

REGULAR MEETING-PUBLIC HEARING-BOARD OF TRUSTEES-MARCH 15, 2005-7:00 P.M.

PRESENT: ERNEST W MARTIN, MAYOR; TRUSTEES-JOHN MURPHY, MICHAEL HANEHAN, MARTIN RICCARDI, RAYMOND WALKER

ALSO PRESENT: ATTORNEY, JAMES PELUSO; BUILDING CODE OFFICER, THOMAS MELLON; FIRE CHIEF, JEFF MAHAR; SUPT OF PUBLIC WORKS, RANDY RATHBUN; COUNCILWOMEN, JOAN RONDA & JOANN WINCHELL; TIME WARNER REPRESENTATIVE GEORGE SMEDE

**PUBLIC HEARING
CABLE TELEVISION FRANCHISE**

Mayor Martin called the Public Hearing to order at 7:00 P.M. and read the notice that published in the newspaper.

MOTION to open the floor to the public and press was made by Trustee Murphy, seconded by Trustee Walker.
Motion carried 3-0

Mayor Martin introduced George Smede, Time Warner Cable Television Director of Government Relations.

Mr. Smede explained the franchise is to use the public right-of-way to provide cable services to residents of the Village. He stated the franchise is nearly identical to the current franchise that is in existence. The Village could consider increasing the franchise fee, the current fee is 3% and the law allows for municipalities to receive as much as 5%. He stated that they do offer state of the art service.

Trustee Murphy questioned what other municipalities receive regarding franchise fees. Mr. Smede explained the franchise fee is paid by the consumer not the Cable Company, any fee increase would be passed on to the consumer. He stated that approximately 80% use the 5% franchise fee.

Trustee Murphy also questioned if there is a discount available for senior citizens. Mr. Smede explained the Cable Company must offer basic service at a very reasonable rate, this is regulated by the PSC or the municipality. Since this took effect they no longer offer discounts.

Mr. Basile questioned how the rates are determined. Mr. Smede explained how rates are determined (i.e. broadcast costs, contracts with various networks etc.) He explained they are a public company. They would need approval if they wanted to increase basic charge fees. He explained the Village receives free basic service, RoadRunner is provided at a discount. RoadRunner is provided to schools & Libraries at no charge as their commitment to education.

JoAnn Winchell explained that the Town recently renewed their contract, a representative from the PSC met with the Town provided contracts from other municipalities for comparison. She also advised that the Town decided not to increase the franchise fee.

MOTION to close the floor to the public and press was made by Trustee Hanehan, seconded by Trustee Walker.
Motion carried 4-0

Mayor Martin called the regular meeting to order at 7:20 P.M. and led the Pledge to the Flag.

The Proposed 2005/2006 Village Budget was presented; the Clerk-Treasurer gave a brief description of changes that are included in the proposed budget.

Mayor Martin read a letter he received from Scott Earl, County Waste explaining the reason for the recent increase in rates. They are standardizing

their rates so that all residents pay the same amount for the size container they are using. Discussion was held regarding various ways to service the residents regarding refuse pick-up. Supt. will research other refuse companies to see if there are alternatives for residents.

Mayor Martin read a letter from the Community Center regarding the Duck Derby and Village-wide Garage Sale to be held May 14, 2005.

Trustee Murphy read a letter from Mrs. Susan Fischer regarding changing the name for Champlain Road, after researching the issue she understands that the name will need to be changed, she would suggest that the Board consider changing the name to Newland Lane. Discussion was held regarding the name change, a public hearing would be necessary to amend the local law relating to traffic in the Village. It was decided that the entire law needs to be reviewed, rewritten and a public hearing held. Supt. will review the current law with the amendments and try to combine to make one law. Discussion was held regarding snow removal, it was decided that a policy needs to be included in the street law.

PUBLIC HEARING SEWER RENTALS

Mayor Martin called the Public Hearing to order and read the notice of Public Hearing that was published in the newspaper.

MOTION to open the floor to the public and press was made by Trustee Murphy seconded by Trustee Hanehan.
Motion carried 4-0

The public was advised that the sewer operation & maintenance would increase \$.25 per one-thousand gallons of water used and the sewer debt service would be lowered by \$.10 per one-thousand dollars of assessed value per year.

Mr. Basile questioned what the net effect would be. He was advised most people would see a slight increase in their bill the sewer rent portion of the bill would be \$2.50 the water usage portion of the bill would be \$1.60 and the Debt Service portion would be \$.90 each billing period. That would mean the total fee per 1000 gallons of water used was \$4.00 and the new fee would be \$4.10 per 1000 gallons of water used. The Debt Service portion is based on assessment.

MOTION to close the floor to the public and press made by Trustee Hanehan, seconded by Trustee Murphy.
Motion carried 4-0

MOTION to adopt Local Law No. 3 of the year 2005 amend the sewer rates in the Village of Stillwater was made by Trustee Hanehan, seconded by Trustee Murphy.

Roll call Vote:	Trustee Murphy	yes
	Trustee Walker	yes
	Trustee Riccardi	yes
	Trustee Hanehan	yes

Motion carried 4-0

BUILDING CODE OFFICER – Thomas Mellon

Mr. Mellon advised he recently attended a storm water management course, the new building permit applications are on their way to the printer, have been following the progress of the modular that was recently delivered to the location on Hudson Avenue at the south end of the Village. Will be attending the inservice class at Greene County with regard to wind requirements. Have

been assisting David Connors on a couple of occasions, he was very helpful to us with regard to the new building permit applications.

FIRE CHIEF – Jeff Mahar

There was an equipment recall on the new truck; it has been taken care of by the Supt.. Convention plans are coming along will need insurance certificates for various venues. Chief Mahar questioned if there are any plans to spruce up the firehouse; the firemen would need notice to box up memorabilia. It was decided that Fire Chief, Supt. of Public Works and Trustee Riccardi would meet to make plans on Thursday at 5:00 p.m. Chief is talking to DOT regarding the parade route. The State would be doing a major paving project for Stillwater, will try to get exact dates of paving project to see if there would be a conflict. They would be willing to work with Village regarding traffic and work schedule.

SUPT. OF PUBLIC WORKS – Randy Rathbun

Water – working on the wells using the new process, started with #7 well doing various testing, it is in very good shape it's producing what it was designed to produce, therefore it did not need redevelopment, moved to #8 well, this well is being redeveloped, it was very encrusted with iron sediment. Will camera #3 well to see if it needs to be abandoned. Would like to consider camera and pump testing for each well to determine which wells need redevelopment, this would cost approximately \$7,500.

Trustee Murphy would like to do this project for planning purposes.

The Annual Water Quality Report for 2004 is completed, after reviewing with the DOH we will be sending to printer and hopefully including with the water/sewer billing sent out April 1st.

Discussion was held regarding lead & copper testing results and the possibility of changing from soda ash to caustic soda. Will be doing a six-month study to determine if the change will help increase the pH levels.

Will be doing new testing quarterly for TTHM's and HA85's, this was requested by DOH.

New furnace has been installed at the water plant.

Proposals for backwash that is required for the SPDES permit have been reviewed. Will go to Clifton Park to review their system before making a decision on the bids that were submitted.

Hope to change media next week.

Sewer – meter calibrated; in process of reviewing the way sludge is chlorinated. Would like to be working in Clinton Court in the spring.

Miscellaneous – passing zone on Route 4, State is looking into this request.

New fire extinguishers have been installed throughout all village buildings. They will return every February to inspect the equipment.

Streetlight removal, it appears that there might be a charge for removing the existing lights.

Mayor would like Supt. to determine when a snow emergency would be required.

(Trustee Hanehan left at 8:15 p.m.)

COMMITTEE REPORTS

Trustee Raymond Walker – nothing new to report.

Trustee John Murphy – Trustee Murphy advised the public that the Water Quality Report prepared by Chazen Companies is on file in the Clerk's Office for any interested persons. He advised that testing for ground water influence has been done since January 2004 and the village wells do not appear to be under the influence of the river.

Provident Development was to have their Attorney contact our Attorney, they have not. Have had discussions regarding the information they have provided do not know when they intend to return to the Board with further information. They need to contact the Attorney to determine if a new SEQRA would be required. Discussion regarding the sewer study is also necessary before proceeding.

Trustee Murphy spoke to Camelot representative regarding supplying water to homes off Stratton Lane, he explained if DOH agrees to the village extension of the water line we would provide water and if the Town creates a water district there would be no need for a contract.

Trustee Martin Riccardi – Trustee Riccardi questioned if the I&I removal would have an impact on the sewer study. Supt. explained we have documentation on I&I removal, however there have been many changes in personnel at DEC and the new personnel may not honor the original agreement.

ATTORNEY – James Peluso

Contacted the Engineers regarding the easement for Hallum, will have them within the next couple of weeks. Easements and deeds for the Colonial Estates development are in place, they are ready for filing.

CLERK-TREASURER – Margo L. Partak

The Clerk advised she was contacted by a representative of Cornerstone Telephone Company, they would like the village to enter into a three-year agreement, if the village did they would waive the line charges for the first month and the thirteenth month of the contract. The line charges are \$9.95 per line we have a total of 15 lines for a total savings of \$298.00. They would also reduce the long distance usage rate to \$.05 per minute.

Due to the technical advances that are being made at the present time it was decided not to enter into a long term agreement at this time.

Adirondack Trust Insurance would like to meet with the Mayor and Fire Chief.

MOTION to open the floor to the public and press made by Trustee Murphy, seconded by Trustee Riccardi.

Motion carried 3-0

Mr. Basile asked questions regarding the sewer system. Supt. Rathbun explained.

Jeri Mehan requested the Board purchase a plaque for the Fire Dept. Car Show, the price has increased this year to \$35.00.

MOTION to purchase a \$35.00 plaque for the Fire Department Car Show to be held May 1st at the Stillwater Central High School made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 3-0

MOTION to close the floor to the public and press made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 3-0

NEW BUSINESS

ReOrganizational Meeting and Public Hearing on the proposed 2005/06 Budget will be held Monday April 11, 2005 beginning at 7:00 P.M.

OLD BUSINESS

Cable Television Franchise; table until April 11, 2005.

BE IT RESOLVED that the Village of Stillwater Board of Trustees hereby amend the water regulations decreasing the water rate in the amount of \$.15 to \$1.60 per one thousand gallons of water used.

Resolution moved by Trustee Murphy, seconded by Trustee Walker.

Motion carried 3-0

Discussion was held regarding the fees for water & sewer tapping. Supt. would suggest having a standard for a ¾ inch tap and a scale for size

increases. It was decided to review the fees and prepare a schedule after Supt. does some research.

MOTION to approve the Minutes from February 15, 2005 made by Trustee Walker, seconded by Trustee Riccardi.
Motion carried 3-0

MOTION to approve the audited claims:

A	\$21,305.40
F	\$36,766.22
G	\$ 4,320.75
H	\$ 3,035.00

Made by Trustee Murphy, seconded by Trustee Riccardi.
Motion carried 3-0

Mayor called a recess at 8:50 p.m. until the election results are delivered.

Mayor Martin called the meeting to order at 9:15 P.M.

The Clerk-Treasurer read the return of Votes from the General Election held in the Village of Stillwater on Tuesday, March 15, 2005 from 12 Noon to 9:00 P.M. They are as follows:

33 votes cast

Trustee 4-years

John M Murphy	29
Raymond Walker	33
Lisa Sabatino	1 (write in vote)

MOTION to accept the Return of Votes and declare the Election Results as official made by Trustee Riccardi, seconded by Trustee Walker.
Motion carried 3-0

Election Results accepted Trustee Walker and Trustee Murphy re-elected to a 4-year term commencing at 12 Noon on the first Monday in April.

MOTION to authorize the Supt. of Public Works to contract with Time Warner Cable for RoadRunner Internet service made by Trustee Walker, seconded by Trustee Murphy.
Motion carried 3-0

MOTION to adjourn made by Trustee Riccardi, seconded by Trustee Walker.
Motion carried 3-0

Meeting adjourned at 9:20 P.M.

Respectfully submitted,

Margo L. Partak
Clerk Treasurer