

**REGULAR MEETING -BOARD OF TRUSTEES- August 15, 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 - Absent**

The meeting began with The Pledge of Allegiance  
Special message written by Trustee Tatum and read aloud by Mayor Nelson and followed by a moment of silence.

America was founded on Life, Liberty, and the Pursuit of Happiness and the idea that we are created equal. Those principles were dishonored on Saturday with the violence in Charlottesville, Virginia. A young woman named Heather Heyer was killed when a white nationalist intentionally drove his car into the crowd in which she was standing. Two Virginia state troopers also lost their lives when their helicopter went down nearby. Countless others were seriously injured. The Village of Stillwater condemns these violent acts in the strongest possible terms. There is no place in today's America for hatred, bigotry, and anti-Semitism. No one should be judged by the color of their skin or the religion they practice. Freedom applies to us all and it is our responsibility as Americans to maintain and cherish it for ourselves and others.

Public Attendance – 6

**MOTION** to open the public hearing to consider an application by Joe Zecca/Maureen Patenaude seeking approval of a two-lot minor subdivision on property located at 23 Neilson Avenue (Tax Map No. 253.26-3-1) and to assess the environmental significance of same made by Trustee Wood-Shaw, seconded by Trustee Tatum  
Motion carried 4-0

Brief presentation given by Fred Metzger, surveyor for Joe Zecca, describing the proposed subdivision.

**MOTION** to close the public hearing to consider an application by Joe Zecca/Maureen Patenaude seeking approval of a two-lot minor subdivision on property located at 23 Neilson Avenue (Tax Map No. 253.26-3-1) and to assess the environmental significance of same made by Trustee Wood-Shaw, seconded by Trustee Tatum  
Motion carried 4-0

The EAF Part I was completed by the applicant, parts II and III were read aloud by Mayor Nelson and agreed upon by the Board of Trustees (Copy on file)

**Resolution Adopting SEQRA Negative Declaration**

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

**WHEREAS**, Joe Zecca has made an application for the proposed subdivision of lands owned by Maureen Patenaude subject to a purchase agreement of 23 Neilson Ave (Tax Map # 253.26-3-1) whereby the existing 2.4 acre lot containing a single family residence would be subdivide into two lots of 1.8 and 0.627 acres as shown on the applicant's proposed survey; and

**WHEREAS**, pursuant to New York State Environmental Quality Review Act (SEQR) NYCRR Part 617, the proposed action is a Type I Action requiring SEQRA review; and

**WHEREAS**, pursuant to 6 NYCRR § 617.6 the Village of Stillwater Board of Trustees is the lead agency for SEQRA review; and

**WHEREAS**, the applicant has submitted a subdivision application, proposed survey map and fully completed Short Environmental Assessment Form (EAF); and

**WHEREAS**, a public hearing was noticed and duly held on August 15, 2017 to consider the environmental significance of the proposed action; and

**WHEREAS**, the Village Board has duly reviewed the application materials and carefully considered and weighed the input by the public; and

**WHEREAS**, pursuant to SEQRA the Village Board has considered the criteria set forth in 6 NYCRR 617.7(c) and completed Parts 2 and 3 of the Short Form EAF and; and

**NOW THEREFORE, BE IT RESOLVED**, that the Village Board hereby determines that the proposed action by the application for subdivision of the lands identified by Tax Map Parcel

# 253.26-3-1 into two lots consisting of as shown of the proposed survey map submitted with the application, 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 Mayor to execute the EAF and the Village Clerk to 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>          X          </u>	
Trustee Tatum	Voting	<u>          X          </u>	
Trustee Wood-Shaw	Voting	<u>          X          </u>	
Trustee Wood-Zeno	Voting	<u>          X          </u>	
Mayor Nelson	Voting	<u>          X          </u>	

The foregoing resolution was duly adopted at a meeting of the Board of Trustees of the Village of Stillwater duly conducted on August 15, 2017.

### **Resolution Granting Subdivision Approval**

Motion By: Trustee Tatum

Seconded By: Trustee Wood-Shaw

**WHEREAS**, Joe Zecca has made an application for the proposed subdivision of lands owned by Maureen Patenaude subject to a purchase agreement of 23 Neilson Ave (Tax Map # 253.26-3-1) whereby the existing 2.4 acre lot containing a single family residence would be subdivided into two lots of 1.8 and 0.627 acres as shown on the applicant's proposed survey; and

**WHEREAS**, a public hearing was noticed and duly held on August 15, 2017 to consider the proposed action; and

**WHEREAS**, the Village Board has issued a Negative Declaration pursuant to the New York State Environmental Quality Review Act (SEQR) NYCRR Part 617; and

**WHEREAS**, the Village Board has duly reviewed the application materials, proposed survey and carefully considered and weighed the input by the public; and

**NOW THEREFORE, BE IT RESOLVED**, that the Village Board hereby approves the proposed subdivision of 23 Neilson Ave (Tax Map # 253.26-3-1) whereby the existing 2.4 acre lot containing a single family residence would be subdivided into two lots of 1.8 and 0.627 acres as shown on the applicant's proposed survey, subject to the parties' execution of the purchase agreement. Development of the new 0.627 acre parcel shall be subject to application and review pursuant to all applicable planning and zoning laws and regulations, environmental review, etc., including any approvals required by the Town of Stillwater.

The Village Board Members present were:

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

The foregoing resolution was duly adopted at a meeting of the Board of Trustees of the Village of Stillwater duly conducted on August 15, 2017.

**CORRESPONDENCE** - None

**FIRE DEPARTMENT CHIEF:** Chief Mahar reported there were 5 alarms, 4 drills and one fundraiser for the month. The FD has decided to extend their elections to coincide with the Village elections. Chief Mahar requested a meeting with Mayor Nelson to schedule the Fire Marshall inspection of the fire house. (Report on file)

**MOTION** to allow the Newland Wood Fire Dept. to hold their annual tag day on Sept. 2 and 3<sup>rd</sup> of 2017 made by Trustee Tatum, seconded by Trustee Marshall  
Motion carried 4-0

**MOTION** to accept the Jr. firefighter application of Hayden Tompkins made by Trustee Tatum, seconded by Trustee Wood-Shaw  
Motion carried 4-0

**DPW** – Matt R. reported they installed 2 new water meters, jetted Champlain Ave., cleaned storm drains, did the quarterly water samples and repaired items at the Major Dickinson playground.  
(Report on file)

**BUILDING CODE OFFICER-** Steve Streeter reported there were 6 permits, 4 inspections, 1 CO issued during the month. (Report on file)

**ENGINEERING** – Ed Hernandez reported there were not any compliance issues for the month, in regard to both water and sewer. He stated the Mayor and Board should think about closing the Park Ave. bridge to truck traffic before it deteriorates any further. The Mayor stated they will take it under advisement. (Report on file)

**COMMITTEE REPORTS:**

Trustee Marshall – Reported she met with Matt regarding the water regulations and the Town regarding the water contract, which we are still waiting on. She also spoke with Ed Hernandez regarding the Hillside water tank and agrees that it needs replacing asap.

Trustee Tatum – Nothing to report at this time.

Trustee Wood-Shaw – Senior time picnic will be 9/6/17. She stated she is working on a grant for pickle ball for the seniors and working on the procurement policy. The Fall Festival will be 10/28/17 and the theme will be “The Adams Family”.

Trustee Wood-Zeno – Reported she is working on the “Millennium Miles” with Linda Sanders and also working on the procurement policy.

**VILLAGE ATTORNEY**

James Peluso – Nothing to report at this time

**TREASURER REPORT**

**Voucher Totals By Account 8/15/17**

“A” General Fund	\$ 8,612.82
“F” Water Fund	\$ 1,461.19
“G” Sewer Fund	<u>\$ 6,001.39</u>
TOTAL	\$ 16,075.40

Treasurer’s Report – copy provided to all board members

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

Update on Village Taxes – outstanding balance of \$50,795.00, which is roughly 11% of the total billed at June 1.

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

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

**Resolution Appointing Town of Stillwater as SEQR Lead Agency for Lot Line Adjustment Between Lands of Zecca and Patenaude**

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

**WHEREAS**, Joe Zecca has made an application to the Town of Stillwater for a lot line adjustment titled “Lands of Patenaude and Zecca” proposed at 16 Kellogg Road and more formerly known as Parcel ID 253.26-1-31, 25326-3-30.1 and 253.26-1-23; and

**WHEREAS**, The Town of Stillwater has requested to be lead agency for the lot line adjustment pursuant to the New York State Environmental Quality Review Act (“SEQR”); and

**NOW THEREFORE, BE IT RESOLVED**, that the Village Board of Trustees for the Village of Stillwater hereby agrees that the Town of Stillwater shall be serve as the lead agency pursuant to SEQR for the application by Joe Zecca for a lot line adjustment titled “Lands of Patenaude and Zecca” proposed at 16 Kellogg Road and more formerly known as Parcel ID 253.26-1-31, 25326-3-30.1 and 253.26-1-23.

The Village Board Members present were:

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

The foregoing resolution was duly adopted at a meeting of the Board of Trustees of the Village of Stillwater duly conducted on August 15, 2017.

**NEW BUSINESS**

There will be a Saratoga County Planning Board meeting on 8/18/17 and Trustee Wood-Zeno plans to attend.

**MOTION** to accept the water regulations, effective August 16, 2017 and as stated below made by Trustee Wood-Zeno, seconded by Trustee Marshall  
Motion carried 4-0

**WATER REGULATIONS AND RATES**  
EFFECTIVE August 15, 2017

**1. CONNECTION AND TERMINATION OF SERVICE**

- A. To connect to the Village Water System, all property owners must complete a written application obtainable from the Village Clerk’s Office.
- B. The application fee for single family residences shall be \$1,500 payable to the Village of Stillwater. For industrial, commercial and multi-family properties, the application fee shall be determined by the Village Mayor subject to legal and engineering review. Please refer to the Village Fee Schedule for guidelines.
- C. No work shall commence until payment of the application fee and Village approval of the application.
- D. All single family residence water services shall be 1 inch in size and comply with all Village specifications. Each single family residence shall be connected by its own lateral to the Village Water System. Application may be made to the Village for larger connections for other properties.
- E. As part of the application fee, the Village shall furnish to the property owner the corporation curb stop box, the corporation saddle and fitting, and the line to the curb stop.
- F. The property owner shall be responsible for installation of the lateral line to be connected to the Village Water System, including all labor and materials. All materials shall meet Village specifications. The owner shall purchase a water meter specified by the Village. For outside users in a Town of Stillwater water district, the water meter shall be purchased by the owner from the Town.
- G. Unless otherwise agreed to by the Village, the property owner shall be responsible for excavation, exposure and backfill of the Village water line. The Village reserves the right in its sole discretion to approve or disapprove any contractor hired by the owner to perform such work.
- H. All work performed by the owner and owner’s contractor shall be accordance with all applicable local, state and federal safety, environmental and other regulations.

- I. The property owner's contractor shall be licensed and maintain insurance coverage acceptable to the Village and name the Village as an additional insured on a primary and noncontributory basis.
- J. The Village in its sole discretion may permit the owner's contractor to make the tap connection to Village Water System or require that such tap connection work be performed by the Village.
- K. If an application is approved for water service, the owner will be expected to become a customer within sixty (60) days of completion of connection. If said owner is not a customer within the sixty (60) days, the minimum will be charged for each six (6) month period, which passes without service commencing. This charge will continue until said services are in place.
- L. The Village does not guarantee minimum water pressure. Should the property owner require additional water pressure, a pressure booster system may be installed by the owner after the water meter at the owner's expense.
- M. In the event of a water break on the owner's property, the property owner shall be charged Village labor and material to shut off the water service at the curb stop.
- N. The Village Mayor has the authority to approve water applications for inside and outside users.

## **2. ACCESS TO VILLAGE WATER DEPARTMENT PROPERTY**

- A. All persons not employed by the Village of Stillwater Department of Public Works are prohibited from trespassing on or tampering with the property of said Village Department.

## **3. ACCESS TO CONSUMERS PROPERTY**

- A. Upon request, any employee of the Village DPW or member of the Village Board of Trustees shall be allowed access to all areas of any premises to which water is supplied, provided that such request is made at a reasonable hour.

## **4. BREAKAGE AND/OR REPAIRS OF/TO THE VILLAGE WATER SYSTEM**

- A. The Village reserves the right to shut off the water to its mains for making repairs to said mains or for any other necessary purposes. The Village may do so without prior notice to the consumer and any consumers having boilers on their premises are hereby cautioned against danger of collapse. Risk of damage in such case is borne by the consumer. In case of danger the hot water faucet should be opened.
- B. The Village hereby agrees to use due diligence and care to provide a constant supply of water through its system to consumers. It is of utmost importance to the Village that no break, failure or accident should occur. In the event of any such occurrence, the Village shall not be liable to any consumer for any damages resulting therefrom nor shall the Village be liable for any damage to any consumer caused by any public enemy, the elements or any accident, failure or break in the machinery, reservoirs or supply lines of the Village Water Supply System.
- C. Consumers will be held responsible for the cost of repairs to or replacement of their meter if it becomes inoperable for any reason. If a consumer's shut-off valve is faulty, the Village will replace the valve for a fee of \$20.00 plus the cost of parts.

## **5. TESTING OF CONSUMERS WATER METERS**

- A. The Village may, at its own cost and at any time it alone deems necessary, test the accuracy of any meter and require replacement with a new meter at the consumer's expense if it does not register correctly. In the event a meter does not register correctly, that consumer will be billed by the amount the consumer was charged during the previous period. For Village meters, the DPW will test an old style meter if requested by the consumer upon the payment of a \$35.00 deposit, for new remote read meters a deposit of \$70.00 is required. The deposit is refundable in full if the meter is found to be faulty and requires replacement.

## **6. METER RATES, BILLING AND PENALTIES**

- A. The water usage rate within the Village shall be Four and 50/100 (\$4.50) dollars per 1,000 gallons metered. There shall be a six-month minimum rate within the Village of \$45.00.
- B. All metered water outside the Village limits will be charged at the contract rate with the Town of Stillwater or \$6.38 per 1,000 gallons. The minimum rate will be based on 10,000 gallons. Minimum semi-annual rates for larger meters may be obtained by application to the Village Board of Trustees.
- C. The water usage rates quoted herein are effective October 1, 2015 and shall remain in effect until further notice.
- D. The Village reserves the right to amend or revise any of the foregoing rates and make changes as it may deem necessary.
- E. The Village will bill inside users for water usage on a six-month cycle. All bills for service are due and payable within thirty (30) days from the date of mailing or presentation. The Village will impose a 5% late fee to each water bill with an outstanding balance each month that it is in

arrears. The amount of the total unpaid water bills and the accumulated late fees at May 1<sup>st</sup> shall be added to the owner's Village property tax.

## **7. ESTIMATED WATER READINGS**

- A. If the DPW is unable to obtain a meter reading and the property owner fails to call in the reading within 3 days, the Village will estimate the reading based on prior documented reading, if no documented reading is available then 36,000 gallons will be billed unless we have written notification that the premises is empty. If the Water Department does not have access to read a meter for the use during a period after an estimated reading, the property owner will make the premises available so the DPW can install a new remote read meter. In the event a reading is obtained after billing and the estimates are found to be high, there will be no adjustments or refunds on either the water or sewer billed by estimate. However, should the Village underestimate the amount of water used the property owner will be liable for the full cost of the actual water delivered and corresponding costs for sewer rents.

## **8. DECLARATION OF A "STATE OF EMERGENCY"**

- A. The Village reserves the right to declare a "State of Emergency" and to order the discontinuance of the use of sprinkling devices or the use of hoses for any purpose other than the extinguishing of fires. The Village may continue this "State of Emergency" for such periods as it may deem necessary. In the event that any consumer does not immediately comply with such declaration and order, the Village may shut off the supply of water to such consumer without further notice.
- B. Consumers must not permit water to run to waste or supply it to others.

**MOTION** to accept the water service application, effective August 16, 2017 and as stated below made by Trustee Marshall, seconded by Trustee Tatum  
Motion carried 4-0

### **VILLAGE OF STILLWATER WATER SERVICE APPLICATION**

#### **Conditions of Application (August 15, 2017)**

1. Applicants for water service shall complete this application. Property owners and/or their tenants shall comply with the terms and conditions of this application, together with the Village of Stillwater Water Regulations and Rates.
2. Applicants shall pay an application fee to cover the costs of administration and inspection of the new water service. The fee is \$1,500 for single family residences. For industrial, commercial and multi-family properties, please refer to the Village Fee Schedule. Water service charges will apply from the date of connection. This does not include any additional fees that may be charged by the Town of Stillwater to customers in a Town water district
3. No work shall commence until approval of the application by the Village and payment of the application fee. The Owner or the Owner's contractor shall notify the Village Department of Public Works at least 72 hours in advance of performing any work. The Village reserves the right to inspect all work in progress.
4. All services for single family residences shall be 1" in size and meet all details and specifications adopted by the Village of Stillwater and shown on the "Typical Water Details."
5. This application must be filed with the Village Clerk's Office at least 20 days prior to actual water service connection, together with a plot plan showing the location of the structure and proposed water service. All other utilities including sewer shall be shown on the plan. Buildings requiring fire sprinklers may require proper backflow prevention devices which are subject to NYSDOH approval. The Village may require additional information or conditions as part of this application pending legal and engineering review.
6. Where all details have not been provided, this form will be returned to the applicant.
7. As part of the application fee, the Village shall furnish to the property owner the corporation curb stop box, the corporation saddle and fitting, and the line to the curb stop.
8. The property owner shall be responsible for installation of the lateral line to be connected to the Village Water System, including all labor and materials. All materials shall meet Village specifications. The owner shall purchase a water meter specified by the Village. For outside users in a Town of Stillwater water district, the water meter shall be purchased by the owner from the Town.

9. Unless otherwise agreed to by the Village, the Owner and/or the Owner's contractor are responsible for excavation, backfill and exposure of the existing Village water line and for coordination of work with Village staff. The Village reserves the right in its sole discretion to approve or disapprove any contractor hired by the owner to perform such work. The Owner's Contractor is also responsible for providing all pipe, materials and labor required to complete the work. Materials and installation shall meet Village "Typical Water Details." For outside users in a Town of Stillwater water district, the water meter shall be purchased by the Owner from the Town.
10. The Village in its sole discretion may permit the owner's contractor to make the tap connection to Village Water System or require that such tap connection work be performed by the Village.
11. The Owner and/or Owner's contractor shall be responsible for a safe work environment. Owner shall permit the Village to visually inspect the service extension to the residence prior to backfill. Once completed, tested and accepted by the Village, the Owner is responsible for maintenance of all water service extensions from the corporation stop to the house.
12. All work performed by the Owner and Owner's contractor shall be accordance with all applicable local, state and federal safety, environmental and other regulations.
13. The Owner's contractor shall be licensed and maintain insurance coverage acceptable to the Village and name the Village as an additional insured on a primary and noncontributory basis.
14. It is the responsibility of the applicant to ensure that the service is required **before** making payment. If an application is approved for water service, the owner will be expected to become a customer within sixty (60) days of completion of connection. If said owner is not a customer within the sixty (60) days, the minimum will be charged for each six (6) month period, which passes without service commencing. This charge will continue until said services are in place.
15. If the applicant withdraws the application and the service is connected, no refund will apply. If a refund is requested and the service has not been connected, an administration charge of 20% of the original fee, to a maximum of \$100.00, will be deducted from the refund amount to cover costs.
16. The Village does not guarantee minimum water pressure. Should the Owner require additional pressure, a pressure booster system can be installed by the property owner in the building after the water meter at the Owner's expense.
17. A condition of connection is that there is unrestricted access for installation of the service, the reading of the meter, maintenance and other authorized purposes. A relocation/reinspection fee may apply if access is not available.
18. By signing this application, the applicant declares under penalty of perjury that he or she is an authorized representative of the Owner and that all information provided herein is true and correct.

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### OUTSIDE WATER USER APPLICATION

*Village Clerk's Office, 1 School Street, Stillwater, NY 12170*  
*Phone: (518) 664-6258 • Office Hours: 9.00am to 3.00pm - Monday to Friday*

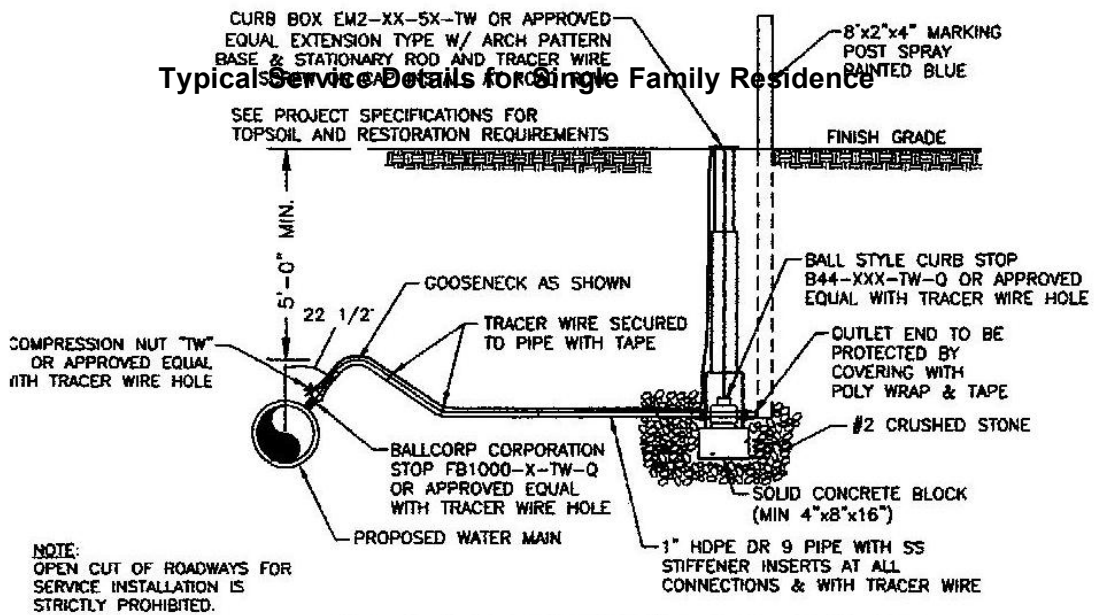
#### APPLICANT INFORMATION

Applicant's Name	Contact Phone No.
Applicant's Address	
Owner's Name	Owner's Phone No.

Property Physical Address:	Property Mailing Address (If Different) :
Contractor's Name	Contractor's Phone Number
Contractor's Address	
Applicant's Signature	Date

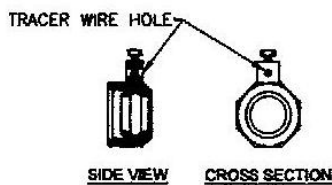
**APPLICATION DETAILS**

Date Water Service Requested:
Type of Property (Single Family, Multi-Family, Commercial, Industrial):
Description of Project:



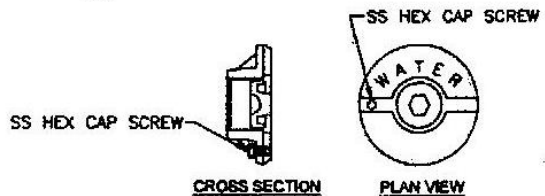
**TYPICAL SERVICE CONNECTION DETAIL**

NT6



**COMPRESSION NUT DETAIL**

NT5



**CURB BOX LID DETAIL**

NT5



**MOTION** to approve the audit claims for the month made by Trustee Tatum, seconded by Trustee Marshall  
Motion carried 4-0

**MOTION** to approve the Treasurer's report made by Trustee Wood-Shaw, seconded by Trustee Wood-Zeno  
Motion carried 4-0

**MOTION** to approve the minutes from Regular Meeting dated 7/18/2017 made by Trustee Wood-Shaw, seconded by Trustee Tatum  
Motion carried 4-0

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

**MOTION** to exit executive session for a legal matter regarding a purchase made by Trustee Tatum, seconded by Trustee Wood-Shaw  
Motion carried 4-0

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

Respectfully submitted,

Sheristin Tedesco  
Clerk/Treasurer