

**REGULAR MEETING -BOARD OF TRUSTEES-APRIL 19, 2011-7:00 P.M.**

**PRESENT: ERNEST W. MARTIN, MAYOR; TRUSTEES - KEITH COLLINS, ELLEN VOMACKA , JOHN BASILE, JUDY WOOD-SHAW**

**ALSO PRESENT: ATTORNEY JAMES PELUSO, FIRE CHIEF TONY CONTI, SUPT. OF PUBLIC WORKS JOHN SCOTT, BUILDING CODE OFFICER LYNN GOMAN**

The Mayor presented retiring Trustee Ken Baker an award of appreciation and spoke of what a pleasure it was to work with him during his many years of public service.

**NOTICE OF PUBLIC HEARING  
VILLAGE OF STILLWATER  
2010-2011 BUDGET**

NOTICE is hereby given that the Village Board of Trustees of the Village of Stillwater will hold a Public Hearing on April 20 at 7:00 p.m. on the Village's 2010-2011 budget. The hearing will take place at the Village Hall located at 1 School Street, Stillwater, NY. A copy of the proposed budget is available for public inspection at the Village Clerk's office at 1 School Street, Stillwater, NY 12170, between the hours of 9:00 a.m. and 3:00 p.m., Monday through Friday. At the above date, time and place, all interested persons will be heard.

**MOTION** to open the public hearing made by Trustee Basile, seconded by Trustee Vomacka  
Motion carried 4-0

Mayor Martin reviewed the proposed budget; total budget is \$1,401,758. Estimated Revenues are General \$662,564, Water \$461,784, and Sewer \$277,410. The proposed tax rate is 3.45 per thousand which is an increase of .10 over last year.

No one from the public had any questions or comments

**MOTION** to close the public hearing made by Trustee Basile, seconded by Trustee Collins  
Motion carried 4-0

**MOTION** to accept the 2011/2012 budget as proposed made by Trustee Basile, seconded by Trustee Vomacka

Roll Call Vote:

Trustee Basile – yes  
Trustee Wood-Shaw – yes  
Trustee Collins – yes  
Trustee Vomacka – yes  
Mayor Martin – yes

Motion carried 5-0

Mayor Martin called the regular meeting to order at 7:30 P.M. and led the pledge to the flag.

Joseph Stewart from Troop 35 present to earn his badge for community service. The Mayor and Board answered questions on how they are elected, what their duties are, and the budget process. Additional questions on our current water issues were also addressed.

**CORRESPONDENCE** – A letter was received from NYS EFC regarding the opportunity to refinance existing bonds to reduce the amount of interest on the current WTP loan; the Clerk will follow up. A ceremony to honor Colonel Ellsworth will be held on May 15, 2011 at 9:30am at the Hudson View Cemetery.

**FIRE CHIEF** – Tony Conti – reviewed his written report (copy on file) and received permission from the Board to repaint the interior of the garages and to purchase a washer and dryer since the Dept. is no longer able to use public Laundromats for their gear. The Chief requested Supt. Scott inspect the roof of the municipal building as there is evidence of leaking on the upstairs ceiling.

A report of the 2011 SFD Election results was distributed:

President	Tracey Cancilla
Vice President	Tom Caivana
Secretary	Chris Cancilla Jr.
Treasurer	Bill Mehan
Trustees	Joe Fitzpatrick Sr. Chuck Fiorino
Stewart	Jeri Mehan
Chief	Tony Conti
1 <sup>st</sup> Asst.	Jeff Mahar
2 <sup>nd</sup> Asst.	Jeri Mehan
Captains	Tracey Cancilla Matt Mehan
Lieutenants	Joe Fitzpatrick Jr. Ted Thrane

**MOTION** to approve the 2011 election results for the Newland Wood Fire Department made by Trustee Basile, seconded by Trustee Collins Discussion: Trustee Collins confirmed all those elected meet the FD by-laws  
Motion carried 4-0

**BUILDING CODE OFFICER** – Lynn Goman reviewed his written report (copy on file) and discussed the recent complaint and inspection of 60 Colonial Road

Mr. Paul Girard in attendance to dispute his April W/S bill for 55 Lake Street. The Village DPW was unable to get a meter reading for several years but did gain access in March and as a result, the current bill reflects a significant amount of usage over time that the homeowner was never charged for. Mr. Girard stated the Village should have called him to advise he was receiving estimated bills, the Board did not agree saying it was his responsibility. Lengthy discussion took place on whether or not it was possible the property actually used the amount of water calculated and what impact a recent break in Mr. Girard's pipes had on consumption. It was agreed that the Mayor would determine how the DPW was suddenly able to gain access after so many years before making a decision on the bill but Mr. Girard is to set up an appointment to have a remote read meter installed as soon as possible.

**SUPT. OF PUBLIC WORKS** – John Scott

Supt. Scott reviewed his written report (copy on file) and discussed the recent high flow experienced at the WWTP. The Supt. believed the increase was caused by snow melt raising the water table and has spoken to NYS DEC. Trustee Vomacka requested pressure readings be taken on our hydrants and Chief Conti was asked to provide a list of hydrants known to need repairs.

Discussion was held on the current status of our wells with Supt. Scott reporting he didn't set up the scope of services but did review the repair process by Subsurface Technologies. Trustee Basile requested he speak to the company to go over their invoice line by line and the Clerk reminded the board we issued a PO for \$10,000, the bill was for more than \$11,000 with no change order issued or approved.

## **COMMITTEE REPORTS**

Trustee John Basile – reviewed his written report (copy on file)

Trustee Keith Collins – addressed the notice of violation received from NYS DOH which raised concerns regarding our response to the recent water break; at this time, the DOH considers the matter closed.

Trustee Ellen Vomacka – easements for the sidewalk project have been sent out but two property owners are out of town. Trustee Vomacka has tried unsuccessfully to reach NYS DOT's Mike Stella but has been in contact with Eric Coulter and property release forms will be delivered soon.

Trustee Judy Wood-Shaw – no report

**ATTORNEY** - James Peluso – a litigation report will be given during executive session.

**CLERK-TREASURER** – Patti Ryan – Water/sewer bills were mailed on April 13, due date is May 13 with no payments accepted after May 15 in order to have enough time to levy outstanding bills to the June 1 Village tax bills. Our \$21,300 reimbursement from CHIPS is expected to be electronically transferred on April 20. EFC financing is complete, invoices received from Delaware Engineering will be submitted for approval and payment should be soon.

W/S Customer 410329 called in her meter reading showing 1400 gallons of usage. A note was sent with her bill stating it appeared her meter was about to stop and recommending a replacement be purchased. The customer re-read the meter which now shows usage of 11,400 gallons and has requested a corrected bill.

**MOTION** authorizing the Clerk-Treasurer to issue a corrected bill to Customer 410329 showing consumption of 11,400 gallons made by Trustee Collins, seconded by Trustee Basile  
Motion carried 4-0

The Clerk explained her office experienced a hard drive failure on one of the workstations while processing W/S bills and is currently working with Executive Office Products and KVS Software to prepare for replacement and upgrading. Two estimates have been obtained for hardware which can be purchased out of the current budget. The software will be purchased under the new budget which has the necessary funds allocated. The hardware will be obtained through NYS Contract.

**MOTION** to amend the General Fund Budget transferring \$850.00 from 1990.4A Contingent to 1450.4A Election Contractual made by Trustee Basile, seconded by Trustee Vomacka  
Motion carried 4-0

**MOTION** to open the floor to the public and press made by Trustee Vomacka, seconded by Trustee Basile  
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 Vomacka, seconded by Trustee Basile  
Motion carried 4-0

## **NEW BUSINESS –**

**MOTION** authorizing BST, LLP be engaged to audit the 2001-2012 Village books for a cost not to exceed \$16,800 and to audit the 2012-2013 Village books for a cost not to exceed \$17,300 in accordance with their proposal dated 3/3/11 made by Trustee Basile, seconded by Trustee Vomacka Discussion: Trustee Basile reviewed the USDA requirements for audit and his evaluation of the firms being considered. Trustees Collins and Wood-Shaw preferred hiring Martin and Company whose price was lower and appeared to meet the law. Trustee Collins stated \$12,000 could be

spent on much more productive things and disagreed with how BST was already pricing future years higher when the cost should be lower.

Roll Call Vote:

Trustee Collins – no  
Trustee Vomacka – yes  
Trustee Basile – yes  
Trustee Wood Shaw – no  
Mayor Martin – abstained

Motion did not carry

Trustee Basile explained we can't go to construction without this agreement in place and the Mayor suggested we revisit the issue when we meet on May 26<sup>th</sup> for the bid opening.

**MOTION** to accept Marvin & Co. proposal for audit services made by Trustee Collins, seconded by Trustee Wood-Shaw Discussion: Trustee Collins believes the fiscally responsible thing is to use the lowest priced company and not delay the project.

Roll Call Vote:

Trustee Collins – yes  
Trustee Vomacka – no  
Trustee Basile – no  
Trustee Wood Shaw – yes  
Mayor Martin – abstained

Motion did not carry

**OLD BUSINESS** – none

**MOTION** to approve the audited claims:

A- \$ 12,731.59  
F – \$ 21,800.80  
G – \$ 4,123.56  
H - \$23,844.08

made by Trustee Basile , seconded by Trustee Vomacka  
Motion carried 4-0

**MOTION** to approve the Treasurer Report made by Trustee Basile, seconded by Trustee Vomacka  
Motion carried 4-0

**MOTION** to adjourn to executive session at 9:25pm made by Trustee Vomacka, seconded by Trustee Basile  
Motion carried 4-0

Return to regular session at 10:10 p.m. to review alternative easement route across TDNI property for water line project. Counsel has recommended that the Board consider and reassess its environmental review under SEQRA in light of the proposed realignment. Trustee Basile described the nature of the proposed realignment; explained that the original SEQRA review included the very same property which is part of the current alignment and for which we have an easement from the property owner; that the realignment will avoid potential utility congestion with two other existing utilities along Route 76 and Cold Springs Road; will avoid a large amount of wetlands along the current route; and may result in project costs savings. Mr. Peluso discussed the original EAF, Part I & II adopted by the Board for the project; stated that he discussed the realignment with the Village's Engineers; that the engineers advised there is no change to Part I - Project Information as a result of the proposed realignment; and that the engineers advise in their opinion there is no change with respect to potential adverse environment impacts under Part II as a result of the realignment. Further discussion was had that the proposed realignment should reduce environmental impacts of the project, including a reduction of disturbed areas, avoidance of potential conflicts with other utilities, and reduction of wetlands impacts.

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The Board then reviewed and discussed each section under Part II – Project Impacts and the Magnitude, and determined as follows:

1. Will the proposed action result in a physical change to the Project Site? Yes
2. Will there be an effect to any unique or unusual land forms found on the site? No
3. Will the proposed action affect any water body designated as protected? (Under Articles 15,24,25 of the ECL) Yes
4. Will proposed action affect any non-protected existing or new body of water? No
5. Will proposed action affect surface or groundwater quality or quantity? No
6. Will proposed action alter drainage flow or patterns or surface water runoff? No
7. Will proposed action affect air quality? No
8. Will proposed action affect any threatened or endangered species? No
9. Will proposed action substantially affect non-threatened or non-endangered species? No
10. Will the proposed action affect agricultural land resources? No
11. Will the proposed action affect aesthetic resources? No
12. Will proposed action impact any site or structure of historic, prehistoric or paleontological importance? No.
13. Will proposed action affect the quantity or quality of existing or future open spaces or recreational opportunities? No
14. Will proposed action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6 NYCRR 617.14(g)? No
15. Will there be an effect to existing transportation systems? No.
16. Will proposed action affect the community's sources of fuel or energy supply? No
17. Will there be objectionable odors, noise, or vibration as a result of the proposed action? Yes
18. Will Proposed Action affect public health and safety? No
19. Will Proposed Action affect the character of the existing community? No
20. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts? No

Mr. Peluso advised that based on the Board's review and assessment, and the recommendations of the Village's engineers, that the proposed realignment of the water line route does not generate a significant change in the project or create a potentially large adverse environmental impact to change the Board's original negative declaration and therefore no further action under SEQRA is warranted.

MOTION to adjourn made by Trustee Basile, seconded by Trustee Vomacka

Meeting adjourned at 10:30pm

Respectfully submitted,

Patricia A. Ryan  
Clerk-Treasurer