

REGULAR MEETING-PUBLIC HEARING-MARCH 20, 2007-7:00 P.M.-VILLAGE OF STILLWATER BOARD OF TRUSTEES

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

ALSO PRESENT: ATTORNEY, JAMES PELUSO; BUILDING CODE OFFICER, LYNN GOMAN; FIRE CHIEF, SHANE MAHAR; SUPT. OF PUBLIC WORKS, ROBERT GERASIA; ZONING COMMISSION – John Basile, Michele Brown, Margo Partak, Raymond Walker

PUBLIC HEARING

Proposed Local Law #2 of the year 2007 amending the Debt Service Fee

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

Mayor Martin read the notice of public hearing; he advised that the purpose is to amend the Debt Service fee from \$1.80 per year to \$1.20. The reason for the decrease is due to the new assessment figures received from the Town of Stillwater.

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

Proposed Local Law for Zoning in the Village of Stillwater
Trustee Walker explained the process to date, commission formed, they have prepared a document for review by the Board of Trustees.

**VILLAGE OF STILLWATER ZONING COMMISSION
RESOLUTION**

WHEREAS, the Village of Stillwater Board of Trustees appointed four members to serve as the Zoning Commission and recommend the boundaries of the Village of Stillwater's original zoning districts and appropriate regulations to be enforced therein;

WHEREAS, the Zoning Commission has been diligently working since September 2006 toward the development of a Final Report to serve as the Village of Stillwater Draft Zoning Law; and

WHEREAS, the Zoning Commission has held several meetings to review and discuss the boundaries and appropriate regulations to be enforced within, all of which all such meetings have been open to the public; and

WHEREAS, the Zoning Commission conducted a special public information meeting on December 5, 2006 to review and discuss the draft boundaries and regulations; and

WHEREAS, the Zoning Commission revised the district boundaries and regulations to reflect the public comments received during the special public information meeting on December 5, 2006; and

WHEREAS, the Zoning Commission conducted a public hearing on March 6, 2007 to review and discuss the draft boundaries and draft regulations; and

WHEREAS, the Zoning Commission incorporated the substantial public comments received during the meeting into the Draft Zoning Law; and

NOW THEREFORE BE IT RESOLVED, that the Zoning Commission adopts the Draft Zoning Law dated March 15, 2007 as the Zoning Commission's Final Report for the Village of Stillwater; and

BE IT FURTHER RESOLVED, that the Zoning Commission for the Village of Stillwater hereby directs the Final Report to the Village of Stillwater Board of Trustees for consideration.

Zoning Commission Members:
Raymond Walker, Trustee – aye

Michele Brown – aye
Margo Partak, Clerk/Treasurer – aye
John Basile – aye

MOTION to open the floor to the public and press for questions or comments with regard to the draft zoning regulations made by Trustee Murphy, seconded by Trustee Riccardi.

Motion carried 4-0

No one from the public wished to make comments.

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

Motion carried 4-0

Trustee Walker thanked the committee for the excellent work preparing this document. A Public Hearing will be held at the next regular meeting with regard to the SEQRA and the Zoning document. A copy is available on the Town of Stillwater website.

Mayor Martin called the regular meeting to order at 7:10 p.m. and led the Pledge to the Flag

Mayor Martin read a proclamation honoring Anthony Cavotta and Mrs. Bertie Mang.

The Village of Stillwater is proud to present plaques to two great individuals who have served the Village of Stillwater for a total of 50 years or more, serving their community with dedication and honesty that any community in this nation would love to have. Mr. Cavotta and Mrs. Mang have been the most dedicated individuals that I have known in my many years of serving the Village of Stillwater. No one knows what a Justice of the Peace has to go through, schooling hours of day, 24 hours on call, court once per month in the Village and Mr. Cavotta has also held court 2 times per month in the Town. Judge Cavotta has shown the residents of the Village real dedication, his commitment to keep justice on track with fairness and honesty in this most important position that he took an oath for many years ago. Mrs. Mang has assisted Justice Cavotta keeping the records straight, preparing for court night, record keeping, treasurer reports, banking and many other duties unnoticed. Mrs. Mang is also an individual any community like ours would be proud to have serve for all of these years. Words cannot express our gratitude to you both for your dedication to our great village. The Village of Stillwater is losing two great individuals to retirement. We all wish them a great retirement; it has been the village's privilege to have been working with them for all of these years. Good luck to both and God Bless.

Mayor Martin presented an award of appreciation to Judge Cavotta and Mrs. Mang. Justice Cavotta thanked the Board and Clerk for their assistance. He presented Mrs. Mang with a bouquet of flowers.

Mayor Martin presented the 2007-08 tentative budget. Mayor Martin advised there would be another budget workshop to finalize the tentative budget after the election. New rate would be less due to full value assessment from Town.

Frank Russell III came before the Board to discuss his plans for constructing two apartment buildings on Russell Drive.

Attorney Peluso reviewed questions from the Board.

Mr. Russell advised there is a lateral to the property.

Trustee Murphy reviewed the issues regarding his proposal. Board would like current garage be removed prior to construction. Mr. Russell explained his timetable for construction. One building constructed this year and one next year. Trustee Murphy advised the Board wanted to be sure the garage would come down.

Discussion was held regarding the project, possible sidewalks, size of units and I&I removal.

Attorney advised we would need to hold a public hearing on the SEQRA for this project at the next meeting.

BUILDING CODE OFFICER – Lynn Goman

Quiet month, 1 building permit for trailer removal/replacement with home Ferry Lane; remodel 225 Hudson Avenue; Certificate of occupancy 9 Champlain Rd.

FIRE CHIEF – Shane Mahar

February quiet, 7 alarms (report on file)

SUPT. OF PUBLIC WORKS – Robert Gerasia

Continued working on Boardroom rehabilitation, work at the sewer plant, main pump station pump repaired, Matt took ABC test for sewer licensing, employees took confined space course training, ice jam Schuyler Creek, took possession of bucket truck from City, cleared streets during snow storms.

COMMITTEE REPORTS

Trustee Michael Hanehan – commended the Dept of Public Works for a job well done clearing streets during the recent snowstorms.

Mayor Martin thanked Mr. Hanehan for his many years of dedicated service to the Village of Stillwater as Clerk-Treasurer, Trustee & Mayor.

Trustee Raymond Walker – nothing in addition to the zoning commission information

Trustee John Murphy – Land development: Russell project moving forward, NKT on hold pending DEC approval, village met with DEC regarding their concerns, seem to be making progress. Residents of Broughton Lane have requested a sign for parking area, they are questioning when it would be installed, Supt. advised sign is here must wait for ground to thaw.

Trustee Martin Riccardi – nothing, bit of trivia for Fire Dept, visited Mt. Dora, there was a photo of steamer at museum, photo taken at convention in Hyde Park, Trustee Riccardi wondered if it could be the village of Stillwater steamer.

Mayor Martin also thanked Mr. Riccardi for his dedicated service to the village as Code Officer as well as Trustee.

CLERK-TREASURER – Margo L. Partak

BOND ANTICIPATION NOTE RESOLUTION

WHEREAS, this Board has on March 20, 2007, adopted a Resolution authorizing this issuance and sale of bonds in the amount of Forty thousand (\$40,000.00) Dollars for the purpose of purchasing a new backhoe, said bonds having not as yet been sold.

NOW, THEREFORE, IT IS RESOLVED THAT:

1. The specific object or purpose for which the obligation is to be issued pursuant to the resolution is to finance the above-stated purpose.
2. The bond resolution authorizing the bonds in anticipation of the sale of which this note hereby authorized is to be issued is a serial bond resolution of this Board adopted this day to provide funds for the above specific object or purpose.
3. The amount of bonds to be issued for such specific object or purpose is the sum of Forty thousand (\$40,000.00) Dollars, and such bonds are to serial bonds.

4. The amount of bond anticipation note hereby authorized is Forty thousand (\$40,000) dollars, and that none of said bonds have been sold and no other bond anticipation note has been issued in anticipation of the sale thereof and the note hereby authorized is not a renewal note.
5. There is hereby authorized to be issued a bond anticipation note in the amount of Forty thousand (\$40,000) Dollars, maturing March____, 2008 and it shall be executed in the name of this Village by its Mayor, its corporate seal shall be affixed thereto and it shall be attested by the clerk and shall bear interest at the rate of 4.2% per annum payable at maturity; and said note shall be sold to Ballston Spa National Bank upon receipt of the face amount thereof.
6. The note hereby authorized is hereby designated a “qualified tax exempt obligation” pursuant to Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended (the “Code”). The Village reasonably anticipates and hereby agrees that it will not issue tax-exempt obligations in excess of \$10 million during the calendar year 2007. The Village further certifies that the sum of the principal amount of this note and the principal amount of any other tax-exempt obligations heretofore issued by the Village during 2007 for the purpose of Section 265 (b)(3)(C) of the Code does not exceed \$10 million.
7. Appropriate documents shall be executed to prevent application of the arbitrage provisions of the Internal Revenue Code to said note, and the note shall contain provisions required by Ballston Spa National Bank to assure continued exemption of the interest on the note from Federal and State income taxes, and in particular, said Village does hereby agree to comply with the requirements for continued tax exemption of such interest as are set forth in the Code.
8. In the event that for any reason, other than through fault of Ballston Spa National Bank, the interest on said note becomes taxable, then upon request of Ballston Spa National Bank, said Village shall redeem said Note.
9. Said note is not issued in anticipation of bonds for an assessable improvement, or any other purpose specified by Section 36.00(a) of the Local Finance Law.
10. This resolution shall take effect immediately.

MOTION to adopt the foregoing Resolution was made by Trustee Murphy, seconded by Trustee Walker.
Motion carried 4-0

Water meter bid specs have not been put out to bid, need some direction from Board. Board should be aware that the meters have not been completely read for the April first billing due to weather issues. These bills need to be sent on time as we are in need of the money to operate.

Board requested bid specs be published with a return date for the next village meeting April 17th.

Need authorization for Mayor to sign renewal for Blue Shield.

MOTION authorizing the Mayor to sign a renewal form for one year with Blue Shield of Northeastern New York to provide health care coverage for the employees of the Village of Stillwater made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 4-0

Keith McBride has submitted a voucher for housing and mileage for attending a sewer course at Morrisville, he did not keep his meal receipts, need some direction from the Board how much to pay him for meals.

Board discussed and determined \$25.00 per day was a satisfactory amount.

Received a call from Tri-State Uniforms regarding uniform rental and the contract, told them there was an issue with regard to the fee they are charging for damaged uniforms as we have been paying a maintenance fee and uniforms would come back damaged from cleaning. He said if we could pay the contract buyout and the other fees due he could waive the damage fee.

Board authorized payment of unpaid vouchers with the exception of the fee for damage and finance charges.

ATTORNEY – James Peluso

Nothing

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

Motion carried 4-0

No one from the public or press wished to speak

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

Motion carried 4-0

NEW BUSINESS

MOTION to adopt Local Law #2 of the year 2007 made by Trustee Murphy seconded by Trustee Walker.

Roll call vote:	Trustee Murphy	aye	Trustee Walker	aye
	Trustee Hanehan	aye	Trustee Riccardi	aye
	Mayor Martin	aye		

Motion carried 5-0

Attorney advised that Mr. Russell has amended the SEQRA he presented with his application, dated today and signed.

MOTION to accept recommendation of Village Attorney that Mr. Russell's SEQRA is a Type II Action made by Trustee Murphy, seconded by Trustee Riccardi.

Motion carried 4-0

OLD BUSINESS

Nothing

MOTION to approve the Treasurer Report made by Trustee Murphy, seconded by Trustee Hanehan.

Motion carried 4-0

MOTION to approve the minutes of February 20, 2007 made by Trustee Walker, seconded by Trustee Riccardi.

Motion carried 4-0

MOTION to approve the audited claims:

A: \$29,827.51
CD: \$ 1,250.00
F: \$ 9,059.31
G: \$ 7,700.64
T: \$ 415.14

Made by Trustee Riccardi, seconded by Trustee Murphy.

Motion carried 4-0

Mayor Martin spoke to the public thanking them for giving him the opportunity to serve as Mayor for the last 15 years and as Trustee prior to that. He said it has been a great pleasure to serve the residents of the Village of Stillwater.

Mayor Martin advised the meeting would be adjourned until after the polls close.

Meeting adjourned at 8:05 p.m. to resume at 9:30 p.m.

Meeting resumed at 9:30 p.m.

Present: Ernest W. Martin, Mayor; Trustees – John Murphy, Martin Riccardi, Raymond Walker

Absent: Michael Hanehan, Trustee

ELECTION RETURNS:

MAYOR 4-years: Ballots-479; Number elected-1; Votes canvassed-479

Ernest W. Martin, Sr.	273
Wayne E. Simmons	63
Kathrynn R. Lilac	138

TRUSTEE 4-years: Ballots-479; Number elected-2; Votes to canvassed-958

John Basile	228
Jeromy J. Rich	105
Tracey Cancilla	128
Kenneth L. Baker	223
Shawn P. Connelly	106

MOTION to accept the election returns and declare the results official was made by Trustee Riccardi, seconded by Trustee Walker.

Trustee Murphy	aye	Trustee Walker	aye
Trustee Riccardi	aye	Mayor Martin	aye

Motion carried 4-0 1 absent

Election results:

MAYOR: Ernest W. Martin, Sr.

TRUSTEE: John Basile
Kenneth L. Baker

MOTION to adjourn made by Trustee Riccardi, seconded by Trustee Walker.

Roll call vote

Motion carried 3-0 1 absent

Meeting adjourned at 9:35 P.M.

Respectfully submitted,

Margo L. Partak
Clerk-Treasurer