

REGULAR MEETING-BOARD OF TRUSTEES-JULY 15, 2003-7:00 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; SUPT OF PUBLIC WORKS, RUSSELL L. LAQUIDARA

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

PUBLIC HEARING

Mayor Martin read the notice of public hearing that was published in the newspaper. He explained it is an amendment to the Local Law relating to site development of new or modified residential or commercial parks or estates within the Village of Stillwater establishing a six-month moratorium on any new changes to property.

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

Motion carried 4-0

Josef Mueller spoke against the moratorium; he feels it would lead to zoning laws and many restrictions that would take away property owner rights.

Frank Russell III questioned if it is necessary to enact the moratorium or could the Board just act case by case. Mayor Martin explained it would give the Board time to consider a comprehensive plan for the Village before anything is enacted. He stated he does not want to chance any more businesses being started without some type of legislation to control their location, for the protection of the residents of the Village. Mayor would like to identify residential areas and business areas within the Village of Stillwater.

The Board explained they are concerned with new business being established in a residential area. Mayor would not want to prohibit new homes only new business.

Fred Tracy questioned if the Board feels they can complete this project in a six-month period. He expressed concern about prohibiting new business. He spoke regarding the possible effect it could have on his business.

Trustee Murphy stated they would really like to attract new business, he feels businesses would prefer to have specific guidelines to follow.

Liz White, Clinton Court applauds the Board for researching this type of legislation. She feels there is a real need for some type of legislation.

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

Motion carried 4-0

SPECIAL GUESTS

Stillwater Free Library – Mrs. Claire Haizlip, President of the Library Board spoke to the Board requesting their support for a proposition to be on the ballot for the November election to allow the Town to tax residents for the Library services.

The Library has been in existence for 50 years. They are in crisis currently, operating at a deficit of \$15,000 annually. Without increased funds the Library will cease to exist in the near future. Must be open a minimum of 35 hours per week with a Librarian with a Master of Library Science Degree; need to update reference materials; need to have computers available; need audio visual material; building improvements are desperately needed.

Current operating budget \$55,000/

Trustee Murphy feels the library is a core of the Community; it would be a very sad day if this service were not to be provided.

Mayor Martin supports the library wholeheartedly.

Trustee Hanehan is in complete support of the concept.

Trustee John Murphy introduced representatives of Provident Development Group, James Quinn and Ken Retundo. He explained Trustee Walker and he have been working with the property owner for over a year planning to develop land off Clinton Court and Hudson Avenue in the Village of Stillwater. Ken Retundo explained Provident Development Group is an extension of Bast Hatfield. They showed a drawing to the Board of a concept of cluster housing for the area. The main access would be off Hudson Avenue with an additional access off Clinton Court. Trustee Murphy explained the discussion to date, it would consist of intergenerational housing along the river. It would be a three-phase project. They are currently requesting conceptual approval.

Liz White questioned if they would be rental properties. It was explained they would be privately owned. They are planning one, two and three bedroom units in various size buildings. There is an aging baby-boomer population interested in this type of housing.

It was questioned how much land would be involved. It was explained the two parcels are approximately 37 acres, only 20 acres are to be developed. A considerable amount of land is federal wetlands.

MOTION granting conceptual approval to Provident Development Group for the developing of land in the Village of Stillwater made by Trustee Murphy, seconded by Trustee Walker.

Discussion: Attorney questioned if land development application had been filed, it was explained they are currently seeking approval of the concept only will obtain necessary paperwork from clerk tomorrow to proceed with the project.

Motion carried 4-0

Mr. David Meager, Round Lake Insurance

Mr. Meager explained the Village insurance is divided into two groups, Fire Department operations are part of a safety group. The remainder is covered under Municipal insurance. Terrorism Insurance has been added to the policy this year. Selective Insurance is the current Insurance Company covering the Village needs. The premium increase is about 8% for this year. Mr. Meager reviewed the coverage that is provided. He explained it is necessary to review this information to be sure it is correct. Recommended having a personnel manual that covers all policies that pertain to employees.

CORRESPONDENCE

Mayor read an invitation to the July 27th 50th Anniversary Korean War service to be held at the Blockhouse Park by the American Legion.

Mayor read a letter from General Electric regarding sampling tour boats for July 23rd for all interested elected officials.

Mayor Martin received a letter from John & Susan Basile, proposed purchasers of the Masonic Temple Building, with information relevant to the work they plan to do in restoring the building. Mayor sent a reply welcoming their interest.

BUILDING CODE OFFICER – Kenneth Patenaude

Framing inspection, addition 8 Palmer Street; plumbing stub-up and slab inspection, 8 Clinton Court; final inspection deck, Hoyt, Lake Street; insulation, sheetrock/electrical inspections, 35 Yorktown; framing inspection, 37 Yorktown; footing, foundation pour inspection 38 Yorktown; received correspondence from John Basile, Masonic Temple purchase and Kevin McMurtry, courtesy sign review.

FIRE DEPARTMENT

3 call for the month, problem with Fire Truck, battery exploded; 2005 Hudson Valley Convention approved approximate date July 12, 2005. There will be two parades held during this convention, MardiGras on Friday night and dress parade on Saturday.

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

William Carpenter advised the Board he would be proposing a new project to the Town of Stillwater to build 35 new homes on the west side of Colonial Road. He would like to know if the Village would be willing to sell water and sewer services to these homes. Trustee Murphy explained they were approached by another land owner in the Town of Stillwater requesting this type of service and they were told that the Village would consider this request but they would prefer that the property owner annex into the Village, we are not interested in getting into so many contracts with outside users. Mr. Carpenter stated he is not interested in annexation. Trustee Murphy explained he does not feel this is in the best interest of the Village at this time. Mayor Martin requested time to discuss this issue.

Tad Baisley requested permission to hold a tag day for the Stillwater Football Cheerleaders on August 2, 2003.

MOTION to approve the requested tag day if date is open made by Trustee Hanehan, seconded by Trustee Riccardi.
Motion carried 4-0

Ken Baker thanked Board for attending the Town of Stillwater meeting today, representing the Village of Stillwater.

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

SUPT. OF PUBLIC WORKS – Russell L. Laquidara

Water demand is increasing with hot weather, quality is good; repaired a water lateral, Clinton Court; hauling sludge this week, should be ready to clean imhoff tank the 24th, sewer plant is running good; forcemain is installed through the church parking lot, lateral for Parish Center is connected; Bob is on reserve this week; work on problem sidewalks, should be completed next week and hope to install electrical for signs next week. Tentative schedule for Colonial Road is to begin July 27th.

COMMITTEE REPORTS

Trustee Michael Hanehan – request permission to close Colonial Road to all but local traffic during reconstruction.

MOTION to close Colonial Road to all but local traffic beginning July 28, 2003 until sewer and road construction can be completed made by Trustee Murphy, seconded by Trustee Walker.

Discussion: it was requested that all emergency services be notified of the closing of the road.

Motion carried 4-0

Trustee Hanehan requested the Mayor contact the residents of Colonial Road, set up a meeting to explain what the Village will be doing in the area. We will need a hold harmless agreement with some of the residents to allow us to cut the bank away from the road. Supt. Laquidara explained that most of the residents have been contacted and they do not have a problem with the expected work.

Randy Rathbun has requested a meeting with the Village Board for a Saturday morning or some evening after 7:00 P.M.

Trustee Hanehan questioned if the Hallum Attorney has contacted Mr. Reynolds. He was advised he had not. Discussion followed.

Discussion was held regarding the Supt. weekend duties. Mayor stated he needs to know who is on duty in case of emergency.

Trustee John Murphy – nothing to report at this time.

Trustee Raymond Walker – no word from architect regarding Skateboard Park. Comprehensive Plan for Village of Stillwater – how to proceed? Mayor has information from the Village of Victory, Trustee Walker will review the information he has, come back to Board, and Mayor will appoint a committee to help prepare a plan for the future of the Village of Stillwater. Have joined the NYS Planning Federation, they are very helpful with this process. Trustee Murphy has a pole of what the residents would like to see for the future.

Mayor Martin read a letter from Landmark Archaeology regarding the archaeological study for the Ferry Lane sewer project.

Trustee Martin Riccardi – Lake Street project, next step is the survey and site elevations, hopefully will be done by end of week. Authorized engineer to prepare designs for lamppost and streetlights to be put out to bid. Sidewalks crosswalk by Postoffice put in by NYS. Supt. explained NYS would not install or maintain crosswalks unless they are handicap accessible. Discussion was held regarding making the crosswalk handicap accessible. Trustee Riccardi has some concerns that a passing zone exists within the Village limits. One is from the St. Peter's Church to TenBroeck Street and the other is north of the school to the village limits. Mayor will contact State regarding passing zones.

Trustee Murphy questioned if the Mayor received a complaint regarding curb striping at the corners. Mayor explained he had a request from a business owner for a 10 minute parking zone near the intersection. Discussion was held regarding this issue, concern was expressed that other businesses could also want this service and because it is on Route 4 & 32 the State determines the distance required from the corner. The Village also has a Local Law prohibiting parking within 20 feet of any intersection in the Village.

ATTORNEY – William F. Reynolds
Would request to wait for Old Business

NEW BUSINESS

Mayor explained the Greenway Trails; it opens up many opportunities for funding. Mrs. Carmella Mantilla would be willing to attend a meeting to explain the significance of becoming a National Heritage Area.

RESOLUTION REQUESTING FEDERAL LEGISLATION EXPANDING THE HUDSON RIVER VALLEY NATIONAL HERITAGE AREA TO INCLUDE THE VILLAGE OF STILLWATER SARATOGA COUNTY

WHEREAS, the Congress of the United States designated the Hudson River Valley as a National Heritage Area pursuant to Title IX, Public Law 104-333, "Hudson River Valley National Heritage Area Act of 1996" (hereinafter referred to as "the Act"), and

WHEREAS, the Act also officially designated the Hudson River Valley Greenway as the management entity for the Hudson River Valley National Heritage Area, and established the Executive Director of the Hudson River Valley Greenway Communities Council and the Executive Director of the Greenway Conservancy for the Hudson River Valley, Inc., as the co-directors of the National Heritage Area, and

WHEREAS, the purpose of the Act is to "recognize the importance of the history and the resources of the Hudson River Valley to the Nation, to assist the State of New York and the communities of the Hudson River Valley in preserving, protecting and interpreting these resources for the benefit of the Nation and to authorize Federal financial and technical assistance to serve these purposes", and

WHEREAS, the boundaries of the Hudson River Valley National Heritage Area established by the Act in §904(b)(1) did not include portions of Saratoga County beyond the Village of Waterford, and

WHEREAS, the Act does not supersede or change the powers the State has previously granted municipal governments under the New York State constitution, the Municipal Home Rule Law or pursuant to the various municipal enabling acts, and

WHEREAS, the Village of Stillwater has a keen interest in partnering with the Hudson River Valley Greenway to fulfill the objectives of the Hudson River Valley National Heritage Area program, but is currently not included within the boundaries of the Hudson River Valley National Heritage Area, as defined in §904(b)(1) of the Act, and

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

The Village of Stillwater supports the objectives of the Hudson River Valley National Heritage Area and would like to avail our community of the benefits associated with the program, and

The Village of Stillwater requests that Congress and the President amend 904(b)(1) of the Hudson River Valley National Heritage Area Act of 1996 to include the Village of Stillwater in Saratoga County within the defined Hudson River Valley National Heritage Area.

Resolution requesting Greenway designation moved by Trustee Murphy, seconded by Trustee Walker.

Motion carried 4-0

Mayor Martin requested a resolution regarding the Library.

MOTION in support of the Stillwater Free Library becoming a taxing district in the Town of Stillwater made by Trustee Hanehan, seconded by Trustee Murphy.

Motion carried 4-0

Mayor Martin asked the Board's feelings on enacting the moratorium.

Trustee Murphy would prefer to wait for one or two months to allow Trustee Walker time to make some recommendations.

MOTION to enact Local Law #1 of the year 2003, creating a moratorium on any new applications made by Trustee Murphy, seconded by Trustee Walker.

Discussion: Board would only want to have a moratorium on new business, it was decided to table the motion until August or September.

Mayor Martin advised he has received a copy of the Stillwater Area Community Service Center audit for the year 2002. Copy on file in Clerk's office for review.

Mayor Martin advised the Mr. Kravalis, owner of old mill building, Hudson Avenue, has provided documentation for the asbestos removal from his building.

OLD BUSINESS

Water meeting with Town of Stillwater this morning.

Mr. Reynolds explained that he spoke to the Attorney for the Town of Stillwater this afternoon regarding the \$39,000 they agreed to pay the Village. Their Attorney advised he is in the process of preparing a release for the Village of Stillwater to sign before the transfer of funds.

Mayor Martin stated he felt the meeting went well, Village Engineer was able to answer all questions.

Trustee Murphy explained to the public that the Town held a special meeting this morning, we were notified of the meeting by a member of the press. He explained the purpose of the meeting was to discuss the recommendations the Health Department made to the Village to help improve the performance of the water plant. He stated we are working to constantly improve our system and welcome and suggestions to accomplish this objective. Any violation we get notice of we attend to immediately, it is inconceivable that the Health Department would allow us to sell or provide water to a community that was not safe to drink. Spoke to Mike Shaw of

DOH; need to be confident we are not in violation, he assured that this is true. Village presence seemed to change the entire tone of the meeting. When Engineer furnishes report to state, would like to sit down with the Town Water Committee and explain the entire report point by point. Health Officer does not feel there is a problem with the water being potable. Trustee Murphy questioned if they truly want out of the contract should we consider allowing them out of the contract. Trustee Hanehan stated he is not in favor of letting them out of the contract unless they can prove unsafe water.

Mayor advised we received a letter from a resident on Major Dickinson Avenue regarding their water shutoff being buried in the sidewalk. Trustee Hanehan stated that corrective measures are being taken next week during the sidewalk work that is scheduled.

Mayor advised a presentation in appreciation of their service in Iraq was made to Scott Mayo & Marc Muzio on Saturday at the Blockhouse.

Mayor Martin has a copy of the Saratoga County Host Benefits Package that the County presented to General Electric. This included different requests from towns throughout the county. Mayor Martin has prepared a benefit package for the Village of Stillwater to be included in the next request package.

CLERK-TREASURER REPORT

Clerk provided Treasurer Report to Board (copy on file)
Lease for new copy machine for Clerk's Office
Clerk has quotes from two different companies for various copiers.

MOTION to authorize the Clerk-Treasure to contract with Electronic Office Products to lease a Minolta Di251 copier for sixty months at a cost of \$85.00 per month for 4,000 copies, average \$0.015 per copy made by Trustee Walker, seconded by Trustee Murphy.
Motion carried 4-0

MOTION to approve the Treasurer Report as presented made by Trustee Hanehan, seconded by Trustee Murphy.
Motion carried 4-0

MOTION to approve the minutes of June 17, 2003 made by Trustee Riccardi, seconded by Trustee Walker.
Motion carried 4-0

MOTION to approve the audited claims:

A	\$29,603.22
F	\$16,506.22
G	\$ 9,816.03
H	\$ 5,785.05

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

MOTION to adjourn made by Trustee Murphy, seconded by Trustee Walker.
Motion carried 4-0

Meeting adjourned at 9:30 P.M.

Respectfully submitted,

Margo L. Partak
Clerk-Treasurer