

REORGANIZATIONAL MEETING-BOARD OF TRUSTEES-APRIL 17, 2007

PUBLIC HEARING 7:00 P.M. – PROPOSED RUSSELL DRIVE APARTMENTS

Mayor Martin 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 Walker, seconded by Trustee Basile.

Motion carried 3-0

No one from the public wished to speak.

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

Motion carried 3-0

Mayor advised the Russell project would be discussed under old business.

PUBLIC HEARING 7:10 P.M. – PROPOSED LOCAL LAW FOR VILLAGE ZONING

Mayor Martin read the notice of public hearing on SEQRA and the proposed Zoning Law for the Village of Stillwater that was published in the newspaper.

Trustee Raymond Walker spoke regarding the need for the full environmental assessment form to comply with the State Environmental Quality Review Act (SEQRA) when adopting zoning for the first time.

MOTION to open the floor to the public and press was made by Trustee Basile, seconded by Trustee Baker.

Motion carried 3-0

Trustee Walker spoke regarding the need for a Zoning Board of Appeals; he introduced the members of the Board as follows: Michele Brown, Ferry Lane; Annetta Melber, Hudson Avenue; Joseph White, Clinton Court. He explained that this Board needs to be in place as soon as zoning is adopted.

Trustee Walker explained that the Zoning Commission met many times since September of 2006, all meetings were open to the public and public hearings were held. The Commission listened to the suggestions of the public and made several changes based on public comment. It was very valuable to receive comments from the public to help with the preparation of this document.

MOTION to close the floor to the public and press was made by Trustee Basile, seconded by Trustee Baker.

Motion carried 3-0

Public Presentation on the Proposed Zoning Law – Nicole Allen & Associate of Laberge Group

Ms. Allen reviewed the process that took place to arrive at the recommendations the Zoning Commission presented to the Village Board. The Commission began meeting in September 2006, reviewing the Comprehensive Plan and determining the goals set forth in that plan. The Commission met monthly with a public informational meeting held in December 2006 and a Zoning Commission Public Hearing held in March 2007. The plan was completed after many revisions and was forwarded to the Saratoga County Planning Board for their approval.

Ms. Allen then reviewed the Law that has been proposed to enact Zoning in the Village of Stillwater for the first time. There are eleven articles they are as follows:

Article 1 – General Provisions

Article 2- Establishment of Zoning Districts

R1; R2; Business District

Article 3 – Supplemental Regulations

Article 4 – Performance Standards

Article 5 – Site Plan Review

Article 6 – Special Use Permits
Article 7 – Administration and Enforcement
Article 8 – Board of Appeals
Article 9 – Amendments
Article 10 – Definitions
Article 11 – Use and Area Schedules

Each article was reviewed for the public. It was explained that applications currently before the Board would not be required to conform to the proposed Zoning Law. Non-conforming uses discontinued for 12 months will then be required to conform.

** Trustee Murphy arrived at 7:28 P.M.

WATER METER BID OPENING – 7:30 P.M.

Blair Supply - \$153,500

Ti-Sales - \$176,750

Vellano Bros. - \$64,614 (partial bid)

RAMSCO - \$175,057.10

EJ Prescott - \$164,569.20

Bidders were advised bids will be considered for 30 days by the Village Attorney and Engineer.

Return to Zoning Public Hearing

MOTION to open the floor to the public and press for discussion or questions with regard to the proposed Zoning Law made by Trustee Basile, seconded by Trustee Murphy.

Motion carried 4-0

No one from the public wished to speak.

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

Motion carried 4-0

SEQRA Part 2

Type 1 action, Part 1 has been available to the public for some time.

Trustee Walker reviewed the entire State Environmental Quality Review Full Environmental Assessment Form prepared by the Village Engineer as professional planners. (copy on file)

Trustee Walker reviewed information used to determine that no significant impact would happen.

Attorney Peluso spoke regarding the process and the possible need to update new Board Members and the public.

Trustee Walker explained the Commission tried to keep zoning light while providing guidelines to residents and developers. We did not want to prepare a document that would be difficult to manage. The Village Board has met many challenges with developers approaching the Village to develop land within the Village Boundaries, this Law should give developers and residents clear guidelines in the future.

Mayor Martin commended the Commission for a job well done. The Village has needed this for many years. This document will allow the Village to move forward into the future.

Trustee Basile commented that he served on the Commission and feels that in order to maintain and enhance the character of the Village there needs to be a process in place that is simple and flexible and this is what the Commission tried to achieve with this proposed Law.

State Environmental Quality Review - Negative Declaration

MOTION to accept the State Environmental Quality Review Negative Declaration Notice of Determination of Non-Significance for the Village of Stillwater Zoning made by Trustee Basile, seconded by Trustee Walker.

Roll Call Vote:
 Trustee Murphy – aye Trustee – Walker – aye
 Trustee Basile – aye Trustee Baker – aye
 Mayor Martin – aye
 Motion carried 5-0
 Copy of Negative Declaration attached.

RESOLUTION

WHEREAS, the Village of Stillwater Board of Trustee previously designated itself as the Lead Agency pursuant to the State Environmental Quality Review Act (SEQRA), 6 NYCRR § 617.6, in the consideration and review of the Village’s proposed Zoning Law; and

WHEREAS, pursuant to NYCRR Part 617, the proposed action is a Type I Action requiring SEQRA review; and

WHEREAS, a public hearing was noticed and duly held on April 17, 2007 to consider the environmental significance of the proposed action; and

WHEREAS, the Village Board has carefully considered and weighed the input by the public; and

WHEREAS, pursuant to SEQRA, the Village Board has prepared and completed Parts 1 and 2 of the Full Environmental Assessment Form (EAF); and

WHEREAS, the Village Board has reviewed the environmental findings and recommendations of the Village’s engineers and planners with respect to the proposed action, and has duly reviewed the EAF and has considered the criteria contained in 6 NYCRR §617.7(c) to determine whether the proposed action will have a significant impact on the environment;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board hereby determines that the proposed adoption of the Village Zoning Law will NOT have a significant adverse impact on the environment; and

NOW THEREFORE BE IT RESOLVED, that the Village Board adopts the findings and conclusion relating to probable environmental impacts contained within the attached Environmental Assessment Form (EAF) and Negative Declaration and authorizes the Village Clerk to execute the EAF and file the Negative Declaration in accordance with the applicable provisions of law.

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

The Village Board Members present were:

VOTE:	YES	NO
Ernest W. Martin, Mayor	X	_____
John Murphy, Trustee	X	_____
John Basile, Trustee	X	_____
Kenneth Baker, Trustee	X	_____
Raymond Walker, Trustee	X	_____

Motion carried 5-0

MOTION authorizing the Mayor, Attorney & Clerk permission to fulfill whatever requirements that are necessary in SEQRA to provide proper notice of the Negative Declaration together with a statement of the determination of non-significance and the reasons supporting that determination as discussed made by Trustee Murphy, seconded by Trustee Baker.

Motion carried 4-0

Zoning Law will be discussed during the regular meeting under old business.

PUBLIC HEARING 8:00 P.M. – 2007/08 PROPOSED BUDGET

Mayor Martin read the notice of public hearing that was published in the newspaper; he then reviewed the proposed budget for the public.

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

No one from the public or press wished to ask questions.

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

**REORGANIZATIONAL MEETING
8:05 P.M.**

PRESENT: ERNEST MARTIN, MAYOR; TRUSTEES – KENNETH BAKER, JOHN BASILE, JOHN MURPHY, RAYMOND WALKER

ALSO PRESENT: ATTORNEY, JAMES PELUSO; BUILDING CODE OFFICER, LYNN GOMAN; FIRE CHIEF, SHANE MAHAR; SUPT. OF PUBLIC WORKS, ROBERT GERASIA; TOWN OF STILLWATER SUPERVISOR, J. GREGORY CONNORS

Mayor Martin called the meeting to order at 8:05 p.m. and led the Pledge to the Flag.

Mayor Martin administered the Oath of Office to new Trustees Basile & Baker and Clerk-Treasurer Partak administered the Oath of Office to Mayor Martin.

REORGANIZATIONAL RESOLUTIONS & APPOINTMENTS

BE IT RESOLVED that the Daily Gazette will be the official newspaper for the Village of Stillwater for the 2007/2008 year.

BE IT RESOLVED that the Ballston Spa National Bank be designated as the official depository for all village funds for the 2007/2008 year.

BE IT RESOLVED that regular Village of Stillwater Board of Trustees meetings will be held the third Tuesday of each month beginning at 7:00 P.M. in the Village Board Room.

BE IT RESOLVED that the Board of Trustees authorizes the Clerk-Treasurer to make payments in advance for utility services, postage, Federal Express & United Parcel fees, with all bills presented at the next regularly scheduled board meeting for audit.

BE IT RESOLVED that the Board of Trustees does authorize reimbursement to employees and officers of the Village who use their own personal vehicle while performing their official duties on behalf of the Village of Stillwater at a rate of \$.40 per mile.

BE IT RESOLVED that the Board of Trustees authorizes the Mayor payment in advance for the use of his contractual fund for fiscal year 2007/2008 as occasions come up.

BE IT RESOLVED that the Mayor will have the sole authority for calling special meetings and will notify the public and press at least 72 hours in advance of the meeting if possible, further each Trustee shall be notified via the telephone by the Mayor or the Clerk and a notice of such meeting shall be displayed in the Office of the Village Clerk.

BE IT RESOLVED that Mayor Martin and Clerk-Treasurer Partak be the official signatures for Village of Stillwater funds with Trustee John Basile being able to sign in the absence of the Mayor or Clerk-Treasurer.

BE IT RESOLVED that John Murphy be appointed Deputy Mayor for the fiscal year 2007/08.

BE IT RESOLVED that Margo Partak be appointed Clerk-Treasurer and Registrar of Vital Statistics.

BE IT RESOLVED that Patricia Ryan be appointed Deputy Clerk-Treasurer and Deputy Registrar of Vital Statistics.

BE IT RESOLVED that Dreyer Boyajian LLP be appointed as Attorney for the Village of Stillwater with James R. Peluso being the Village Representative.

BE IT RESOLVED that Robert Gerasia be appointed Superintendent of Public Works.

BE IT RESOLVED that Linda Sanders be appointed as Village Historian.

BE IT RESOLVED that Linda Palmieri be appointed as Deputy Village Historian.

BE IT RESOLVED that Lynn Goman be appointed Building Code Officer for the fiscal year 2007/08.

MOTION to adopt the foregoing Resolutions made by Trustee Murphy, seconded by Trustee Basile.

Motion carried 4-0

Remarks from Mayor Martin

The Village is now under full value assessment, we have a small fund balance, however most residents will see an increase in their tax bill this is due in part to rising costs and additional increases in compensation. We have prepared a tight working budget and will stay within our budget for the next year even with increasing costs that we all are experiencing.

One very important matter before the Board this evening is the new Village Zoning Law, I hope the Board will pass this law this evening so that we can move forward into the future.

CORRESPONDENCE

None

BUILDING CODE OFFICER – Lynn Goman

Issued 3 permits, 1-new home Hudson Ave; 1 new home Ferry Lane; 1 pool Riverside Drive

FIRE CHIEF – Shane Mahar

1 alarm - automobile accident.

6 training drills – no injuries.

Continue to hold training sessions.

Would like Board to consider purchasing automatic defibrillators for the municipal building and or fire trucks.

Grant update – preparing application for exhaust system.

Would like a designated fax line for the engine bay for notification from Saratoga County.

Chief provided updated contact information on monthly report. (copy on file)

SUPT. OF PUBLIC WORKS – Robert Gerasia

Supt. reviewed his monthly report. (copy on file)

Matt Rifenburgh passed his licensing test for wastewater treatment operator, should be given \$.50 raise for successful completion. Board needs to determine effective date.

2 wells have been cleaned, 1 well to be set up for new process.

Working on estimates for fencing the playground and purchase of new equipment.

Getting estimates for cleaning and repointing bricks on main building, need to maintain or will begin to have problems.

Mayor acknowledge DPW work in Boardroom, project looks very good.

Supt. would like Board to consider selling the bulldozer and purchase a skid steer, this piece of equipment would be more useful to a DPW this size.

Supt. Gerasia advised that part of DEC's SPDES requirements is to do composite testing at the WWTP, would like permission to purchase two composite samplers.

MOTION to authorize the Supt. to purchase two composite samplers at a cost not to exceed \$4,050 made by Trustee Basile, seconded by Trustee Baker.
Motion carried 4-0

Supervisor Connors extended congratulations on behalf of the Town Board to the Mayor on his reelection and the two new Trustees on their recent election, he also wanted to renew the commitment to continue to work together to make the Town & Village a better place to live.

COMMITTEE REPORTS

Trustee John Murphy – water meter bid documents will be reviewed by the Engineer and Attorney. He thanked the Mayor for his reappointment to the Water Committee, stated he plans to reestablish the joint water committee meetings with the Town.

Trustee Raymond Walker – nothing other than zoning

Trustee Kenneth Baker – stated he was very glad to be elected, he thanked the Mayor for his appointment to the Fire Department.

Trustee John Basile – Trustee Basile gave a report with regard to the sewer collection & treatment system. (copy attached)

CLERK-TREASURER – Margo Partak

Clerk advised that a few of the budget appropriations are overspent she needs to have Board authorization to transfer between funds to balance the accounts.

Transfer \$331.00 from Buildings Electricity (A1620.403) to Building Telephone (A1620.402) due to a bookkeeping error.

Transfer \$600.00 from Contingent A1990.4) to the following accounts: \$240 to Buildings telephone (A1620.402); \$150 to Fire Dept. Cell Phones (A3410.402); \$210.00 to Refuse Disposal (A8160.4).

Transfer \$1,000 from Shop Equip. Repair (A5132.404 to Shop Supplies (A5132.401).

Transfer \$4,000 from water contingent (F1990.4) to Purification, Chemicals (F8330.412).

Transfer \$1,000 from Sanitary Sewer I&I (G8120.402) to Sanitary Sewer Equip. Repair (G8120.404).

Transfer \$4,000 from Treatment & Disposal Chemicals (G8130.412) to Treatment & Disposal Electricity (G8130.403).

Transfer \$300 from Sanitary Sewer I&I (G8120.402) to Sanitary Sewer Supplies (G8120.401).

MOTION to authorize the Clerk-Treasurer to make the foregoing transfers was made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 4-0

Clerk advised that the Board should consider canceling telephone service for the court by the end of the year.

ATTORNEY – James Peluso

Prepared a draft letter requesting an RFP for a municipal audit.

MOTION to open the floor to the public and press made by Trustee Baker, seconded by Trustee Basile.

Motion carried 4-0

Annetta Melber expressed concern with regard to businesses clearing their parking lots and depositing their excess snow on the sidewalk. She expressed concern that this is a danger for anyone walking, as a walker; she would like the Board to consider making a ruling against this as well as consider removing snow on the sidewalks during the winter months.

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

Motion carried 4-0

NEW BUSINESS

MOTION to approve the 2007/08 budget as presented made by Trustee Murphy, seconded by Trustee Basile.

Roll call vote: Trustee Murphy – aye Trustee Walker – aye
Trustee Basile – aye Trustee Baker – aye

Motion carried 4-0

Russell Drive Apartment Complex

Trustee Murphy reviewed the project to date, he explained that the proposal is to construct two 8 unit apartment buildings on the property that now has a construction garage. It was explained that Mr. Russell would be required to remove the construction garage prior to receiving a certificate of occupancy for the second building.

RESOLUTION

WHEREAS, Frank C. Russell/F.C. Russell & Son Construction of 17 Riverside Drive, Stillwater, New York, has submitted a land development application for construction of two (2) eight-unit residential apartment buildings on property known as 10 Russell Drive (identified as tax map parcel no. 244.9-2-55); and

WHEREAS, the Applicant has concurrently engaged in the land development, site plan and environmental review process; and

WHEREAS, the Village’s engineers have reviewed the land development application, including the site plans, and provided their findings and recommendations to the Village Board; and

WHEREAS, the Village Board determined the project to be a Type II action under SEQRA; and

WHEREAS, a public hearing on the land development application was duly held on April 17, 2007; and

WHEREAS, the Village Board has duly considered the land development application, public comment, and findings and recommendations of its engineers;

NOW, THEREFORE, BE IT RESOLVED, that the land development application of Frank C. Russell/F.C. Russell & Son Construction of 17 Riverside Drive, Stillwater, New York, for construction of two (2) eight-unit residential apartment buildings at 10 Russell Drive (tax map parcel no. 244.9-2-55), is hereby granted preliminary approval pursuant to the drawings, specifications and documents filed with the Clerk’s office subject to the following conditions:

- I. Approval of the site plans are conditioned upon a site plan map showing sidewalks, lighting, access to storm water maintenance, easements for utilities and drainage, together with any other conditions deemed necessary by the engineers for the Village and the Village Board.
- II. Approval is conditioned upon the Applicant submitting a landscaping plan showing, trees, shrubs, vegetation and buffer zone areas acceptable to the Board.
- III. Approval of the Applicant’s proposed connection to the Village’s wastewater treatment system is conditioned upon approval by NYS Department of Environmental Conservation (DEC). The applicant acknowledges that the Village has, separate and apart from the instant project, applied to DEC for approval of additional hook-ups and increased sanitary flow to the Village’s wastewater treatment system, which approval remains pending.

- IV. Approval is conditioned upon the Applicant obtaining all other necessary State and Federal permits as may be required by applicable law.
- V. Approval of all proposed easements, deeds, right of ways or other conveyances for lands, utilities, or other improvements is subject to review and approval by the Village's engineers and attorneys, and the dedication of any lands, utilities, or other improvements shall be made only after inspection and approval of the same.
- VI. Approval is conditioned upon the removal of the existing garage structure upon the completion of the first apartment building. Applicant agrees that no final approval by the building inspector and/or certificate of occupancy shall be issued until said garage structure is removed.
- VII. Approval is conditioned upon the Applicant submitting information concerning the existence of any fuel storage tanks on the premises and removal of the same.
- VIII. Any subsequent modifications are to be agreed upon by the Applicant and the Village Board.

Trustee John Basile	Voting <u>Yes</u>
Trustee Ken Baker	Voting <u>Yes</u>
Trustee John Murphy	Voting <u>Yes</u>
Trustee Raymond Walker	Voting <u>Yes</u>
Mayor Martin	Voting <u>Yes</u>

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

RESOLUTION

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

WHEREAS, the Zoning Commission conducted a Public Hearing on March 6, 2007 to review and discuss the draft boundaries and draft regulations with the public and thereafter incorporated the substantial public comments received during the public hearing into the Draft Zoning Law; and

WHEREAS, the Zoning Commission adopted the Draft Zoning Law dated March 15, 2007 as the Zoning Commission's Final Report for the Village of Stillwater and directed the Final Report to the Board of Trustees for consideration; and

WHEREAS, the Board of Trustees forwarded the Draft Zoning Law to the Saratoga County Planning Board, as per the General Municipal Law §239-m, for review and recommendations; and Saratoga County Planning Board approved the Zoning Law without modification; and

WHEREAS, the Board of Trustees, as lead agency, reviewed and fully considered the environmental impacts, together with all written and oral comments thereon, concerning the proposed action in accordance with Article 8 of the Environmental Conservation Law and the State Environmental Review Act (SEQRA), 6 NYCRR Part 617; and

WHEREAS, the Board of Trustees adopted a Negative Declaration with respect to this action on April 17, 2007; and

WHEREAS, the Board of Trustees held a Public Hearing on April 17, 2007 to consider public comments on the proposed Zoning Law; and

NOW, THEREFORE, IT IS RESOLVED, that the Village of Stillwater Board of Trustees hereby adopts the Zoning Law, a copy of which is annexed hereto.

MOTION to adopt the foregoing Resolution made by Trustee Walker, seconded by Trustee Basile.

VOTE:	YES	NO
Ernest W. Martin, Mayor	X	
John Murphy, Trustee	X	
John Basile, Trustee	X	
Kenneth Baker, Trustee	X	
Raymond Walker, Trustee	X	

Resolution adopted unanimously by the Board of Trustees of the Village of Stillwater, Saratoga County, New York on April 17, 2007.

Mayor Martin introduced a Social Host Responsibility Law to be reviewed by the Board, would like to hold a Public Hearing on this proposal at the May meeting.

Mayor Martin questioned if the Board would charge vendors at the Family Day celebration. Need clarification from the Attorney.

Board would waive any fees for this year until Law could be reviewed by Attorney.

Mr. DeMarco would like permission to continue to use existing septic system upon construction of a new dwelling for his mother.

Mayor requested that Board reconsider Mr. Anusesky's request for a water tap off of Colonial Road in the Town of Stillwater.

MOTION to approve a single water connection for Mr. Anusesky was made by Trustee Baker, seconded by Trustee Walker.

Discussion: Some concern was expressed regarding allowing this tap after the prior Board had decided not to allow any more outside contracts for water or sewer.

Motion carried 4-0

MOTION to approve the Treasurer Report as presented made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 4-0

MOTION to approve the minutes of March 20, 2007 made by Trustee Walker, seconded by Trustee Basile.

Motion carried 4-0

MOTION to approve the audited claims:

A	\$10,686.44
CD	\$ 290.00
F	\$16,323.25
G	\$11,355.83
T	\$ 800.00

Made by Trustee Murphy, seconded by Trustee Baker.

Motion carried 4-0

MOTION to adjourn to Executive Session at 9:10 P.M. made by Trustee Basile, seconded by Trustee Walker.

Motion carried 4-0

MOTION to adjourn made by Trustee Baker, seconded by Trustee Murphy.

Motion carried 4-0

Meeting adjourned at 9:30 P.M.

Respectfully submitted,

Margo L. Partak
Clerk-Treasurer