, more testing will be done in 4 weeks. (Report on file)

**MOTION** to allow the grant committee to amend the previously submitted application by Ed Hernandez and resubmit, made by Trustee Campbell, seconded by Trustee Wood-Shaw  
Motion carried 4-0

**COMMITTEE REPORTS:**

Trustee Campbell – We are waiting on CAT to complete the deal on the trade of the excavator for a skid steer.

Trustee Marshall – No report at this time

Trustee Tatum – No report at this time

Trustee Wood-Shaw – Garage Sale weekend was a success. Senior time raised \$35 from their bake sale for the Stillwater Food Pantry. There has been some interest shown for a farmer's market, Judy is looking for suggestions. Trustee Wood-Shaw would like to see a dog park down by the Legion basketball courts. It was discussed that that property is American Legion land and would require their approval. 30 people attended last month's senior time and the next one is Friday May 27<sup>th</sup>, 2017 and they will be making fairy gardens. The June meeting will be a paddle boat ride in Schuylerville, funded by the Town of Stillwater. The Emergency Traffic Plan is now complete and will be added to our website.

**VILLAGE ATTORNEY** – James Peluso – No report at this time.

**TREASURER REPORT** – Sheristin Tedesco

Voucher Totals By Account 5/17/16

“A” General Fund	\$ 26,234.77
“F” Water Fund	\$ 13,929.50
“G” Sewer Fund	<u>\$ 9,977.29</u>
TOTAL	\$ 50,141.56

Treasurer's Report – copy provided to all board members

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

Water and Sewer bills update

We have collected roughly 60% from the inside users of amount billed April 1, 2016.

The Clerk is currently working on June 1 tax bills to be mailed.

**MOTION** to accept the budget adjustment as follows, made by Trustee Campbell, seconded by Trustee Marshall

Transfer of \$5,400 from A.1490.100 Public Works Payroll to A.8989.400 Other Home and Community Services to cover new signs For Village Hall, DPW Bldg. and North end of the Village.

Transfer of \$5000 from G.8120.402 I&I to G.8130.404 Equipment Repair to cover Carpenter Place Pump Station pump replacement and repair of old pump to have a backup.

Transfer of \$110 from A.1490.100 Public Works Amin. Personal Service to A.5110.100 Street Maint. Personal Service to cover payroll.

Transfer of \$5000 from A.1490.100 Public Works Personal Service to A.5132.404 Garage Eq. Repair to cover repair of 2010 Ford damaged in accident, payment received from NYMIR Ins. 4/29/16

Motion carried 4-0

Special Guest, Danielle McMullen, representing EnergyNext, Inc. gave a presentation on energy suppliers. She provided a quote analysis and pricing proposal. (Report on file)

John Basile asked if she had a cost comparison of variable vs. fixed rates. She stated she will email one to the Clerk's office tomorrow.

Ed Hernandez stated in his experience the variable rate has proven to be better.

**MOTION** to authorize the Mayor to enter into a contract for the best energy rate made by Trustee Campbell, seconded by Trustee Tatum  
Motion carried 4-0

Special Guest, Mr. Ed McClements, introduced himself as a past resident who is currently moving back to the area. He is one of Dorothy McClement's sons and a graduate of the class on 1959. He is purchasing the "Fiber Mill" and would like to run a small café out of the building. He showcased some ideas and was looking for more ideas for the future.

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

Motion carried 4-0

Tom Coffinger introduced himself as a SHS junior who is taking TEC Smart classes and working on a final project regarding flooding. He addressed some past issues with flooding in the Village and inquired if solutions have been discussed. Mr. Ed Hernandez responded the Village is working on a Stormwater Mgmt. Plan to address some of the current issues. This will include defining the Village priorities, public education, benchmark goals and an annual report. Tom Coffinger invited the Board to see his display at the TEC Smart campus on June 8<sup>th</sup> from 8-10 am.

John Basile stated, in addition to the above steps, the Village upgraded their wastewater stations to above the 100 year flood plain.

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

Motion carried 4-0

### **NEW BUSINESS**

Mayor Nelson accepted the resignation of Building Code Enforcement Officer, Lawrence Allen, effective July 1, 2016 and appointed Stephen Streeter Assistant Code Enforcement Officer effective June 1, 2016 and Code Enforcement Officer Effective July 1, 2016.

**MOTION** to change the official meeting start time for the June, July and August 2016 meetings to begin at 6:00 pm made by Trustee Wood-Shaw, seconded by Trustee Campbell

Motion carried 4-0

### **OLD BUSINESS**

**MOTION** to resume the discussion on air packs for the Newland Wood Fire Dept. made by Trustee Campbell, seconded by Trustee Marshall

Motion carried 4-0

Tony Conti stated there have been letters written and submitted to our State Senators for grant assistance. Trustee Marshall is also assisting with another grant. On advice from counsel, it was decided Tony Conti would speak to the OGS representative regarding state contracts and pricing for the air packs.

**MOTION** to authorize the Treasurer to consolidate all remaining year end balances from each Fire Dept. budget line, in the 2015-2016 budget, into a Fire Dept. reserve and use that reserve in the 2016-2017 budget to increase line item A.3410.200 for the purchase of new airpacks for the Fire Dept. If in the 2016-2017 fiscal year a reimbursable grant is received for the Fire Dept., it is agreed upon that \$40,000 is to be put into a reserve account for a future purchase of a fire truck and the remaining balance will be put into the Village's general fund made by Trustee Campbell, seconded by Trustee Tatum

Motion carried 4-0

**MOTION** to authorize the Village and Fire Dept. to proceed with the bid process or purchase off of State Contract air packs and accessories made by Trustee Campbell, seconded by Trustee Tatum

Motion carried 4-0

The Mayor stated the cameras will be installed on Friday the 20<sup>th</sup> at Major Dickinson Park.

**MOTION** to approve the audit claims for the month made by Trustee Tatum, seconded by Trustee Campbell

Motion carried 4-0

**MOTION** to approve the Treasurer's report made by Trustee Wood-Shaw, seconded by Trustee Marshall

Motion carried 4-0

**MOTION** to approve the minutes from Regular Meeting dated 4/19/16 made by Trustee Marshall, seconded by Trustee Campbell

Motion carried 4-0

**MOTION** to adjourn to Executive Session to discuss water issues made by Trustee Campbell,  
seconded by Trustee Wood-Shaw  
Motion carried 4-0

**MOTION** to exit Executive Session made by Trustee Campbell, seconded by Trustee Wood-Shaw  
Motion carried 4-0

**MOTION** to adjourn made by Trustee Campbell, seconded by Trustee Marshall  
Motion carried 4-0

Meeting adjourned 10:30 pm

Respectfully submitted,

Sheristin Tedesco  
Clerk/Treasurer