

**REGULAR MEETING -BOARD OF TRUSTEES- May 16, 2017-7:00 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 – 9

**MOTION** to open the public hearing to assess the environmental significance and adoption of the Villages' proposed new Form-Based zoning code. The Form Base Code will replace the Village's current zoning law. The new Form-Based Code divides the Village into Transect Zones known as "V3 - Neighborhood", "V4 - Mixed Use" and "V5 – Mixed Use Center." The Form-Based code includes a Schedule of Uses (i.e., Permitted, Site Plan, Special Use Permit) and Design Regulations for each transect zone made by Trustee Tatum, Seconded by Trustee Marshall  
Motion carried 4-0

Resident John Basile stated he would like to see the colors that signify different zones on the map changed to stand out better. The Mayor said he will take it under advisement.

**MOTION** to close the public hearing to assess the environmental significance and adoption of the Villages' proposed new Form-Based zoning code. The Form Base Code will replace the Village's current zoning law. The new Form-Based Code divides the Village into Transect Zones known as "V3 - Neighborhood", "V4 - Mixed Use" and "V5 – Mixed Use Center." The Form-Based code includes a Schedule of Uses (i.e., Permitted, Site Plan, Special Use Permit) and Design Regulations for each transect zone made by Trustee Tatum, Seconded by Trustee Marshall  
Motion carried 4-0

**MOTION** to open the public hearing to assess and evaluate the environmental significance and Village approval of a Land Development application and Special Use Permit application by Capital District Ventures, LLC, P.O. Box 824, Clifton Park, NY 12065 for the construction of six (6) four-unit condominium buildings plus associated parking, utilities, landscaping and stormwater management facilities at 950 North Hudson Avenue, Stillwater NY, 12170 (Tax Map parcel No. 243.76-2-1). The property is located in a Business district. Said environmental review is pursuant to the State Environmental Quality Review Act, 6 N.Y.C.R.R. Part 617. Village approval of the land development permit is subject to Village Local Law No. 4 of 1994. Village approval of the special use permit is pursuant to the Village Zoning Law made by Trustee Wood-Shaw, Seconded by Trustee Wood-Zeno  
Motion carried 4-0

A presentation was given by Capital District Ventures representative Joe Bianchini describing the project as 6 buildings, each having 4 units consisting of one and two bedroom units. The units will be individually metered for water and will each have light posts.

John Basile, 648 Hudson Ave., asked if each unit will have two car garages, it was answered yes. He also asked if there will be cut off lighting and that was also answered yes.

Laura LaFountain, 966 Hudson Ave., inquired as to the distance from her driveway to the first condo unit, it was answered 64 feet. She inquired about the status of her driveway and it was answered that it would be repaired if disturbed.

Mayor Nelson stated the builder would be providing the Village with some give backs, if and when the project is approved. Such as new street signs, adult exercise equipment for Major Dickinson Park, banners, planters and perhaps an electric sign for Cannon Park.

**MOTION** to close the public hearing to assess and evaluate the environmental significance and Village approval of a Land Development application and Special Use Permit application by Capital District Ventures, LLC, P.O. Box 824, Clifton Park, NY 12065 for the construction of six (6) four-unit condominium buildings plus associated parking, utilities, landscaping and stormwater management facilities at 950 North Hudson Avenue, Stillwater NY, 12170 (Tax Map parcel No. 243.76-2-1) made by Trustee Tatum, Seconded by Trustee Marshall  
Motion carried 4-0

**MOTION** to open the public hearing for approval of a Special Use Permit to operate a laundromat within the existing structure at 677 Hudson Ave (Tax Map No. 253.26-2-18).

The Special Use Permit was submitted by John M. Bove made by Trustee Wood-Shaw, Seconded by Trustee Marshall  
Motion carried 4-0

John Bove Sr. gave a presentation stating he would like to have a laundromat, consisting of 11 washers and 12 coin operated dryers, in the space at 677 Hudson Ave., Powers Drywall Building.

**MOTION** to close the public hearing for approval of a Special Use Permit to operate a laundromat within the existing structure at 677 Hudson Ave (Tax Map No. 253.26-2-18) made by Trustee Wood-Shaw, Seconded by Trustee Tatum  
Motion carried 4-0

The following Resolution was read by Mayor Nelson

**Resolution Recognizing Type II SEQRA Action**

**WHEREAS**, John M. Bove has filed an application for special use permit for a coin operated laundromat at 677 Hudson Avenue, Stillwater, NY 12170.

**WHEREAS**, the Board of Trustee of the Village of Stillwater declares itself to be the lead agency of the project for the purposes of SEQRA.

**WHEREAS**, the project is an Type II Action for the purposes of SEQRA pursuant to 6 NYCRR § 617.5(1) and (7) as the existing structure is less than 4,000 square feet, there is no proposed expansion of said structure, and there is no substantial change to the existing street openings, parking and landscaping; and is, therefore, not subject to review pursuant to SEQRA;

**NOW, THEREFORE, BE IT RESOLVED** that this project has been determined not to have a significant impact on the environment and is not subject to further review under SEQRA.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

	Aye	Nay	Absent
Trustee Eunice Marshall	X		
Trustee Frank Tatum	X		
Trustee Judith Wood-Shaw	X		
Trustee Judith Wood-Zeno	X		
Mayor Rick Nelson	X		

The foregoing resolution was duly adopted at a meeting of the Board of Trustees of the Village of Stillwater duly conducted on May 16, 2017.

A list of 12 items required for a special use permit was read aloud and discussed by the Village Board. The consensus was there were not any concerns with any of the items.

The following Resolution was read aloud by Mayor Nelson

**SPECIAL USE PERMIT  
RESOLUTION**

**WHEREAS**, John M. Bove (herein "Applicant") has filed an application for a Special Use Permit for a coin-operated laundromat within the existing 2,300 foot structure at 677 Hudson Avenue identified by Tax Map No. 253.26-2-18. The property is located in the Business District. Laundromats are permitted in said district subject to a special use permit; and

**WHEREAS**, the Board of Trustees of the Village of Stillwater acting on said application duly noticed the same in The Express, posted a notice at the premises and held a public hearing on said application at the Village Hall, 1 School Street, Stillwater on May 16, 2017; and all persons interested in the subject had the opportunity to be heard; and

**WHEREAS**, members of the Board of Trustees are familiar with the property and surrounding neighborhood; and

**WHEREAS**, the Board has determined that the proposed action is a Type II action pursuant to the New York State Environmental Quality Review Act (SEQRA) and therefore does not require environmental review; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees makes the following Findings of Fact and Conclusions of Law in the matter:

**FINDINGS OF FACT**

The applicant John M. Bove has filed an application for a Special Use Permit for a coin-operated laundromat within the existing 2,300 foot structure at 677 Hudson Avenue. The property is located in the Business District and the proposed use requires a Special Use Permit pursuant to Article VI of the Village of Stillwater Zoning Law. The applicant proposes to operate eleven washers and twelve dryers within the footprint of the existing structure. The applicant does not propose any substantial changes to the size or layout of the structure, parking area, curb cuts on Hudson Avenue or stormwater management/drainage. The anticipated hours of operations are 8:00 a.m. to 10:00 p.m. The property utilizes Village water and sewer.

**CONCLUSIONS OF LAW**

Based on the above Findings of Fact, the Board of Trustees has taken into consideration the public health, safety and general welfare of the Village and the comfort and convenience of the public in general and the surrounding properties in particular and concludes that permitting the proposed use of the existing structure at 677 Hudson Avenue for a coin operated laundromat will be in compliance with the Performance Standards set forth in Article VI of the Zoning Law.

Accordingly, the Board of Trustees hereby grants the applicant's request for a Special Use Permit to operate a coin operated laundromat within the existing structure at 677 Hudson Avenue identified by Tax Map No. 253.26-2-18 in accordance with the special use permit application filed with the Village, and with all other applicable laws, rules, and regulations, provided that the following conditions shall be and continue to be observed, kept, and satisfied by said applicant, to wit:

1. Approval is conditioned upon Village approval of a landscaping plan, lighting plan, signage plan and building permit.
2. Approval is conditioned upon the applicant obtaining any federal, state, local or other permits/approvals as may be necessary;
3. This special use permit shall expire if the laundromat use is not commenced within one (1) year of the date of this resolution granting approval of said permit; and
4. This special use permit shall expire if the laundromat use shall have ceased for twelve (12) consecutive months for any reason.

In the event of a violation of any of the aforesaid conditions, this permit may be revoked, provided, however, that once activities under this permit have been properly commenced, there shall be no such revocation until substantial evidence of such violation is presented to the Board of Trustees at a meeting thereof called for the purpose of hearing such evidence on notice to the applicant.

	Aye	Nay	Absent
Trustee Eunice Marshall	X		
Trustee Frank Tatum	X		
Trustee Judith Wood-Shaw	X		
Trustee Judith Wood-Zeno	X		
Mayor Rick Nelson	X		

The foregoing resolution was duly adopted at a meeting of the Board of Trustees of the Village of Stillwater conducted on May 16, 2017 and filed with the Village Clerk's Office.

**CORRESPONDENCE**

A Thank you note was received from Town Supervisor Ed Kinowski thanking the Village Board and staff for the fruit arrangement sent in memory of their bookkeeper.

A letter was received from the DOH rep, Kristine Wheeler, stating they have received and approved the Village's lead and copper monitoring plan. Modifications to this plan must be approved by the NYSDOH Glens Falls Office. (Letter dated 5/9/17 on file)

The Fire Dept. will be having a summer picnic on June 10<sup>th</sup> of this year at Lanthier's Grove. Invitations have been distributed to the Board and staff.

**FIRE DEPARTMENT CHIEF:** Chief Mahar reported there were 5 alarms and 4 drills for the month. The annual car show was held and there were 37 cars in attendance. The burn ban is officially lifted by the DEC. (Report on file)

**DPW –** Matt R. reported they have flushed hydrants, installed meters and fixed the toilet at the Firehouse. They will not be concentrating on mowing and doing chores. They will also be hanging banners and flags prior to the Memorial Day Parade. (Report on file)

**BUILDING CODE OFFICER-** Steve Streeter reported there were 3 permits, 1 condemning notice and 2 violations issued during the month. (Report on file)

**ENGINEERING –** Ed Hernandez reported there was a notice of violation received from the EPA in March. He explained the notice dealt with sampling locations and not all the required publication criteria had been met. The Village now has new language in the AWQR, notices have been sent to residents. The Village is updating the lead sampling plan and have participated in a community survey. The updated lead and copper monitoring plan has been approved by the NYSDOH, as seen in correspondence. He stated the Village has complied with the order and will be doing a follow up in the next couple of weeks. The WWTP bulk storage tank is scheduled to be removed 5/19/17. A 2017 grant summary has been provided to the board members. (Report on file)

**COMMITTEE REPORTS:**

Trustee Marshall – No report at this time

Trustee Tatum – Met with Jim Doyle to discuss payment arrangements for Stillwater Landings. He also attended the Stillwater Fire Dept’s annual car show.

Trustee Wood-Shaw – Some rebuilding Saratoga County together applications have been dropped off to Village residents. Senior time will be Friday May 26<sup>th</sup> and they will be celebrating Memorial Day. Assemblyperson Carrie Woerner is working to get the constraints lifted from grant restrictions to get the Mechanicville bus system to come to Stillwater for a transportation option for our Senior Citizens. The garage sale weekend was not a success, due to horrible weather.

Trustee Wood-Zeno – Reported she will be working on getting flowers planted throughout the Village.

**VILLAGE ATTORNEY**

James Peluso – Nothing to report at this time

**TREASURER REPORT**

Voucher Totals by Account

“A” General Fund	\$ 39,391.71
“F” Water Fund	\$ 4,375.23
“G” Sewer Fund	\$ <u>4,631.03</u>
TOTAL	\$ 48,397.97

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 as presented to the Board, made by Trustee Wood-Shaw, seconded by Trustee Marshall  
Motion carried 4-0

Per the OSC auditor, Dave Braymer, recommendation to dissolve existing General “A” fund reserve accounts and move to the General “A” fund balance  
A.0845.200 – FD Reserve Air Packs \$ 852.95  
A.870.003 – Senior Time \$ 381.19  
A.878.000 – Buildings \$6011.32  
Per the OSC auditor, Dave Braymer, recommendation to dissolve existing Sewer “G” fund reserve accounts and move to the Sewer “G” fund balance  
G.878 – Castle Cliff \$2966.42

Transfer \$4500.00 from F.8320.210 SCWA Water Purchases to F.8340.100 Transmis. & Dist. Personal Service  
Transfer \$50.00 from G.8110.401 Sewer Supplies to G.8110.100 Sewer Admin. Personal Service  
Transfer \$425.00 from A.1450.400 Election Contractual to A.1920.400 Municipal Dues to cover Saratoga County Chamber of Commerce 2017 membership.  
Transfer \$200.00 from A.3410.200 Fire Dept. Eq. to A.3410.402 FD Cell Phones to cover extra cost of tablets in trucks.  
Transfer \$2000.00 from A.1620.409 Buildings Gas & Oil to A.1420.400 Attorney Contractual to cover extra attorney fees.

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

John Basile asked about 577 Hudson Ave being condemned – now what? Steve Streeter answered he was working on an answer to that question.

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

**MOTION** to move to summer hours and begin Village Board meetings at 6:00 pm for the June, July, August & September meetings made by Trustee Tatum, seconded by Trustee Wood-Shaw

	Aye	Nay	Absent
Trustee Eunice Marshall	X		
Trustee Frank Tatum	X		

Trustee Judith Wood-Shaw	X	
Trustee Judith Wood-Zeno	X	
Mayor Rick Nelson		X

Motion carried 4-1

**NEW BUSINESS**

Mary Beth Bianconi, Delaware Engineering, discussed many grant opportunities for the Village of Stillwater. The major highlights being water infrastructure, Ferry Lane sewer lines and the development of the 8 acres of land referred to as the water plant.

**MOTION** to authorize Adirondack Mountain Engineering to apply for the Water Infrastructure Grant (IMG) and allow the allocating of matching funds required by the grant made by Trustee Wood-Zeno, seconded by Trustee Marshall  
 Motion carried 4-0

**RESOLUTION** amending the prior motion, regarding Water Infrastructure Grants, to authorize the Mayor and Clerk/Treasurer the authority to execute any and all documents pertaining to the above grant made by Trustee Wood-Shaw, seconded by Trustee Tatum  
 Motion carried 4-0

Mayor Nelson stated the Memorial Day Parade will be held 5/16/17 and the Trustees will be walking in the parade.

NOTICE is hereby given that the Village Board of Trustees of the Village of Stillwater will hold a Public Hearing on June 20th at 6:00 p.m. to assess the environmental significance and adoption of the Villages’ proposed new Form-Based zoning code. The hearing will take place at the Village Hall located at 1 School Street, Stillwater, NY. the Form Base Code will replace the Village’s current zoning law. The new Form-Based Code divides the Village into Transect Zones known as “V3 - Neighborhood”, “V4 - Mixed Use” and “V5 – Mixed Use Center.” The Form-Based code includes a Schedule of Uses (i.e., Permitted, Site Plan, Special Use Permit) and Design Regulations for each transect zone.

The V3 Neighborhood zone promotes a range of housing types and opportunities in keeping with the surrounding neighborhood and encourages walkability to surrounding neighborhoods and the Village mixed use areas. The V3 Neighborhood zone includes all properties within the Village outside of the V4 and V5 zones described below.

The V4 Neighborhood zone promotes and retains the existing historic character and traditional Village streetscape, enhances the Village downtown identity by encouraging mixed use development, street level activity, and walkability to surrounding neighborhoods, and encourages additional public access to the Hudson River. The V4 Neighborhood zone includes properties adjacent and in proximity to Route 4 & 32.

The V5 Neighborhood zone maximizes economic development potential by encouraging infill, reuse, and expansion of businesses while promoting and retaining the existing historic character and traditional Village streetscape, enhance the Village downtown identity by encouraging mixed use development, street level activity, and walkability to surrounding neighborhoods. The V5 Neighborhood zone includes properties located in the southern portion of the Village located south of Ten Broeck Street and west of the V4 zone along Route 4 & 32.

Part 1 of the Full Environmental Assessment Form (EAF), the proposed Form-Based Code and the proposed Design Regulations are available for public inspection at the Village Clerk’s office at 1 School Street, Stillwater, NY 12170, between the hours of 9:00 a.m. and 3:00 p.m., Monday through Friday. At the above date, time and place all interested persons are welcome to attend and will be heard.

The transfer of funds between budget line items of the various accounts in the General, Water and Sewer Funds are commonly required during the fiscal year. Excluding the Contingency Budget line item, the Treasurer should be authorized to make budget transfers between line item accounts, so long as the transfer for any one item does not exceed five thousand dollars (\$5,000). All transfers in excess of five thousand dollars (\$5,000) require prior Board of Trustees approval. All transfers will be presented to the Village Board at the next regularly scheduled meeting for approval, per suggestions made by OSC Senior Examiner Dave Braymer to Mayor Nelson and Clerk Treasurer Tedesco.

**MOTION** to authorize the clerk/treasurer to transfer funds between budget line items, excluding the contingency account and less than \$5000.00 each, for general, water and sewer accounts and each transfer will be presented at the next scheduled meeting for approval made by Trustee Wood-Shaw, seconded by Trustee Tatum  
 Motion carried 4-0

**OLD BUSINESS**

**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 Tatum  
Motion carried 4-0

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

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

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

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

Meeting adjourned 10:00 pm

Respectfully submitted,

Sheristin Tedesco  
Clerk/Treasurer