

**REGULAR MEETING -BOARD OF TRUSTEES- June 20, 2017-6:00 P.M.**

**PRESENT: RICK NELSON, MAYOR, TRUSTEE JUDY WOOD-SHAW, TRUSTEE JUDY WOOD-ZENO, 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: STEPHEN STREETER**

The meeting began with The Pledge of Allegiance and a moment of silence  
Public Attendance – 4

**MOTION** to open the public hearing to assess the environmental significance and adoption of the Villages’ proposed new Form-Based zoning code made by Trustee Tatum, Seconded by Trustee Wood Shaw  
Motion carried 4-0

No public comments

**MOTION** to close the public hearing to assess the environmental significance and adoption of the Villages’ proposed new Form-Based zoning code made by Trustee Wood-Shaw, Seconded by Trustee Tatum  
Motion carried 4-0

The new Zoning process began with a shared grant with the Town of Stillwater to Revitalize the Route 4 Corridor and update our Comprehensive Plan. There were multiple workshops and three public hearing throughout the process. The Village Board had accepted the draft Environmental Review and forwarded to Saratoga County. Saratoga County responded they did not have any objections (copy on file).

The EAF Part I and II was read aloud by Mayor Nelson. (Copy on file)  
The Negative Declaration was read aloud by Mayor Nelson. (Copy on file)

**RESOLUTION**  
**Resolution Adopting SEQRA Negative Declaration  
Form-Based Code**

Motion By: Trustee Wood-Shaw  
Seconded By: Trustee Wood-Zeno

**WHEREAS**, the Village of Stillwater Board of Trustee previously designated itself as the Lead Agency pursuant to the State Environmental Quality Review Act (SEQRA), 6 NYCRR § 617.6, in the consideration and review of the Village’s proposed Form-Based Code; and  
**WHEREAS**, pursuant to NYCRR Part 617, the proposed action is a Type I Action requiring SEQRA review; and  
**WHEREAS**, a public hearing was noticed and duly held on June 20, 2017 to consider the environmental significance of the proposed action; and  
**WHEREAS**, the Village Board has carefully considered and weighed the input by the public; and  
**WHEREAS**, pursuant to SEQRA, the Village Board has prepared and completed Parts 1 and 2 of the Full Environmental Assessment Form (EAF); and  
**WHEREAS**, the Village Board has reviewed the environmental findings and recommendations of the Village’s engineers and planners with respect to the proposed action, and has duly reviewed the EAF and has considered the criteria contained in 6 NYCRR §617.7(c) to determine whether the proposed action will have a significant impact on the environment;  
**NOW THEREFORE, BE IT RESOLVED**, that the Village Board hereby determines that the proposed adoption of the Village Zoning Law will NOT have a significant adverse impact on the environment; and  
**NOW THEREFORE, BE IT RESOLVED**, that the Village Board adopts the findings and conclusion relating to probable environmental impacts contained within the attached Environmental Assessment Form (EAF) and Negative Declaration and authorizes the Village Clerk to execute the EAF and file the Negative Declaration in accordance with the applicable provisions of law.

The Village Board Members present were:

	<b>VOTE:</b>	<b>YES</b>	<b>NO</b>
Trustee Marshall	Voting	<u>Yes</u>	
Trustee Tatum	Voting	<u>Yes</u>	
Trustee Wood-Shaw	Voting	<u>Yes</u>	
Trustee Wood-Zeno	Voting	<u>Yes</u>	

Mayor Nelson

Voting Yes

The foregoing resolution was duly adopted at a meeting of the Board of Trustees of the Village of Stillwater duly conducted on June 20, 2017  
Resolution Adopted 5-0

**RESOLUTION**

**Resolution Adopting Local Law No. 2 of 2017 entitled “Form-Based Code”**

Motion By: Trustee Wood-Shaw

Seconded By: Trustee Marshall

**WHEREAS**, the Village of Stillwater Board of Trustees has considered adoption of Local Law No. 2 of 2017, entitled “Form-Based Code” to replace the Village’s existing zoning law; and

**WHEREAS**, the Board of Trustees previously engaged in planning efforts including adoption of the Village Comprehensive Plan Update (2016) and approval of the Stillwater Hudson River Waterfront Revitalization Plan (2016) and the Stillwater Route 4 Corridor Plan (2016). These planning efforts involved participation by Village officials, representatives, citizens and professional consultants; and included cooperation with the Town of Stillwater, Capital District Transportation Committee (CDTC), Capital District Regional Planning Commission (CDRPC), and Saratoga County Planning Department; and

**WHEREAS**, the Board of Trustees conducted multiple public informational meetings, workshops and hearings on the Form-Based Code, including a joint Village-Town board Public Hearing on March 23, 2017, a Village Board Public Hearing on May 17, 2017 and a Village Board Public Hearing on June 20, 2017, to review and discuss the draft Form-Based Code zoning regulations, transect zones, and design guidelines with the public and thereafter incorporated public comments received during the public hearings into the Draft Form-Based Code; and

**WHEREAS**, the Board of Trustees forwarded the Draft Form-Based Code to the Saratoga County Planning Board, as per the General Municipal Law §239-m, for review and recommendations; and Saratoga County Planning Board approved the Form-Based Code without modification; and

**WHEREAS**, the Board of Trustees, as lead agency, reviewed and fully considered the environmental impacts, together with all written and oral comments thereon, concerning the proposed action in accordance with Article 8 of the Environmental Conservation Law and the State Environmental Review Act (SEQRA), 6 NYCRR Part 617; and

**WHEREAS**, the Board of Trustees adopted a Negative Declaration with respect to this action on June 20, 2017; and

**WHEREAS**, the Board of Trustees held a Public Hearing on June 20, 2017 to consider public comments on the proposed Local Law No. 2 of 2017 entitled “Form-Based Code”; and

**NOW, THEREFORE, IT IS RESOLVED**, that the Village of Stillwater Board of Trustees hereby adopts Local Law No. 2 of 2017 entitled “Form-Based Code,” a copy of which is annexed hereto.

The Village Board Members present were:

	<b>VOTE:</b>	<b>YES</b>	<b>NO</b>
Trustee Marshall	Voting <u>No</u>		
Trustee Tatum	Voting <u>Yes</u>		
Trustee Wood-Shaw	Voting <u>Yes</u>		
Trustee Wood-Zeno	Voting <u>Yes</u>		
Mayor Nelson	Voting <u>Yes</u>		

The foregoing resolution was duly adopted at a meeting of the Board of Trustees of the Village of Stillwater duly conducted on June 20, 2017  
Resolution Adopted 4-1

Motion to amend the above resolution to state “The Form Based Code repeals and replaces the Village Zoning Laws from 2007 and 2016” made by Trustee Wood-Shaw, seconded by Trustee Marshall

Motion carried 4-0

**CORRESPONDENCE**

A Thank you note was received from SCSD Patti Morris thanking the Mayor for the assistance to hang the "RESPECT" banners through the Village.

A letter was received regarding our "SAM" grant informing the Village their reimbursement check for \$50,000 from the Major Dickinson Park grant project will be issued on June 15<sup>th</sup>!

Letter received from the Saratoga County Planning Board approving the proposed new Form Based Code for Zoning in the Village of Stillwater.

**FIRE DEPARTMENT CHIEF:** Chief Mahar reported there were 5 alarms and 5 drills for the month. The FD attended the Village Parade and also the 2017 HVVFA convention in Glens Falls where they took home a first place trophy for best firematic theme. The theme was red, white, blue & sirens. They decorated the steamer in those colors, with flags, streamers and flowers. Also, Chief Mahar recommended Robert Wood for firefighter of the year for his heroic actions in Clinton Court this past winter, which he had received. (Report on file)

Mayor stated he had a good time at the banquet and thanks for the invite.

**DPW –** Matt R. reported they have repaired some sidewalks, put the flowers and planters out, jetted sewer lines, weed whacked fire hydrants and worked on storm line on Carpenter Place. (Report on file)

**BUILDING CODE OFFICER-** Steve Streeter reported there were 2 permits, 4 inspections, 1 CO, 1 violation, 1 order to remedy and 1 letter to Stewarts regarding parking issued during the month. (Report on file)

**ENGINEERING –** Ed Hernandez reported MCS removed the storage tank at the sewer plant and the issue has been closed by DEC. The EPA lead and copper sampling plan has been approved and is underway. The EFC grant application is due by this Friday 6/23/17 and we are still waiting on the inter-municipal agreement from the Town that we have been promised. The Mayor stated he will get on that tomorrow. There are some stormwater issues that need to be addressed with the Hudson Ave. Condo project. (Report on file)

**COMMITTEE REPORTS:**

Trustee Marshall – Attended a meeting to discuss the water regulations and has submitted some changes to Jim Peluso for review and had a very nice time at the Fireman’s Banquet.

Trustee Tatum – Stated he had a very nice time at the Fireman’s Banquet.

Trustee Wood-Shaw –Talked to Carrie Woerner regarding the bussing to Mechanicville for our Seniors and asked if Mayor Nelson could call Mayor Baker to try to get the ball rolling. May Senior time focused on a patriotic theme and they are coming along with their quilt.

Trustee Wood-Zeno – Reported she met with John Bove regarding the appearance of the laundromat, but he had not yet closed on the property so she will follow up. She also planted flowers at the north end of Lake Street.

**VILLAGE ATTORNEY**

James Peluso – Nothing to report at this time

**TREASURER REPORT**

**Voucher Totals By Account 6/20/17  
For Year End 2017**

"A" General Fund	\$ 17,949.31
"F" Water Fund	\$ 2,718.38
"G" Sewer Fund	\$ <u>6,391.08</u>
TOTAL	\$ 27,058.77

**Voucher Totals By Account 6/20/17  
For Abstract 1 of 2018**

"A" General Fund	\$ 80,253.67
"F" Water Fund	\$ 732.80
"G" Sewer Fund	\$ <u>1,859.69</u>

TOTAL \$ 82,846.16

Treasurer's Report – copy provided to all board members

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

**MOTION** to accept the budget adjustments for the 2016/2017 budget as presented to the Board, made by Trustee Tatum, seconded by Trustee Wood-Zeno  
Motion carried 4-0

Transfer \$1.00 from A.1210.400 Mayor Contractual to A.1210.100 Mayor Personal Service to cover pennies for payroll.

Transfer \$458.29 from A.3620.400 Safety Inspection Contractual to A.3620.100 Safety Inspection Personal Service to cover one month while had both prior BCO Larry Allen and current BCO Stephen Streeter on the payroll in June 2016 during training.

Transfer \$600.00 from A.1450.400 Election Contractual to A.1480.400 Public Information and Services Contractual to cover webmaster.

Transfer \$4000.00 from A.5132.401 Garage Shop Supplies and \$2300.00 from A.5410.400 Sidewalks Contractual to A.5130.200 DPW Equipment to cover purchase of new trailer for skid steer.

Transfer \$1200.00 from F.8340.404 Equipment Repair to F.8340.420 Professional Services to cover Lead and Copper Sampling Monitoring Plan as requested by the EPA and designed by the Village Engineer.

**MOTION** to open the floor to the public and press made by Trustee Wood-Zeno, seconded by Trustee Marshall  
Motion carried 4-0

Bill Nelson, Russell Drive, was concerned about the new zoning changes, but agreed to see how things play out.

**MOTION** to close the floor to the public and press made by Trustee Wood-Shaw, seconded by Trustee Tatum  
Motion carried 4-0

Mayor Nelson gave a brief overview of the Village's Insurance Renewal, Dave Meager from Adirondack Trust could not attend. The price increase is less than 2%.

**MOTION** to accept the renewal of the Village Insurance with Adirondack Trust, made by Trustee Tatum, seconded by Trustee Marshall  
Motion carried 4-0

**MOTION** to authorize Mayor Nelson to enter in the annual renewal with NYMIR and Adirondack Trust for the Village Insurance, pending any changes based on research by the board, made by Trustee Tatum, seconded by Trustee Marshall  
Motion carried 4-0

## **NEW BUSINESS**

**MOTION** to hire Randy Rathbun as part time DPW Supt., at 40 hours per month at \$1000.00 per month, subject to reobtaining a sewer license, which the cost of classes will be reimbursed after one year, and a three month review made by Trustee Wood-Zeno, seconded by Trustee Tatum  
Motion carried 4-0

Judy Wood-Shaw inquired about the hydro-seeder and trailer purchase, if they were used yet. It was answered they will be this week. She also asked about getting new equipment for Major Dickinson Park. It was decided should would research the specifics and report back to the board.

## **OLD BUSINESS**

### **RESOLUTION FOR VILLAGE ELECTIONS TO BE CONDUCTED BY THE SARATOGA COUNTY BOARD OF ELECTIONS**

**WHEREAS**, pursuant to New York Election Law § 15-104, the Board of Trustees of the Village of Stillwater may adopt a resolution, subject to permissive referendum, for Village elections to be conducted by the Saratoga County Board of Elections; and

**WHEREAS**, on March 21, 2017 the electors of the Village of Stillwater approved a proposition changing the month of the Village general election to November to coincide with the date of the New York State general election; and

**WHEREAS**, the Board of Trustees has determined that it would be in the best interests of the Village of Stillwater for all Village elections to be conducted by the Saratoga County Board of Elections; and

**WHEREAS**, the Village Board of Trustees desires to have all Village election districts contained wholly within the Village pursuant to New York Election Law § 15-104;

**NOW THEREFORE BE IT RESOLVED** that the Board of Trustees of the Village of Stillwater hereby authorizes the Saratoga County Board of Elections to conduct all Village elections and to establish Village election districts contained wholly within the Village; and

**BE IT FURTHER RESOLVED** that this Resolution shall be subject to permissive referendum pursuant to Article 9 of the Village Law, and shall not take effect until thirty days after its adoption; nor until approved by the affirmative vote of a majority of the qualified electors of the Village voting on such proposition for its approval if within thirty days after adoption of this Resolution there be filed with the Village Clerk a petition signed and acknowledged by electors of the Village in number equal to at least twenty per centum of such electors in the Village, as shown on the register of electors for the previous general village election, protesting against such act or resolution and requesting that it be submitted to the electors of the village for their approval or disapproval; and

**IT IS FURTHER RESOLVED** that the Village Clerk shall, within ten (10) days of the date of the adoption of this Resolution, in the official newspaper of the Village, in the same manner as is provided for notice of a general Village election, post and publish a Notice, in substantially the form attached hereto, which shall set forth the date of the adoption of this Resolution and contain an abstract of such Resolution concisely stating the purpose and effect thereof, and indicating that such Resolution is subject to a permissive referendum; and

**IT IS FURTHER RESOLVED** that the Village Board hereby authorizes the Mayor and/or Clerk to sign all documents perform such administrative and ministerial actions as may be necessary to effectuate the terms of this Resolution.

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

The foregoing resolution was duly adopted at a meeting of the Board of Trustees of the Village of Stillwater duly conducted on June 20, 2017  
Resolution Adopted 5-0

**MOTION** to approve the audit claims for the month made by Trustee Marshall, seconded by Trustee Tatum  
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 5/16/2017 made by Trustee Wood-Shaw, seconded by Trustee Marshall  
Motion carried 4-0

**MOTION** to adjourn to executive session for a legal opinion regarding personnel made by Trustee Tatum, seconded by Marshall  
Motion carried 4-0

Clerk excused 8:15 PM

**MOTION** to exit executive session for a legal opinion regarding personnel made by Trustee Tatum, seconded by Marshall  
Motion carried 4-0

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

Respectfully submitted,

Sheristin Tedesco  
Clerk/Treasurer