

REGULAR MEETING -BOARD OF TRUSTEES-MAY 17, 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,
ABSENT: BUILDING CODE OFFICER LYNN GOMAN**

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

FIRE CHIEF – Tony Conti – reviewed his written report (copy on file) and was informed approval of the by-laws would be discussed under old business

MOTION to remove Mark Scelsi, Rhonda Nyland, and Barbara O’Kosky from the Department Rolls made by Trustee Basile, seconded by Trustee Collins Discussion: These individuals have been inactive for over 3 years
Motion carried 4-0

The Department has received a donation of exercise equipment and would like Board permission to create a gym in the Municipal Building as well as keep the current membership in Mechanicville. A “pod” will be purchased and placed at the DPW for storage in order to create enough space for the equipment, which will only be available to Dept. members and Village employees. The Board agreed it was acceptable.

Chief Conti asked Supt. Scott if he had inspected the leaking roof and was told no.

BUILDING CODE OFFICER – Lynn Goman – absent

SUPT. OF PUBLIC WORKS – John Scott

Supt. Scott reviewed his written report (copy on file) and thanked the Fire Department and Town of Stillwater Supt. Minick for their assistance during the recent flooding on Ferry Lane.

The governor in our generator is obsolete and the Supt. is concerned if it fails, additional equipment may be damaged. He suggested we upgrade it and relocate it after we close the WTP. Mayor Martin and Trustee Basile advised we should rent another unit when or if we need one.

MOTION to accept the proposal from Overhead Door Company of Glens Falls for an amount not to exceed \$1495.00 made by Trustee Basile, seconded by Trustee Collins
Motion carried 4-0

The well cleaning has been delayed until May 24; the Clerk was asked to provide the Board with the specifics of what was approved as soon as possible. The Supt. was instructed not to purchase anthracite or green sand until after wells A & B are fully rebuilt and after the new budget is in effect.

COMMITTEE REPORTS

Trustee John Basile – all required submittals have been made to USDA with the exception of two resolutions to be presented later tonight. Delaware Engineering continues work on the sewer projects. DEC approval on S. Colonial is still pending, a meeting was held with the Town regarding Castle Cliff work and we have two options: extend the contract or have the Town do the work. NYS EFC prefers we extend the contract.

Trustee Keith Collins – all issues were covered by Trustee Basile and Supt. Scott. .

Trustee Ellen Vomacka – permits have been received from DEC and Army Corp. One easement has been signed, two others pending. All property release forms have
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been signed but two and DOT has allowed an extension to complete. Material for lighting at the tennis court has been purchased. The website is delayed but anyone with info to add should send to Trustee Vomacka or the Clerk.

Trustee Judy Wood-Shaw – working with Trustee Vomacka on the website. Requested a tour of the WTP and the WWTP and also asked for a copy of the current Comprehensive Plan.

ATTORNEY - James Peluso – no report

CLERK-TREASURER – Patti Ryan – Computer upgrade is progressing, in daily contact with the software reps preparing for the conversion. A summary of w/s collections and a list of unpaid accounts being relieved to Village Tax was distributed (copy on file)

Several accounts are overspent, transfers are requested as follows

GENERAL FUND

\$10.02 from 19904A Contingent to 12104A Mayor Contractual

\$63.81 from 1620401A Building Supplies to 1620404A Equip Repair

\$162.94 from 90108A State Retirement to 90508A Unemployment

\$2139.98 from 19904A Contingent AND \$263.71 from 16201A Buildings Personal Service to 1620409A Buildings Gas/Oil (total \$2,403.69)

\$500.00 from 14404A Engineer Contractual to 14204A Law Contractual

In order to pay for new computer equipment:

\$1736.29 from 16201A Bldg Personal Service AND \$2,000.00 from 19904A Contingent to 16802A Central Data Processing Equipment

Total available for computer upgrade:

16802A \$4736.29

16202A \$2638.58

Total: \$7374.87

MOTION authorizing the Clerk-Treasurer to make the requested transfers made by Trustee Basile, seconded by Trustee Vomacka
Motion carried 4-0

Several accounts are also overspent in the water fund; the Clerk was reluctant to suggest transfers but did list which accounts might have funds available

MOTION authorizing the Clerk-Treasurer to transfer:

\$2425.97 from 8320401F Source Supplies to 8330403F Purification Electricity

\$5815.77 from 8320420F Professional Services to 8340404F T & T Equip Repair

Balance due to Subsurface should be paid from 8340401F T & D Water Meters

Made by Trustee Basile, seconded by Trustee Vomacka

Motion carried 4-0

The Clerk advised additional transfers would likely be needed and a special meeting was scheduled for 5/31/11 at 7pm.

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

Jim Champlin has repeatedly asked for a new meter but has yet to receive one. He has also asked numerous times to have the Board discuss adding a sunset clause to Planning and Zoning; Trustee Basile stated he did not feel it was necessary. Mr. Champlin asked for specifics on what the current capital projects will cost the taxpayers; Trustee Basile offered to bring numbers to the next meeting. Discussion was held on if and when the Superintendent was required to move to the Village.

MOTION to close the floor to the public and press made by Trustee Basile, seconded by Trustee Wood-Shaw
Motion carried 4-0

NEW BUSINESS –

RESOLUTION

**VILLAGE BOARD OF TRUSTEES
OF THE VILLAGE OF STILLWATER
May 17, 2011**

**SCWA Water System Connection
Notice of Award to Lowest Responsible Bidder of
Contract No. 1 – General Construction**

WHEREAS, the Village Board of Trustees of the Village of Stillwater has solicited sealed competitive bids for the construction of the Village's water line project to connect the Village's water system to the Saratoga County Water Authority (SCWA) water system; and

WHEREAS, the Village advertised the project for bid on March 31, 2011 with said bids to be returnable to the Village Clerk's Office by 2:00 p.m. on April 26, 2011, to be publically opened and read at a meeting of the Village Board of Trustees on same date and time; and

WHEREAS, the bids submitted were publically opened and read on April 26, 2011; and

WHEREAS, Highlander Construction Inc., duly submitted such a bid at said time and place in the amount of \$3,437,711.00 for the Total Base Bid and \$36,480.00 for Alternative No. 2 (Delete Gate Valves) on Contract No. 1 – General Construction, which bid was the lowest bid; and

WHEREAS, the Village's project engineers, The Chazen Companies, have reviewed the submitted bids on Contract No. 1 for completion of the bidding specifications; and have completed a background verification of the low bidder which included confirming the adequacy of the bid bond, reviewing prior contract work completed similar in nature to the proposed work, success of prior work efforts and ability to bond the work; and have determined the low bidder to be a responsive and responsible bidder;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That Contract No. 1 General Construction including the Base Bid and Alternate No. 2 be awarded to Highlander Construction, Inc., with corporate offices located at 5774 Kester Road, Memphis, New York as recommended by the engineers in the May 2, 2011 letter from Eric P. Johnson, P.E., Director of Municipal Engineering of The Chazen Companies to Mayor Ernest W. Martin;

and

2. This award is contingent upon approval by the United States Department of Agriculture – Rural Development.

IT IS FURTHER RESOLVED, that the Mayor is authorized to sign all documents and perform such actions necessary to implement the purposes of this resolution. The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

	Aye	Nay	Absent
Mayor Ernest W. Martin	x		
Trustee: John Basile	x		
Trustee: Keith Collins	x		
Trustee: Ellen Vomacka	x		
Trustee: Judy Wood-Shaw	x		

The resolution was thereupon declared duly adopted effective May 17, 2011.

**A Resolution for SCWA Water System Connection
Notice of Award of Contract No. 1 – General Construction**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board of Trustees was present throughout said meeting, and a legally sufficient number of members (four of the five members of the Board of Trustees) voted in the proper manner for the adopted of the resolution. All other requirements and proceedings under law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

RESOLUTION

**VILLAGE BOARD OF TRUSTEES
OF THE VILLAGE OF STILLWATER
May 17, 2011**

**SCWA Water System Connection
Notice of Award to Lowest Responsible Bidder
Contract No. 2 – Electrical Construction**

WHEREAS, the Village Board of Trustees of the Village of Stillwater has solicited sealed competitive bids for the construction of the Village’s water line project to connect the Village’s water system to the Saratoga County Water Authority (SCWA) water system; and

WHEREAS, the Village advertised the project for bid on March 31, 2011 with said bids to be returnable to the Village Clerk’s Office by 2:00 p.m. on April 26, 2011, to be publically opened and read at a meeting of the Village Board of Trustees on same date and time; and

WHEREAS, the bids submitted were publically opened and read on April 26, 2011; and

WHEREAS, Brunswick Electric, Inc., duly submitted such a bid at said time and place in the amount of \$128,363 for the Total Base Bid on Contract No. 2 – Electrical Construction, which bid was the lowest bid; and

WHEREAS, the Village’s project engineers, The Chazen Companies, have reviewed the submitted bids on Contract No. 2 for completion of the bidding specifications; and have completed a background verification of the low bidder which included confirming adequacy or the bid bond, reviewing prior contract work completed similar in nature to the proposed work, success of prior work efforts and ability to bond the work; and have determined the low bidder to be a responsive and responsible bidder;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That Contract No. 2 Electrical Construction be awarded to Brunswick Electric, Inc., with corporate offices located at 290 Hoosick Street, Troy, New York as recommended by the engineers in the May 2, 2011 letter from Eric P. Johnson, P.E., Director of Municipal Engineering of The Chazen Companies, to Mayor Ernest W. Martin; and
2. This award is contingent upon approval by the United States Department of Agriculture – Rural Development.

IT IS FURTHER RESOLVED, that the Mayor is authorized to sign all documents and perform such actions necessary to implement the purposes of this resolution.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

	Aye	Nay	Absent
Mayor Ernest W. Martin	x		
Trustee: John Basile	x		
Trustee: Keith Collins	x		
Trustee: Ellen Vomacka	x		
Trustee: Judy Wood-Shaw	x		

The resolution was thereupon declared duly adopted effective May 17, 2011.

**A Resolution for SCWA Water System Connection
Notice of Award of Contract No. 2 – Electrical Construction**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board of Trustees was present throughout said meeting, and a legally sufficient number of members (four of the five members of the Board of Trustees) voted in the proper manner for the adopted of the resolution. All other requirements and proceedings under law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

MOTION to accept the proposal from Salvadore Tree Service for tree removal on Park Avenue with funds to be taken from A.5410.400 made by Trustee Basile, seconded by Trustee Collins
Motion carried 4-0

OLD BUSINESS –

MOTION the Village Board accept the revised Newland Wood By-Laws made by Trustee Vomacka, seconded by Trustee Basile
Motion carried 4-0

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 Collins , seconded by Trustee Basile
Motion carried 4-0

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

MOTION to approve the minutes of February 8 & 15, March 15, and April 5 made by Trustee Vomacka, seconded by Trustee Basile
Motion carried 4-0

MOTION to adjourn to executive session to discuss contracts, personnel, and litigation at 9:05pm made by Trustee Collins, seconded by Trustee Basile
Motion carried 4-0

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

Meeting adjourned at 9:50pm

Respectfully submitted,

Patricia A. Ryan
Clerk-Treasurer