

**REGULAR MEETING-PUBLIC HEARING-BOARD OF TRUSTEES-MAY 20, 2003-6:30 P.M.**

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

**ALSO PRESENT: ATTORNEY, WILLIAM F. REYNOLDS; BUILDING CODE OFFICER, KENNETH PATENAUDE; FIRE CHIEF, JEFF MAHAR**

**PUBLIC HEARING**

W.R. ENTERPRISES request to erect a self-storage facility on land adjacent to Hudson Avenue (former American Linen site)

Mayor Martin called the public hearing to order at 6:30 p.m. and read the Notice of Public Hearing that was in the newspaper.

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

Motion carried 4-0

Mr. Anthony Jordan, Attorney representing W.R. enterprises explained the proposed project to erect self-storage units on land in the Village.

Public questioned if it would be connected to the village water and sewer system, if a portion would be donated to the village.

Trustee Murphy stated the feedback he has received from residents has been negative. Concerns regarding drainage have been expressed. Residents are also concerned that a municipality this size would not require storage and many of the users would be from out of town.

Mr. McPhail explained that there would be approximately 60-80 units per building to begin, many residents find it useful to have a place to store summer furniture in the winter, people remodeling store furniture until the project is complete.

Concerns were expressed that businesses would use the storage facility to store contaminants that could be harmful if they were to leak. It was explained that the facility would only be open during daylight hours and there is a security camera monitoring the area at all time. This would deter people from storing prohibited materials.

Discussion was held regarding Mr. Russell's prior plans for the area and if a drainage proposal was included. The Board has concerns regarding dispersal of excess storm water. An adjacent property owner has consistently complained about drainage on to their property. It was explained the natural drainage course of the area would not be disturbed.

Trustee Hanehan expressed concerns about what could be stored over the aquifer. Trustee Walker questioned if the surveillance tapes are periodically reviewed. It was explained they are a deterrent and are reviewed if a concern is brought to their attention.

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

Motion carried 4-0

Mayor Martin called the Regular Meeting to order at 7:00 P.M. and led the Pledge to the Flag.

**CORRESPONDENCE**

Clerk read a letter from the Newland-Wood Ladies Auxiliary requesting permission to hold their annual tag day June 14, 2003.

**MOTION** to authorize the requested tag day for the Newland-Wood Ladies Auxiliary for June 14, 2003 made by Trustee Murphy, seconded by Trustee Hanehan.  
Motion carried 4-0

Mayor Martin read an advisory for New York State regarding the upgraded alert status.

Mayor Martin read a letter from the Stillwater Area Community Services Center regarding a new contract for the 2003-2004 fiscal year.

**MOTION** authorizing the Mayor to sign a new contract with the Community Center for the 2003-2004 fiscal year made by Trustee Murphy, seconded by Trustee Walker.  
Motion carried 4-0

Mayor Martin read a letter from the Stillwater Central School District denying the Village request for exempt tax status for land adjacent to Dick Lynch Road where the new water tank is located. He also read a letter from Stillwater Central School District thanking Russell L. Laquidara for the assistance the Department of Public Works furnished during the problem they experienced with their lift station.

**BUILDING CODE OFFICER – Kenneth Patenaude**

Footing & framing inspection for a deck, Lake Street; building permit approval, addition Clinton Court; footing & framing inspection porch, Franklin Court, final approval granted; final inspection, issued certificate of occupancy, new home 31 Yorktown Lane, Colonial Estates; foundation & footing inspection, new home 35 Yorktown Lane, Colonial Estates; backfill inspection & modular placement, new home Clinton Court North.

**FIRE CHIEF – Jeff Mahar**

Compressor final connection is scheduled for tomorrow; all emergency vehicles have been inspected. The alarm system for the building has been reviewed; Master Alarm is slightly higher, however, after talking to Arvin Hart representative, recommend having them install system. Other company is difficult to work with.

**MOTION** to purchase alarm system from Master Alarm per estimate \$1,528.00 made by Trustee Walker, seconded by Trustee Hanehan.  
Motion carried 4-0

Trustee Walker advised the Board that the Fire Department has requested money to purchase a CAD system for preparing reports. He requested the Fire Chief prepare a code of conduct for when the firefighter is considered on duty and define what duties are actually fire department work.

Chief Mahar advised currently drills are Wednesday nights and Sunday mornings.

**SUPERINTENDENT OF PUBLIC WORKS – Russell L. Laquidara**

Superintendent presented a report of activities to the Board. He offered to answer questions regarding this report. He advised that all meters at the water plant have been calibrated, the crosswalk at the Blockhouse has been painted by the NYS Dept. of Transportation, the requested streetlight at the corner of Hudson Avenue and Russell Drive has been installed.

Supt. requested the Board authorize the Clerk/Treasurer to issue checks for one-week unused vacation for Department of Public Works employees with unused time. Would like to sell the old tanker truck, publish a request for sealed bids to be opened at the next meeting. Would like permission to have new tracks installed on the dozer, using the balance of street money not used this fiscal year.

**MOTION** to authorize Supt. to spend \$3,100 for new dozer tracks made by Trustee Murphy, seconded by Trustee Riccardi.  
Motion carried 4-0

**MOTION** authorizing one-week vacation pay to Paul O’Kosky, Robert Reilly and Russell Laquidara for unused vacation made by Trustee Walker, seconded by Trustee Murphy.  
Motion carried 4-0

Trustee Riccardi questioned the fence on Neilson Avenue Bridge. Supt. explained the materials would be \$1,000.00. Discussion was held regarding this situation.

**MOTION** to authorize Supt. to repair the fencing on the Neilson Avenue Bridge as soon as possible made by Trustee Riccardi, seconded by Trustee Murphy.  
Motion carried 4-0

Trustee Riccardi requested that the broken window in the firehouse garage door be repaired as soon as possible. Supt. explained Door Company is out of business so he will have to fix it with Plexiglas he has on order.

Trustee Riccardi requested Supt. repair the potholes on the corner of Palmer & Lake Streets. He also thanked Supt. for fixing the hole near the school and fixing the drain on Lake Street.

Trustee Walker thanked Supt. for tennis court work.

Trustee Murphy questioned the smell at the sewer plant. Discussion was held regarding the odor that has been a problem recently.

Supt. explained it is old sludge, potassium permanganate helps control the odor. There is a problem disposing of this type of sludge. It was decided to have Bruce Ringrose review the procedures at the plant and make possible suggestions.

#### **COMMITTEE REPORTS**

Trustee Michael Hanehan

Major Dickinson Avenue playground - looked at equipment for the playground today, cost would be \$2,299.00 installed and delivered. Must be purchased before May 27<sup>th</sup> this is a sale price that would expire after that date.

**MOTION** to issue a check for \$2,299.00 for Mayor to purchase equipment for the playground on or before May 27, 2003 made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 4-0

Further discussion was held regarding the Major Dickinson Avenue playground and positioning of equipment. Board requested fence be installed before equipment is delivered. Would like a sign purchased that would designate the equipment for 12 years old and younger.

Trustee Hanehan presented changes for the Noonan easement; Attorney will prepare new easement. Trustee Murphy suggested inspecting the situation before making changes to easement.

Mayor Martin advised there was a recent surprise inspection of the sewer plant by ENCON, no unsatisfactory findings were reported. Odor was present in the sludge holding tank at the time of the inspection, however this is not a violation.

Trustee Martin Riccardi

Streets – Colonial Road is the number one priority for this year, will make a supreme effort to complete this project. Lake Street, waiting for Engineer to prepare in-kind service amount, then prepare bid specs for project.

Hudson Avenue – street light project, lights and poles have been selected, similar to the ones in Mechanicville. Cost for NYSEG is within the grant amount, waiting for Engineer to set up meeting with NYSEG to coordinate everything.

Buildings – Will be getting quotes for outside entrance door replacement, will bring before Board as soon as possible. Need to replace at least one furnace in the building will also get quotes for this job. Trustee Walker advised that the fuel supplier suggested the possible need for a new fuel tank.

Trustee Raymond Walker

No new updates on the Skateboard Park. Reviewed a scheduling program for the DPW, will make recommendations soon. Have requested paperwork for installing roadrunner to the DPW garage.

Trustee John Murphy

Will be going to Glens Falls with Supt. of Public Works to purchase landscape bricks for entrance signs.

Trustee Murphy explained the status of the Small Cities Grant Program to date. We are beginning to show interest in the loan program and we are finally getting some projects completed.

The 2002 Annual Drinking Water Report was in the last edition of the Pennysaver. Copies are in the Clerk's Office for anyone that might have missed this mailing. A joint Town/Village Water Committee meeting was held May 6<sup>th</sup>. Both Committees agreed to present a jointly endorsed plan with regard to testing procedures. Whenever a change of water source is made a boil water advisory is put into effect. Both committees tentatively agreed to a \$39,000 settlement with regard to the dispute over the water contract. It may be June before they can return to the Village. Bruce Ringrose, Engineer provided plans to study the Village system. Monday, Wednesday & Friday samples will be taken at various points throughout the Village. The boil water notice would be for the TOWN ONLY.

We are in the process of completing a survey of our water system for the Federal Government. Once completed this could help with securing Federal Funding for future development and upgrading of our system.

#### **OLD BUSINESS**

W.R.Enterprises storage facility proposal. Mayor Martin requested a motion to act on this proposal.

Trustee Hanehan questioned the drainage and the authority of the village to inspect the facility.

Trustee Murphy stated he has talked to a number of people regarding this proposal and none of the feedback has been positive. There is a concern that this would attract transients. However, many local uses were explained during the public hearing. The elevation will be changed not the slope for drainage.

Attorney Reynolds spoke regarding various issues he brought to the Board's attention. Some of these issues have been answered; Attorney Reynolds would like some time to review.

Trustee Riccardi questioned the amount of blacktop that would be installed and where the run-off would drain.

Attorney Jordan explained this is a 3.5-acre parcel that perhaps only ½ acre of land will be changed.

Trustees Hanehan & Riccardi are ready to vote.

Trustee Walker stated this is a viable business that would improve the appearance of the property; it is minimal risk in comparison to other environmental factors.

Mayor Martin stated Village Attorney requires time to review the paper work submitted to date. Will hold a special meeting, all parties to be notified of time and date.

Attorney Tony Jordan requested the meeting tape be preserved for future reference. He stated he has reviewed the Aquifer Protection Law and this type of unit is not prohibited. W.R.Enterprises has been in business for over 10 years with no problems to the communities.

#### **VILLAGE ATTORNEY**

Building Code Officer, Kenneth Patenaude, questioned status of 42 S. Hudson Avenue. Mayor asked Attorney how to get permission to enter the property. If it is unsecured you have a right to enter to inspect. If it is well secured the mortgage holder's attorney should be contacted for permission to inspect.

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

Press asked questions regarding the status of the Hillside sewer request. It was explained that the Village is waiting for engineering reports. No commitments have been made to Mr. Carley. They would be required to come directly to the sewer plant.

Trustee Murphy questioned if the Village is obligated to go through with the study or could we return the \$3,000.00 deposit. The Engineer has completed part of the study. Board will continue study to determine if it would be feasible to accept this sewer.

Press questioned the number of storage units that would be built regarding the W.R.Enterprises proposal.

Timothy Campbell, Hudson Avenue, questioned if the force main would be installed prior to Colonial Road resurfacing. It was explained the line for the force main would be installed upon granting of easements. Colonial Road will have new sewer lines installed before resurfacing.

James Champlin, Colonial Estates, questioned the changes in the playground. The changes were made due to not owning the land where some of the equipment was located. He also questioned the EPA Website information that the Village had a water violation in June and August. He will forward the site link to Trustee Murphy.

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

#### **NEW BUSINESS**

Friday, May 23, 2003, 6:00 p.m. Veteran's Memorial Day Parade.

Family Day June 7, 2003 (June 8<sup>th</sup> rain date)

Blockhouse opening ceremonies Saturday May 24, 2003 at 12 Noon.

#### **OLD BUSINESS**

Mitigation Committee has been formed, Building Code Officer attendance requested.  
Next meeting May 21, at 6:30 P.M.

#### **CLERK-TREASURER**

Contracts that were sent to existing outside water and sewer users have been adjusted deleting the new \$250.00 deposit requirement, the meter pit requirement and the termination fee. Would like permission to send these for resident approval.

**MOTION** authorizing the Clerk-Treasurer to send contracts to all existing outside users of the village water and sewer systems made by Trustee Murphy, seconded by Trustee Walker.  
Motion carried 4-0

Clerk-Treasurer advised Board that it is necessary to make some budgetary adjustment to allow for revenue that will not be received from the Town of Stillwater. We will also have to adjust the General Fund for transfers not to be received from water.

**MOTION** to reduce the Water Fund Budget estimated revenue F2140 (metered sales) \$53,000.00 and appropriations F8310.2 (water admin-equipment) \$14,000.00, F8310.4 (water admin-contractual) \$6,000.00, F8330.401 (purification-supplies) \$10,000.00, F8330.403 (purification-electricity) \$3,000.00, F9901.902 (transfer to General) \$20,000.00 made by Trustee Murphy, seconded by Trustee Hanehan.  
Motion carried 4-0

**MOTION** to increase estimated revenue A1120 (non-property tax distribution by County) \$20,000.00 and decrease estimated revenue A2801 (interfund revenues) \$20,000.00 made by Trustee Murphy seconded by Trustee Hanehan.  
Motion carried 4-0

The Community Development Fund needs to be increased to allow for homeowner deposits.

**MOTION** to amend the Community Development fund increase estimated revenue CD2170 (homeowner) \$5,389.00 and appropriation CD 8668.4 (rehab loans and grants) \$5,389.00 made by Trustee Riccardi, seconded by Trustee Walker.  
Motion carried 4-0

The General Fund has some overspent accounts, however there are some revenue accounts with excess that would allow amending the budget to cover these additional expenses.

**MOTION** to amend the General Fund Budget increase estimated revenue A2709 (employee contributions) \$140.00 and A3005 (mortgage tax) \$7,875.00, increase appropriations A1440.4 (engineer) \$2,755.00, A1620.401 (building-supplies) \$1,675.00, A1620.409 (buildings-gas & oil) \$610.00, A1910.4 (unallocated insurance) \$250.00, A3410.2 (fire dept.-equip.) \$140.00, A5010.406 (street admin – cell phones) \$140.00, A5110.1 (street maintenance-personal service) \$1,314.00, A5132.401 (garage shop supplies) \$161.00 and A7110.4 (parks contractual) \$970.00 made by Trustee Murphy, seconded by Trustee Hanehan.  
Motion carried 4-0

The Water Fund needs to transfer money from one account to another to cover overspent LP gas and chemicals.

**MOTION** to transfer \$106.00 from F8320.409 (source, misc.) to F8320.408 (source-LP gas) and \$232.00 from F8330.403 (purification electricity) to F8330.412 (purification chemicals) made by Trustee Murphy, seconded by Trustee Riccardi.  
Motion carried 4-0

The Sewer Fund needs some transfers also.

**MOTION** to reduce appropriation G8110.2 (sewer admin-equip) \$676.00, G8120.2 (sanitary sewer-equip) \$5,215.00, G8130.2 (Treat/Dispos-equip) \$80.00 and increase appropriations G8110.420 (sewer admin-Prof. svc) \$676.00, G8120.1 (sanitary-personal) \$3,655.00, G8120.403 (sanitary-electricity) \$1,560.00 and G8130.1 (treat/dispos-personal svc) \$80.00 made by Trustee Hanehan, seconded by Trustee Walker.  
Motion carried 4-0

Need to increase Capital Fund Revenue to allow for Mr. Carley deposit to be spent on sewer study and reserve money for Fire Department pagers.

**MOTION** to increase the capital fund budget estimated revenues H3990 (sewer capital project) \$3,000.00 and H5031 (interfund transfers) \$2,000.00 and appropriations H3410.2 (fire dept cap reserve) \$2,000.00 and H8130.2 (Hillside sewer study) \$3,000.00 made by Trustee Hanehan, seconded by Trustee Riccardi.  
Motion carried 4-0

**MOTION** to authorize the Clerk-Treasurer to make any necessary transfers to the 2002-2003 year budgets to balance at the fiscal year end made by Trustee Hanehan, seconded by Trustee Murphy.  
Motion carried 4-0

**MOTION** to accept the Treasurer Report as presented made by Trustee Walker, seconded by Trustee Murphy.  
Motion carried 4-0

**MOTION** to adopt the minutes of April 15 and May 1, 2003 made by Trustee Murphy, seconded by Trustee Hanehan.  
Motion carried 4-0

**MOTION** to approve the audited claims:

A	\$12,101.14
F	\$ 6,066.01
G	\$ 7,459.49

Made by Trustee Riccardi, seconded by Trustee Murphy.  
Motion carried 4-0

**MOTION** to adjourn to Executive Session for contract & personnel issues at 8:50 P.M. made by Trustee Hanehan seconded by Trustee Walker.  
Motion carried 4-0

**MOTION** to return to Regular session at 9:30 P.M. made by Trustee Hanehan, seconded by Trustee Walker.  
Motion carried 4-0

**MOTION** to appoint Trustee Hanehan as Chairman of the Department of Public Works effective June 1, 2003 made by Trustee Murphy, seconded by Trustee Walker.  
Motion carried 4-0

**MOTION** to hire Randy Rathbun as a consultant to the Department of Public Works beginning June 1, 2003 for the upcoming Colonial Road and sewer force main projects made by Trustee Murphy, seconded by Trustee Hanehan.  
Motion carried 4-0

Board will meet with the Department of Public Works on Tuesday, May 27, 2003 at 10:00 A.M.

**MOTION** to approve the application of W.R.Enterprises for a self-storage facility that was submitted to the Board contingent on the description of the project set forth in their letter submitted May 1, 2003 made by Trustee Walker, seconded by Trustee Hanehan.  
Motion carried 4-0

**MOTION** to adjourn at 9:45 P.M. made by Trustee Hanehan, seconded by Trustee Walker.  
Motion carried 4-0

Respectfully submitted,

Margo L. Partak  
Clerk-Treasurer