

REGULAR MEETING -BOARD OF TRUSTEES- JUNE 18, 2019-6:00 P.M.

**PRESENT: MAYOR – JUDY WOOD-SHAW, TRUSTEE DOROTHY DEMARCO, TRUSTEE JUDY WOOD-ZENO, TRUSTEE TIMOTHY CAMPBELL - ABSENT, TRUSTEE JOHN BASILE
CLERK/TREASURER: SHERISTIN TEDESCO
DEPT. OF PUBLIC WORKS: MATT RIFENBURGH
BUILDING CODE OFFICER: LARRY WOLCOTT - ABSENT
ATTORNEY: JAMES PELUSO
FIRE CHIEF: TONY CONTI - ABSENT
ENGINEER – ED HERNANDEZ - ABSENT**

Public Attendance – 2

The meeting began with The Pledge of Allegiance and a moment of silence.

MOTION to open the public hearing to consider an application by the Joseph Zecca seeking approval to subdivide property located at 16 Kellogg Road known as Parcel ID 253.26-1-32 into four (4) lots, of which two (2) vacant lots shall be located partially in both the Town of Stillwater and Village of Stillwater on which the applicant proposes to construct two (2) future townhomes. The Town is the lead agency for review under the State Environmental Quality Review Act (SEQRA) made by Trustee Basile, seconded by Trustee DeMarco
Motion carried 3-0

Joseph Zecca described the subdivision to the Village Board.

MOTION to close the public hearing to consider an application by the Joseph Zecca seeking approval to subdivide property located at 16 Kellogg Road known as Parcel ID 253.26-1-32 into four (4) lots, of which two (2) vacant lots shall be located partially in both the Town of Stillwater and Village of Stillwater on which the applicant proposes to construct two (2) future townhomes. The Town is the lead agency for review under the State Environmental Quality Review Act (SEQRA) made by Trustee Zeno, seconded by Trustee Basile
Motion carried 3-0

The following Resolution was read by Trustee Zeno

RESOLUTION

**VILLAGE BOARD OF TRUSTEES
VILLAGE OF STILLWATER
June 18, 2019**

Resolution Approving Subdivision Application - 16 Kellogg Road

Motion By: Trustee Zeno
Seconded By: Trustee Basile

WHEREAS, Joseph Zecca has made an application to subdivide property located at 16 Kellogg Road known as Parcel ID 253.26-1-32 which lies in both the Town of Stillwater and Village of Stillwater;

WHEREAS, the application proposes to subdivide the property into four (4) lots, of which a vacant Lot 1 located partially in the Town and Village will be created for future development; Lots 2 and 3

contain existing townhomes located partially in the Town and Village; and Lot 4 will be conveyed to an adjoining parcel.

WHEREAS, the application was originally filed with the Town of Stillwater, and a copy filed with the Village;

WHEREAS, The Town of Stillwater as the lead agency for the application pursuant to the New York State Environmental Quality Review Act (“SEQR”) has approved the application and issued a Negative Declaration;

WHEREAS, a public hearing was noticed and duly held by the Board of Trustees of the Village of Stillwater on June 18, 2019 to consider the proposed subdivision; and

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Stillwater hereby approves the proposed subdivision of the property located at 16 Kellogg Road known as Parcel ID 253.26-1-32 whereby the existing 1.48 acre lot will be subdivided into lots of 1.02± acres (Lot 1), 0.24± acres (Lot 2), 0.21± acres (Lot 3); and .01± acres (Lot 4), of which Lots 1, 2 and 3 are located partially within the Village of Stillwater, as shown on the applicant’s survey.

The members of the Village Board of Trustees present and voting were:

Trustee:	Vote:
Trustee Basile	<u>Yes</u>
Trustee Campbell	Absent
Trustee DeMarco	<u>Yes</u>
Trustee Wood-Zeno	<u>Yes</u>
Mayor Wood-Shaw	<u>Yes</u>

I, Sheristin Tedesco, Village Clerk, do hereby verify that the foregoing is a true copy of a Resolution adopted by the Board of Trustees of the Village of Stillwater, Saratoga County, New York on June 18, 2019.

Special Guest Luigi Palleschi, ABD Builders, described a previously approved project for condos/apts. on Hudson Ave. He requested an extension for the project. A discussion was held regarding manhole covers, fire hydrants and stormwater mgmt. He stated all issues will be addressed prior to building.

The following Resolution was read by Trustee Zeno

RESOLUTION

**VILLAGE OF STILLWATER
BOARD OF TRUSTEES
June 18, 2019**

**Decision Extending Land Development and
Special Use Permit for 950 North Hudson Avenue**

Motion By: Trustee Zeno

Seconded By: Trustee Basile

WHEREAS, by Resolution dated November 14, 2017, the Board of Trustees of the Village of Stillwater approved an application for a Land Development and Special Use Permit by Capital District Ventures, LLC, 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; and

WHEREAS, pursuant to the Village of Stillwater's zoning laws, including Local Law No. 3 of 2007 as amended (Village of Stillwater Zoning Code) and Local Law No. 2 of 2017 as amended (Village of Stillwater Form-Based Code), the special use permit shall expire if construction has not commenced within one year or been completed within two years or the special use ceases for more than 12 months; and

WHEREAS, the Capital District Ventures LLC seeks to extend the Land Use and Special Use Permit; and

WHEREAS, the Board of Trustees has reviewed the original application and additional project materials submitted by Capital District Ventures LLC in support of their request for an extension of said permit; and

WHEREAS, permit extensions may be granted at the discretion of the Village Board pursuant to the applicable local laws;

NOW, THEREFORE, BE IT KNOWN AND RESOLVED THAT pursuant to Village of Stillwater Local Law No. 4 of 1994 (Land Development), Article VI of Local Law No. 3 of 2007 (Zoning Law) and Article VI of Local Law No. 2 of 2018 (Form-Based Code), the Village Board of Trustees hereby approves an extension of the November 14, 2017 Land Development and Special Use Permit subject to the following conditions:

1. Approval is conditioned upon applicant obtaining all other necessary local, state and/or federal approvals and permits as may be necessary by law.
2. Approval of the site plans is conditioned upon a final site plan map showing all improvements, roads, utilities, stormwater facilities, sidewalks, landscaping, lighting, and any other conditions or restrictions deemed necessary by the engineers for the Village and the Village Board.
3. Approval is conditioned upon a satisfactory competed jurisdictional determination from the US Army Corps of Engineers for the wetland locations.
4. Approval is conditioned upon a stormwater maintenance agreement satisfactory to the Village Board prior to the issuance of any building permits.
5. Approval is conditioned upon the applicant's compliance with the comments of the Village's stormwater management officer.
6. Approval is conditioned upon final NYS Department of Transportation approval of the driveway and curb cuts.
7. Approval of all proposed easements, deeds, rights of way or other conveyances is subject to review and approval by the Village's engineers and attorneys, and the dedication of any roads, utilities or other improvements shall be made only after inspection and approval of the same.
8. Approval is conditioned upon Village Board approval of proposed street names and building addresses.
9. Approval is conditioned upon Village Board approval of the building façades facing Route 4 & 32.
10. Approval is conditioned upon Village Board approval of a final landscaping and lighting plan.
11. Approval is conditioned upon Village Board approval of a public benefit/mitigation fee for the project.
12. Any subsequent modifications are to be agreed upon by the Applicant and the Village Board.
13. The Land Development and Special Use Permit shall expire on June 18, 2020, unless a further extension is granted at the discretion of the Village Board.

The Village Board Members present upon roll call vote were:

VOTE:

Trustee Basile	<u>Yes</u>	_____
Trustee Campbell	<u>Absent</u>	_____
Trustee DeMarco	<u>Yes</u>	_____
Trustee Wood-Zeno	<u>Yes</u>	_____
Mayor Wood-Shaw	<u>Yes</u>	_____

I, Sheristin Tedesco, Village Clerk, do hereby verify that the foregoing is a true copy of a Resolution and Decision adopted by the Board of Trustees of the Village of Stillwater, Saratoga County, New York on June 18, 2019. Said decision shall be forthwith filed with the Village Clerk’s Office and a copy mailed to the applicant.

SPECIAL GUEST - Mr. Dave Meager, Amsure Insurance representative, gave a brief presentation on this year’s insurance renewal and rates. Mr. Meager is going to quote prices to include higher rates of coverage. He will get back to the board before renewal time.

CORRESPONDENCE – All elected official are invited to walk in the Turning Point Parade in Schuylerville on 8/4/19 at 1:00 PM.

FIRE DEPARTMENT CHIEF: There were 2 alarms and 4 drills during the month and one even, the Memorial Day Parade.

Trustee Judith Wood Zeno took the NYS Oath of Office for the Office of Fire Police of the Newland Wood Fire Department.

FIRE MARSHALL – Laurence Case stated he drafter letters for inspections and the attorney is reviewing.

MOTION to approve the purchase of duplicate sheets for fire events, not to exceed \$200.00, made by Trustee Zeno, seconded by Trustee Basile
Motion carried 3-0

DPW – Matt R. stated the crew replaced the seal at pump station #2, replaced communication units at the Hillside tank and serviced the generators. They have also been installing the water and sewer lines for the splashpad.

Mayor Wood-Shaw stated she has received many compliments regarding the maintenance of the Village and thanked the DPW.

BCO – Absent

Report summarized - There were 2 permits issued during the month, one OTR and one permit denied because plans did not meet building code. There were multiple inspections during the month along with returned phone calls.

ENGINEERING – Absent (Report on file)

COMMITTEE REPORTS:

Trustee Basile stated he spoke the EON representative and the earliest they will be installing the battery project will be the end of this year. He stated he is working on the NYSEG street light

project and it still needs an economic analysis and he is not in a position to present to the board at this time

Trustee DeMarco – Attended a NYMIR seminar on parks and playgrounds and learned how to properly remove a tick. She stated should would like to invite Copeland Rep. to a meeting to discuss Project Backboard with the entire Board. It was decided she would reach out to the rep and let the board know.

Trustee Wood-Zeno – Stated she was advised that our request for a traffic study was excessive in scope which would result in a cost of \$12,500.00. A bill for \$12,500 was sent to the Developer to provide that dollar amount in escrow, to the Town of Stillwater, to complete the study. One of the community priorities identified by the new Planning Committee was to create an opportunity for waterfront access within the Village, options are being explored.

Building/Planning Committee meeting – Our next meeting is scheduled for June 20th.

NYS Required Sexual Harassment training: The Mayor and I attended the State-mandated Sexual Harassment training in May. We learned that all Village Employees, elected officials and the Village Fire Volunteers are all subject to this mandated training unless they take this training with their other jobs. During our Board meeting, the Amsure representative told us that NYMIR will be rolling out free training. We will be interesting in utilizing this. Trustee Zeno successfully completed the NYS mandated course for Fire Police and the necessary FEMA courses. I also used some of the skills learned for traffic control at the Galway Memorial Day parade. Sher and I met with Shirley Harrington from the Tax Assessor’s office to review about a dozen Village addresses that should be considered for possible address changes. (For safety issues when 911 is called) I will be reviewing most of these with our County representative at the end of July.

MOTION to allow Flatley Reed to perform a needs assessment for the Home Improvement Program made by Trustee Zeno, seconded by Trustee DeMarco
Motion carried 3-0

VILLAGE ATTORNEY – Questioned where the Fire Marshall falls under, the Village or the Fire dept. and stated we may want to charge fees for inspections.

TREASURER REPORT

Voucher Totals By Account for the month 2019 Fiscal year

“A” General Fund	\$ 32,975.54
“F” Water Fund	\$ 2,872.97
“G” Sewer Fund	\$ <u>1,696.85</u>
TOTAL	\$ 37,545.36

Voucher Totals By Account for the month 2020 Fiscal Year

“A” General Fund	\$ 45,857.51
“F” Water Fund	\$ 1,916.08
“G” Sewer Fund	\$ <u>3,322.30</u>
TOTAL	\$ 51,095.89

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 below made by Trustee Zeno, seconded by Trustee Basile
Motion carried 3-0

Budget Adjustments June 2019

Transfer \$700.00 from A.1990.400 Contingent Account to A.1620.404 Buildings Eq./Repair to cover Skip's Electric work at Firehouse and Board Room.

Transfer \$1000.00 from A.8540.400 Drainage Contractual to A.9060.800 Hospital and Medical Insurance to cover additional employee coverage to year end.

Transfer \$500.00 from A.1620.200 Buildings Equipment to A.1620.402 Buildings Telephone.

Transfer \$500.00 from G.8120.402 Sanitary Sewers, I&I Removal to G.8110.420 Sewer Admin. Professional Services

Increase A.7110.400 Parks Contractual by \$12,885.00 (\$7236.65 from Recovered Insurance and \$5648.35 from General Fund Balance) for Cannon Park Clock Replacement after hit and run. Insurance company still pursuing driver's insurance after receiving police report in May 2019 for additional money.

Transfer \$20.00 from A.5410.400 Sidewalks Contractual to A.7110.400 Parks Contractual to cover new swings.

Transfer \$50.00 from A.3410.400 Fire Dept. Contractual to A.3410.402 Fire Dept. Cell Phones.

Transfer \$600.00 from A.5132.409 Garage Gasoline to A.5132.414 Garage Auto Supplies.

Village Tax Warrant for 6/1/19 was \$470,150.74 – breakdown as follows
\$372,884.62 being base taxes and \$97,266.12 being liens for relevy.

MOTION to open the floor to the public and press made by Trustee Basile, seconded by Trustee DeMarco
Motion carried 3-0

Laurence Case questioned the parking issue on General Schuyler Lane. It was decided the V&T law would be reviewed.

Asst. Chief Mahar gave a brief lesson on dry fire hydrants to the Village Board.

MOTION to close the floor to the public and press made by Trustee Basile, seconded by Trustee Zeno
Motion carried 3-0

NEW BUSINESS

MOTION To approve the proposal by BST&Co, dated May 28, 2019, for auditing services at an amount not to exceed \$12,250 made by Trustee Basile, seconded by Trustee DeMarco
Motion carried 3-0

MOTION to permit the Mayor to adopt safety and operational rules for the Splashpad made by Trustee Basile, seconded by Trustee DeMarco
Motion carried 3-0

OLD BUSINESS

MOTION to approve the audit claims for the month made by Trustee Basile, seconded by Trustee Demarco
Motion carried 3-0

MOTION to approve the Treasurer's report made by Trustee Zeno, seconded by Trustee Basile
Motion carried 3-0

MOTION to approve the minutes from Regular Meeting dated 5/21/2019 made by Trustee Basile,
seconded by Trustee DeMarco
Motion carried 3-0

MOTION to adjourn made by Trustee Zeno, seconded by Trustee Basile
Motion carried 4-0

Meeting adjourned 8:20 PM

Respectfully submitted,

Sheristin Tedesco
Clerk/Treasurer