

**REGULAR MEETING-BOARD OF TRUSTEES-MARCH 19, 2003-7:00 P.M.**

**PRESENT: ERNEST W. MARTIN, MAYOR; TRUSTEES – JOHN M. MURPHY, THOMAS KINISKY, JOHN TREACY, RAYMOND WALKER**

**ALSO PRESENT: ATTORNEY, WILLIAM F. REYNOLDS; SUPT OF PUBLIC WORKS, RUSSELL L. LAQUIDARA; TRUSTEE ELECT, MICHAEL HANEHAN**

Mayor Martin called the meeting to order at 7:00 P.M. and led the Pledge to the Flag.

**CORRESPONDENCE**

Mayor Martin read a letter from a resident of Colonial Estates regarding the cul de sac on Franklin Court. He requested the DPW loosen the soil so he and a neighbor could plant grass.

Mayor Martin read a letter from Saratoga County Emergency Services regarding a flood potential for the week. Mayor Martin advised the Board that the DPW broke ice in the river to allow the Schuyler Creek to flow freely. Supt. explained the river is rising slowly, however it is staying within its banks.

Mayor Martin advised the Board that we have received notification of the award of a FEMA grant to address drainage problem on the Lake Street, from Park Avenue to the Palmer Street area.

**ENGINEER - Bruce Ringrose**

Mr. Ringrose explained the procedure necessary to complete the grant requirements, must be completed by the end of 2004. He explained we are limited in the amount of work that could be done due to elevation of the area in question. We will put in as large a pipe as possible to remove as much water as possible.

Trustee Treacy expressed concern regarding the amount of work that is currently scheduled for the DPW this summer.

Mr. Ringrose explained the procedure would take 8 weeks to prepare design, put out to bid and about 2 months to complete.

Mr. Ringrose suggested if more that one project were to be bid at the same time it could be cost advantageous for the Village.

Mayor Martin would like to schedule a special meeting for the Board to discuss solely these projects.

Mr. Ringrose will contact SEMO to see if we need to wait for signed contracts before beginning design phase.

Pre-Disaster Mitigation Plan-Mayor Martin received documents he reviewed the information for the Board. Mr. Ringrose explained that this is a joint planning grant Town & Village will work together to prepare a plan to address and future disaster that could occur. Draft plan must be submitted by June 30, 2003 and final plan must be in by August 30, 2003. Village and Town share would be \$2,000. Trustee Murphy suggested that perhaps the amount each municipality should contribute be determined by the tax base of each.

Town of Stillwater engineers are currently working on a model of the water system for the Town and they are incorporating the village system as well. Information has been provided to DOH. The Village has volunteered to do testing in conjunction with the Town.

Mayor Martin thanked Mr. Ringrose for attending the meeting to give the Board an update.

**FIRE CHIEF – absent**

Bill Mehan explained that there is some concern regarding the slate roof, some slates have been found on the ground. Would like to have this checked. It does not appear to be leaking at this time. Mr. Mehan explained the Chief is attending an emergency service meeting at the county.

**SUPT. OF PUBLIC WORKS – Russell L. Laquidara**

Supt. distributed a monthly report to the Board. He explained the generator should be running by the end of next week. Should complete the salt shed by the end of

next week also. Trustee Treacy explained that the DPW was called to the school to help with a sewer problem. They were there 4 times pumping out the lift station for them. Discussion was held whether we should bill them for this service, Mayor would like to contact the new administration to see if they would consider granting an exemption for the new water tank in exchange for various assistance we could provide to the school. Supt. explained the school hired Stone to pump out the lift station the first 2 days because our truck was being repaired.

Mayor Martin opened the bid for the used tandem axle tanker truck. Only one was received. It was from North Wind Truck Sales Inc. of Ronkonkoma, NY. Supt. and a mechanic went to Ohio to look at the truck, it is in very good condition. Bid is in the amount of \$26,000 plus an additional charge of \$500.00 for delivery. Supt. requested permission to forward a \$5,000 deposit upon approval of purchase.

**MOTION** authorizing the purchase of the tanker truck from North Wind Truck Sales, Inc. for \$26,500, with a \$5,000 deposit before delivery and balance upon delivery made by Trustee Treacy, seconded by Trustee Murphy.

Discussion: Trustee Kinisky questioned if the Board was aware that the engine was not the same as described in the specs. Supt. explained the tires are to be changed and the truck will be serviced before delivery.

Motion carried 4-0

### **COMMITTEE REPORTS**

Trustee John Murphy – Advised Board he would be preparing “Bit’s of News” this weekend, if anyone wants information in the “Bit’s” please let him know. He and Supt. are also working on the annual drinking water report for the year 2002. He explained he has received another request from a Town resident for a contract to purchase water from the Village, he would like permission to prepare enter into this agreement. Trustee Murphy explained there are other homes that currently purchase from the Village but are within the Town, they should also have agreements and deposits on hand. Would like permission from the Board to prepare agreements for all of the Town residents currently purchasing water and/or sewer service from the Village

**MOTION** to authorize an agreement with the property owner of 64 Stratton Lane at a rate of \$3.63 per one thousand gallons of water used made by Trustee Kinisky, seconded by Trustee Walker.

Motion carried 4-0

Attorney suggested sending letters certified, return receipt advising that it would be necessary to enter into an agreement with the Village to purchase water/sewer service or they would need to find another source for these services.

WR Enterprises have requested a 30-day extension for the approval of the project. Trustee Murphy would like Attorney to review all village laws that could pertain to the storage facility.

**MOTION** to table the storage facility application for 30-days was made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 4-0

Trustee Murphy explained that there is no change with regard to the Town water situation. Trustee Kinisky asked questions’ regarding the proposed rate increases for the next fiscal year. He was advised that the proposed rates are based on the assumption that the town would return to village water. Unless the lost revenue is paid there would be no fund balance to begin the next year and this would necessitate the increase. If they return it is possible the increase would be for one year only.

**MOTION** to increase water rates for the next fiscal year in the amount of \$.50, inside user rates to be \$1.75 and outside user rates to be \$3.63, made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 4-0

Trustee Raymond Walker – Skateboard Park, 1<sup>st</sup> meeting was held Wednesday, March 12<sup>th</sup>, Robert Aldi and Bruce Sporano would get interest from the students. March 13<sup>th</sup> attended a meeting at the American Legion, They have a good number of concerns, they decided they would not be interested in having the park in their area. Have been researching information regarding having the firehouse be declared as a historic building

Trustee Thomas Kinisky – Trustee Kinisky brought up several issues he would like to be addressed

1. cross walk signs should be installed, cars must now stop for pedestrians
2. would like to have State DOT paint the bridge between Stewart's & Mobil
3. Would like to have DOT contacted to repair hole, Hudson Avenue near Post Office.
4. Would like 30 mph sign on Hudson Avenue north of the bridge replaced
5. Village entrance sign, Lake Street needs to be moved it was installed incorrectly, it blocks the entrance to the property.
6. Concerns regarding various new businesses popping up throughout the village, we spoke about restrictions being enacted. Mayor will contact Mr. Kelly to attend the next meeting.
7. Block on corner of Hudson Ave./School Street, Trustee Kinisky very disappointed no follow up after inspection. Mayor Martin explained the status of the situation. Some of the recommendations have been addressed. They do not have a building permit. Attorney stated that a stop work order and order to remedy need to be issued.

Trustee John Treacy – March 14<sup>th</sup> met regarding streetlights, will need to have DOT involved, Mr. Ringrose is preparing the paperwork needed. Measured possible locations and mapped out 14 or 15 locations for lights. Trustee Treacy questioned Attorney concerns. Attorney Reynolds expressed concern regarding the loan program for the Small Cities Grant. He would like some documentation regarding the legality of loaning money to homeowners before preparing loan documents. He suggested a promissory note instead of mortgage. Mayor Martin will contact DBS regarding information for Attorney.

Trustee Treacy advised there are 3 rental units available- 1 homeowner has backed out due to excess lead abatement has been replaced by another owner occupied.

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

Motion carried 4-0

Mr. Frank Tatum requested permission to move his car dealership to 257 North Hudson Avenue. Would make room for 6 or 7 cars on the front lawn. Board asked questions, they expressed concern regarding the changing character of the neighborhood. Mr. Tatum advised he is not a mechanic and would not be doing any work at the location. Mayor Martin stated he would like to Board to have more time to study the request, he would get back to Mr. Tatum as soon as the Board discusses this and comes to some type of decision.

Questions from the press were asked and answered.

**MOTION** to close the floor to the public and press was made by Trustee Murphy, seconded by Trustee Treacy.

**ATTORNEY** – William F. Reynolds

Attorney Reynolds requested the Board adopts the following resolution.

### **RESOLUTION**

**WHEREAS**, the Village of Stillwater is the owner of certain real property located off Clinton court in the Village of Stillwater, NY, previously conveyed to the Village by deed recorded in the Saratoga County Clerk's Office in Book 883 of Deeds at Page 504, and

**WHEREAS**, the Village no longer has a public use need for a portion of said real property, specifically, a triangular area containing 2,629 square feet, bordered on the east by land of Michael and Jacqueline Caulfield, and

**WHEREAS**, the aforesaid Michael and Jacqueline Caulfield have offered to purchase said land from the Village for the sum of Five hundred and 00/100 (\$500.00) Dollars, and

**WHEREAS**, THE Board of Trustees has determined that \$500.00 represents the fair market value of this parcel of land, it is therefore now

**RESOLVED**, that the Village of Stillwater is hereby authorized to sell, through Mayor Ernest Martin, a parcel of land containing 2,629 square feet off Clinton Court to Michael and Jacqueline Caulfield for the sum of \$500.00

MOTION to adopt the foregoing resolution was made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 4-0

## **NEW BUSINESS**

The Clerk-Treasurer read the return of Votes from the General Election held in the Village of Stillwater on Tuesday, March 18, 2003. They are as follows:

412 votes cast

Mayor 4-years:

Ernest W. Martin	311
Vincent J. DeMidio	97

Trustee 4-years:

Martin J. Riccardi	264
Michael J. Hanehan	184
Barbara L. O’Kosky	128
Lisa Sabatino-McIntyre	98

Justice 4-years:

Anthony J. Cavotta	316
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**MOTION** to accept the Return of Votes and declare the Election Results as official made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 4-0

Newly elected are: Mayor-Ernest W. Martin

2 Trustees – Martin J. Riccardi & Michael J. Hanehan

Justice – Anthony J. Cavotta

## **OLD BUSINESS**

Be it resolved that the Village of Stillwater Board of Trustees does hereby authorize Ernest W. Martin, as Mayor of said village, to sign the contract with the New York State Emergency Management Office for a grant to prepare a Pre-Disaster Mitigation Plan.

Motion to approve resolution made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 4-0

Supt. of Public Works will contact NYSDOT to have rusty signs replaced and hole repaired, Hudson Avenue.

**MOTION** to approve the Treasurer Report as presented made by Trustee Treacy, seconded by Trustee Kinisky.

Motion carried 4-0

**MOTION** to approve the minutes from the February 18, 2003 Board Meeting made by Trustee Kinisky, seconded by Trustee Treacy.

Motion carried 4-0

**MOTION** to approve the audited claims: A     \$17,417.06  
  F     \$10,164.10  
  G     \$ 8,692.79  
  H     \$26,500.00

Made by Trustee Murphy, seconded by Trustee Walker.  
Motion carried 4-0

**MOTION** to adjourn to executive session at 9:05P.M. made by Trustee Walker, seconded by Trustee Kinisky.  
Motion carried 4-0

**MOTION** to return to regular session at 9:20 P.M. made by Trustee Walker, seconded by Trustee Kinisky.  
Motion carried 4-0

**MOTION** to authorize the Village Attorney to commence litigation against the Town of Stillwater for breach of water contract made by Trustee Murphy, seconded by Trustee Walker.

Roll Call vote:           Trustee Murphy     yes  
                                  Trustee Walker     yes  
                                  Trustee Kinisky    yes  
                                  Trustee Treacy     yes

Motion carried 4-0

Discussion was held regarding the advisability of entering into an agreement with the Town to provide water and sewer services to the Blockhouse Park.

The Village Board of Trustees agreed to work with the Town of Stillwater to provide water and sewer to the Town owned Blockhouse Park, located in the Village of Stillwater. The Board agreed to the following:

1. There are to be no fee charged for tapping the water or sewer main lines
2. They will be provided with 50,000 gallons of free service for each 6-month billing period.
3. The Town of Stillwater will be responsible for all-material costs and permits that might be required.
4. The Village and Town will equally provide personnel to complete the project.

**MOTION** to adjourn made by Trustee Kinisky, seconded by Trustee Treacy.  
Motion carried 4-0

Meeting adjourned at 9:30 P.M.

Respectfully submitted,

Margo L. Partak  
Clerk-Treasurer