

RE-ORGANIZATIONAL MEETING-BOARD OF TRUSTEES-APRIL 18, 2006-6:30 P.M. PUBLIC HEARINGS

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

Mayor Martin called the Public Hearing on the proposed 2006/07 Budget to order at 6:30 P.M.

Mayor Martin read the notice of Public Hearing that was published in the newspaper, he advised the total appropriations are as follows:

General Fund \$625,112

Water Fund \$391,010

Sewer Fund \$290,170

He explained there is anticipated to be a \$1.00 increase in taxes for this fiscal year; this increase is due to many increased expenses over the past several years. Revenues are leveling and we do not have any way to increase them without taxing property owners.

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

Motion carried 4-0

Mr. Paul Lilac, 5 Hallum Road

Mr. Lilac questioned if there would be any more workshops, he also questioned if the sales tax has increased.

It was explained that they have had several workshops and there would probably be no more. The sales tax has increased over the last several years

Mr. Thomas Kinisky, 125 Hudson Avenue

Mr. Kinisky questioned how this escalated to this point. Mr. Kinisky questioned if there were recent increases in taxes that could have anticipated this need so that it could be done gradually. He questioned if it was necessary to purchase a new truck if there was to be such a significant increase in taxes.

It was explained that there have not been cost of living increases in the past few years, however no one anticipated the surcharges that we are seeing due to fuel increases or the increase in compensation and Retirement costs.

Supt. Gerasia explained the reason for purchasing the new truck.

Mr. Shawn Connelly, Kellogg Road

Mr. Connelly questioned the figures from the last budget; he would like a comparison with the new figures.

Mayor did not have that available.

Mayor Martin advised he did write a letter to the County Board of Supervisors requesting excess sales tax revenue.

Mr. Wayne DeSorbe, 25 Neilson Avenue

Mr. DeSorbe questioned why the village has not discussed joint ventures with the Town, School and City of Mechanicville before we got to this point.

Mrs. DeSorbe questioned the health benefits provided for the employees.

It was explained that we have changed coverage this year, we have a broker who gathers information to present to the board and the employees pay 15% of the premium.

Mr. Connelly questioned if the village will try to cut costs next year by starting earlier.

Mayor Martin explained the Mayors of Saratoga County are writing letters and contacting our representatives to help with this problem that all villages are having.

Mr. Connelly questioned what would happen if DEC would not allow expansion of the sewer system. Mayor Martin explained the people he spoke to at DEC seem to look favorably on our application for additional hookups.

Mrs. Jennifer Marten, 34 Hudson Avenue

Ms. Marten questioned if there would be a conversation with other municipalities prior to the budget adoption. Mayor Martin explained the village needs to adopt the budget by April 20th so there is no time for a conversation.

Ms. Marten questioned if the water would be clearing soon, she explained she has significant problems with discolored water at her home. Mayor Martin requested Supt. investigate her problem.

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

Motion carried 4-0

Mayor Martin called the Public Hearing regarding the Cable Television Franchise Renewal to order at 6:45 P.M.

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 Riccardi.

Motion carried 4-0

Trustee Walker explained the lengthy process that took place; he advised that there are few changes that could be made. The village agreement is almost identical to the Town agreement. The fee would remain at 3%; however it will now include premium services. In the course of the meetings it was found that they were not charging for these services and should have been charging the 3% on all services. The Village could receive an additional \$15,000 but that would be passed on to the homeowner. We decided to waive that fee.

MOTION to authorize the Mayor to sign the letter waiving the additional fee accumulated over the last 10 years made by Trustee Walker, seconded by Trustee Murphy.

Motion carried 4-0

Councilwoman Winchell questioned if they are required to provide a monthly report of complaints. Trustee Walker stated yes.

Trustee Walker began talks between the School and Time Waner to upgrade services to the School.

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

Motion carried 4-0

Ms. Linda Sanders, Town & Village Historian gave a brief history of the Village of Stillwater. She stated that April 17, 2006 was the 190th Anniversary of the incorporation of the Village of Stillwater. (copy of her history on file)

Mayor Martin read a letter of congratulations from Supervisor Connors.

Ms. Sanders volunteered to be chairperson of the Bicentennial Committee for the year 2016.

The Board and residents enjoyed cake in honor of the 190th anniversary.

REGULAR MEETING-APRIL 18, 2006.

Mayor Martin called the meeting to order at 7:10 P.M. and led the Pledge to the Flag.

Mayor Martin offered the following Re-organizational Resolutions:

REORGANIZATIONAL RESOLUTIONS

BE IT RESOLVED that Margo Partak be appointed Clerk/Treasure for the 2006/2007 fiscal year.

BE IT RESOLVED that Dreyer Boyajian LLP be appointed Attorney for the Village for the 2006/2007 fiscal year.

BE IT RESOLVED that Lynn Goman be appointed Building & Fire Code Officer for the Village of Stillwater for the 2006/2007 fiscal year

BE IT RESOLVED that Ms. Linda Sanders be appointed Historian and Ms. Linda Palmieri be appointed deputy Historian for the Village at no compensation for the 2006/2007 fiscal year.

BE IT RESOLVED that the Daily Gazette will be the official newspapers for the Village of Stillwater for the 2006/2007 year.

BE IT RESOLVED that the Ballston Spa National Bank be designated as the official depository for all village funds for the 2006/2007 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. (original \$.37 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 2006/2007 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.

MOTION to adopt the foregoing Resolutions with the mileage rate change made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 4-0

Mayor Martin appointed the following committees for the 2006/2007 fiscal year.

VILLAGE of STILLWATER
COMMITTEE APPOINTMENTS
2006-2007

DEPUTY MAYOR	John Murphy
DEPARTMENT OF PUBLIC WORKS	Michael Hanehan
WATER	Michael Hanehan Martin Riccardi
SEWER	Martin Riccardi Raymond Walker
COMPREHENSIVE PLANNING NEW DEVELOPMENT	Raymond Walker John Murphy

GRANTS

John Murphy
Martin Riccardi

STREETS & SIDEWALKS
PARKS & PLAYGROUNDS

Full Board

BUILDINGS:
FIRE DEPARTMENT
EMERGENCY COORDINATOR
DISASTER/HAZMAT
CODE ENFORCEMENT OFFICER

Mayor Martin
Mayor Martin
Mayor Martin
Chief Shane Mahar
Lynn Goman

VILLAGE CLERK/TREASURER
Deputy Clerk
VILLAGE HISTORIAN
Deputy Historian

Margo Partak
Beth Riccardi
Linda Sanders
Linda Palmieri

CORRESPONDENCE

The Clerk/Treasurer read a letter from James Champlin: copy attached as requested by Mr. Champlin.

Mayor asked if there were any comments. The Board declined to respond.

The Clerk read a letter from Francine Masi regarding her most recent water/sewer bill. In the letter she explains the bill is very high because she had a pipe break when she was out of town. She is requesting her bill be lowered to her normal usage.

The Clerk received a request from Richard Walbroehl to have the account terminated for land he owns on Ferry Lane. Home has been demolished and he no longer wants water service.

MOTION to authorize the Clerk Treasure to terminate the account on Ferry Lane and delete the current bill made by Trustee Murphy, seconded by Trustee Hanehan. Discussion: Trustee Hanehan questioned if Mr. Walbroehl was advised that there would be a \$300 fee to reinstate this service. The Clerk advised she did notify him of the fee.

Motion carried 4-0

Mayor Martin advised that former Mayor William "Bud" Deuel would be 94 on April 30th; he extended best wishes on behalf of the Village Board and its residents.

Mayor Martin read a letter from Paul Lilac advising the Stillwater Family Day event would be held June 3rd on the grounds of the American Legion Post #490 from 12 NOON to 9:30 P.M. with the rain date scheduled for June 4th and extending an invitation to the Mayor and all Trustees to attend the opening ceremonies at NOON.

Mayor Martin advised he attended the recent ribbon cutting ceremony at the Schuyler Creek Chiropractic Office.

BUILDING CODE OFFICER – Lynn Goman

Issued a Certificate of Compliance for the Chiropractic Office; issued two building permits; foundation & footing inspections Colonial Estates & Riverside Drive; received drawings for Basile residence (old Masonic Temple)

Mayor advised he would have Attorney give an opinion regarding fees for hot tubs.

FIRE CHIEF – Shane Mahar

Copy of report attached.

Chief Mahar advised the Federal Firefighter Grant has been submitted, the requested amount was \$200,000.

Air packs have been inspected and passed.

School campus drill is scheduled for May 20th there will be a preview meeting April 29th at the Parish Center.

Researching hosting a defensive driving course for the Fire Dept.

Recent fire at Community Center will be reported at May meeting.

SUPT. OF PUBLIC WORKS – Robert Gerasia

Supt. Gerasia reviewed his report of activities for the month, (copy on file)

He advised the new truck has arrived; he would like to advertise the old truck for sale.

Supt. advised he and members of the Department have been doing volunteer work the past two Saturdays at the American Legion, helping them install their new monument.

Chief Mahar requested permission to tap a hydrant during the School drill to determine how much pressure and the amount of water that is available now that the new water storage tank is on line at the Dick Lynch Road location. It is very important to know this information. Fire Department would be willing to go door to door to notify residents of the area in advance.

COMMITTEE REPORTS

Trustee Raymond Walker - nothing new

Trustee John Murphy – Trustee Murphy expressed his concern regarding the sink hole that keeps appearing on the small bridge on NYS Routs 4 & 32 that goes over Schuyler Creek.

Trustee Murphy read a letter from Nancy Tedeschi, NKT Land Acquisitions, Inc. regarding plans to develop land on NYS Routs 4&32, just north of the Stillwater Central School. (Copy on file) Trustee Murphy advised he spoke to John Stevens of infinigy engineering about representing the Village as their engineer for this project. Trustee Murphy showed the drawing to the public, he gave a brief description of the proposal.

Trustee Hanehan expressed concern if we could give approval for this development prior to DEC approval.

Attorney Peluso stated we need to review the application to know if it is complete.

Trustee Walker spoke regarding is proposed “Riverwalk” adjacent to this project. This proposal would give the village public access to the “Riverwalk”.

Vincent DeMidio, Hudson Avenue advised that when he was a member of the School Board a comprehensive study of the land was done when the school was considering purchasing the land from Mr. Stanley. He suggested that he school might be willing to share this information with the village.

Trustee Martin Riccardi – Trustee Riccardi notified the Supt. that the drainage ditch behind 24 Lake St. is clogged. Trustee Riccardi had a number of complaints about the sink hole along Hudson Avenue also, he received complaints about pot holes farther south on Hudson Ave as well. Trustee Riccardi stated the Village has put a great deal of money and time into making the crosswalks legal it is time to have some enforcement.

Discussion was held; Trustee Hanehan expressed concern regarding visibility south of the crosswalk on the post office side of the street. It was decided to have the DPW paint the entire section from the crosswalk south to the entrance to the post office.

Trustee Hanehan – Nothing new, permission to be excused. Permission granted.

ATTORNEY – James Peluso

Nothing new.

CLERK-TREASURER – Margo Partak

We have a chapter 13 bankruptcy in the village. The Attorney advised that since the Chapter 13 was filed prior to the issuing of penalties on the water/sewer bill we are

unable to charge penalties or relevy to the tax bill. Clerk would request a motion removing the penalties from that bill.

MOTION to remove \$444.49 from account number 410312 due to Chapter 13 bankruptcy made by Trustee Murphy, seconded by Trustee Walker.
Motion carried 3-0

Clerk questioned what should be done about the request from Mrs. Masi. Discussion was held.
It was decided that there would be no discount.

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

Jay Benoit came before the Board requesting water and sewer service to his property on Claremont Road in the Town of Stillwater. He explained that there is village water and sewer at the adjoining property and across the street at the Hallum Trailer Park. He spoke to the Town and they suggested that he approach the village to request these services, it would help as he would need variances to build on this property without these services. The Board asked questions regarding this request. The Board advised that they would not be able to provide sewer service as DEC is not allowing us to provide any new connections to our system. The Village would need to investigate the size of the water service that is in that area. The Attorney advised that the village could not lay water lines along across a town road without permission.

Trustee Murphy requested the Attorney prepare a contract, the Village Water Committee will discuss this with the Town Water Committee

Ms. Linda Sanders advised that the March for Parks would be held this weekend and the Blockhouse would be opening Memorial Day Weekend on Saturday, May 27th at 12 Noon.

Mr. Mike Alonzo – Mr. Alonzo spoke regarding a recent backup he experienced in his basement at 8 Park Avenue. He is requesting the Village pay for the damage that he had at the time. Discussion was held regarding the situation, it was decided that the Village Attorney would review the situation and make a determination.

Mr. DeMidio questioned where the sewerage that is pumped out of the pump stations is delivered. Mayor Martin advised that we bring our sludge to the County Sewer District. Mr. DeMidio also questioned why the increase of the budget could not have been explained in the newspapers.

Mayor Martin advised he did provide the answers to the reporters, the reporter did not provide that in his report. The Mayor will provide this information to the express as a news item.

JoAnn Winchell advised the Board that the next Comprehensive Plan meeting would be held April 24th at school. She also advised that the Town wide cleanup has been scheduled for Saturday, May 20th at the Town Garage.

Questions from the press were asked and answered.

MOTION to close the floor to the public and press made by Trustee Murphy, seconded by Trustee Riccardi.
Motion carried 3-0

NEW BUSINESS

2006/07 Fiscal year Budget

MOTION to adopt the 2006/07 fiscal year budget made by Trustee Murphy, seconded by Trustee Walker.

Roll call vote: Trustee Murphy – yes
Trustee Walker – yes
Trustee Riccardi – yes
Trustee Hanehan - absent
Mayor Martin – yes

Motion carried 4-0

OLD BUSINESS

Cable Television Franchise

MOTION to adopt the new Cable Television Franchise between Time Warner Cable and the Village of Stillwater made by Trustee Walker seconded by Trustee Murphy.

Roll call vote: Trustee Murphy – yes
Trustee Walker – yes
Trustee Riccardi – yes
Trustee Hanehan – absent
Mayor Martin – yes

Motion carried 4-0

RESOLUTION VILLAGE BOARD OF TRUSTEES VILLAGE OF STILLWATER

WHEREAS, the State Technology Law, §208 as added by Chapters 442 and 491 of the Laws of 2005 (the “Information Security Breach and Notification Act”) requires municipalities to notify an individual when there has been or is reasonable believed to have been a compromise of the individual’s private information in accordance with said Act.

NOW THEREFORE, BE IT RESOLVED that the Village Board hereby adopts the annexed Information Security Breach and Notification Act Policy pursuant to said laws.

MOTION to adopt the above resolution made by Trustee Riccardi, seconded by Trustee Murphy.

Motion carried 3-0

Mayor Martin has received a request to offer a resolution in support of the collateral source bill.

Attorney Peluso will research for next meeting.

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

Motion carried 3-0

MOTION to approve the minutes from March 21, 2006 made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 3-0

MOTION to approve the audited claims:

A - \$ 9,309.40
F - \$21,667.92
G - \$14,608.27
H - \$ 1,467.05

Made by Trustee Murphy, seconded by Trustee Riccardi.

Motion carried 3-0

Clerk advised we have new assessments on the village owned property, she explained it does not made much difference for property in the village however the two water tanks are located in the Town of Stillwater and the new assessments for

these properties has increased when the other properties in the village have decreased.

The assessments are as follows:

	New	old
Ferry Lane Water Plant	39,800	72,150
Hillside Tank	120,000	83,000
Dick Lynch Road Tank	410,000	284,400
Engine House	242,000	260,000
Highway Garage	178,500	5,000
Major Dickinson Playground	16,600	0
Cannon Park	4,200	1,200
Canal property	300	2,000
Sewer Plant	38,000	50,000
Main pump station	30,000	3,500
Yorktown pump station	1,000	500

Some discussion was held regarding the changes that have been made. Board received copies of this information, it was decided that it should be grieved and the school should be contacted again requesting an exemption.

MOTION to adjourn to executive session at 8:55 p.m. to discuss a personnel matter made by Trustee Riccardi, seconded by Trustee Murphy.

Motion carried 3-0

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

Motion carried 3-0

Meeting adjourned at 9:00 p.m.

Respectfully submitted,

Margo L. Partak
Clerk-Treasurer