

REGULAR MEETING-BOARD OF TRUSTEES-JULY 20, 2004-7:00 P.M.

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

ALSO PRESENT: FIRE CHIEF, JEFF MAHAR; SUPT OF PUBLIC WORKS, TERRY FINNEY

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

CORRESPONDENCE

Clerk read a letter from Arvin-Hart Fire Company announcing they are celebrating their 50th year of service and beginning their annual fund drive throughout the community.

Mayor Martin read a letter from Stillwater United Church regarding the curb adjoining their property on Palmer Street. When Palmer Street was blacktopped recently the curb appears to be much higher than before which could cause some damage to cars entering and exiting this parking lot.

BUILDING CODE OFFICER

Mr. Frank Russell III presented an application to build an eight-unit apartment building, the apartments would be all 3 bedroom units and would be located next to the existing garage. Would like approval to begin immediately. He was advised that he must follow the site development law. Mr. Russell advised that water and sewer taps were installed previously.

Mayor Martin advised that the Board would review the plans and get back to him.

Mayor Martin advised that Mr. Ken Patenaude would be resigning as Building Code Officer effective July 31, 2004. Mayor Martin stated that he received a letter from Tom Mellon expressing an interest in being considered when appointing a new Building Code Officer. He is willing to go to the necessary schooling which begins July 29th.

MOTION authorizing Mayor Martin to appoint Thomas Mellon as Building Code Officer PT at the current rate of pay beginning August 1st made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 4-0

MOTION to accept the resignation of Kenneth Patenaude, with regrets, effective July 31st made by Trustee Hanehan, seconded by Trustee Riccardi.

Motion carried 4-0

FIRE CHIEF – Jeff Mahar

Chief Mahar advised the Fire Department received a \$1,000 grant from DEC, it is a matching grant and the Department would need to also spend \$1,000 of their own money. This money would be used to purchase equipment for the new truck.

Shane has been working with Attorney preparing specifications to bid the body for the new cab and chassis.

Received 3 trophies at the Lake Placid convention.

It was requested that the Supt. remove the sink in the fire garage.

SUPT. OF PUBLIC WORKS – Terry W. Finney

Clock has been installed in park, have completed some yard work on Lake Street, had to stop due to weather, trying to get equipment in shape for Colonial Road work. Water treatment Plant siding is completed, painting is being done. Next step is to install baffles in the settling tank. The international passed inspection. Aqua-Stor inspected the holding tank on Dick Lynch Road. There is another inspection that would cost \$500, which is necessary to continue the warranty. Chemist looked at the wells and analyzed the water, he suggested separating potassium permanganate and chlorine. He has suggested we might want to add another

chemical. Since Hillside leaks have been fixed we have been able to keep both tanks filled. We received a letter from DEC regarding SPDES permit for the water plant, also wells 6, 7 & 8 do not have permits.

We need someone to drive the sludge truck to haul waste to Saratoga County Sewer District.

DEC requested the bar screen be replaced with a 3/8" space between bars.

Computer in DPW office is not working.

MOTION authorizing Supt. to have Aqua-Stor conduct inspection of Dick Lynch Road tank at a cost not to exceed \$500.00 made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 4-0

MOTION authorizing the Supt. to proceed with work on settling tanks to create zones at a cost not to exceed \$5,000 made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 4-0

Trustee Hanehan questioned if the new screen at the sewer plant would be effective after the force main is split. Supt. advised it should be fine. Will get information for next meeting.

Chazen has recommended a manhole be installed where forcemain comes from church parking lot to Colonial Road.

Trustee Murphy expressed concern regarding the shrubs that were recently purchased, discussion was held regarding the location of the planter at the north end of the village. Trustee Hanehan suggested that the planter at the south end be completed before beginning any more projects. Trustee Murphy would like to get the shrubs planted before they die. He requested that DPW workers work on Friday to get this done.

MOTION authorizing Mayor to have two men work 3-days overtime to complete the planter work made by Trustee Murphy, seconded by Trustee Walker.

Discussion was held regarding who would work, Trustee Hanehan questioned if the overtime was being split evenly, it was decided the two junior workers would do the work to save money.

Motion carried 4-0

COMMITTEE REPORTS

Trustee Michael Hanehan – Trustee Hanehan walked the forcemain across the Hallum property, discussed where manholes would be needed. We do not have easements for this work yet and we never received an easement for the storm drain. Would need to have this surveyed and an easement drawn up at an approximate cost of 200-300 dollars.

MOTION authorizing the Mayor to have a survey of storm drain and easement drawn for Hallum property at a cost not to exceed \$300 made by Trustee Hanehan, seconded by Trustee Murphy.

Motion carried 4-0

Trustee Hanehan questioned how the project to complete the forcemain would proceed. Would it be bid or would we complete the work with village forces. Supt. Finney questioned if it could be bid in stages. Trustee Hanehan would like to put out to bid and if bids are too high have DPW do work.

We are having a problem getting someone to haul sludge, would like to advertise for someone with a CDL license to haul sludge 4 hours per day no more than 3-days per week.

Trustee Martin Riccardi – Trustee Riccardi stated that there is a large hole on General Morgan Road, he requested the DPW fill this hole as soon as possible. The benches from the grant need to be installed one goes in Cannon Park another should be put in playground. Mayor advised that the streetlights need to be installed as soon as possible also. Trustee Riccardi expressed concern regarding the

passing zone from the Church to Ten Broeck Street, it is a 30-mph speed zone and this is the only passing zone from Stratton Lane to the City of Mechanicville. Supt. Finney would contact someone to look at this situation.

Trustee Raymond Walker – Trustee Walker presented copies of the Comprehensive Plan to the Board, he advised we need to hold a public hearing on the plan before it can be adopted. Once it is adopted the Board would then use this document to prepare laws that address the issues in the plan.

Mayor Martin would like to hold an informational meeting for the public before the public hearing is held. It was requested that the Board review and make comments so that an informational meeting can be held.

Trustee John Murphy – Trustee Murphy advised that the Town of Stillwater would be holding a day at the races on August 29th the cost is \$56 per person, reservations need to be made by August 13th.

Trustee Murphy asked that the Board review the Personnel Plan that they received copies of and make comments and recommendations so that we can get this plan in place.

Trustee Murphy provided the SEQRA draft report for Stillwater Landing project, Board should review for next meeting. He also provided an article from the NY Times regarding rural sprawl in Massachusetts, they are experiencing rapid growth from large cities.

Trustee Murphy spoke regarding senior citizen discounts for cable television. They do not have senior discounts, however, they do have need based discounts for low-income citizens.

CLERK-TREASURER – Margo Partak

Clerk provided a list of transfers that were necessary to balance the accounts before closing fiscal year 2003-04.(copy attached)

MOTION accepting the transfers as presented made by Trustee Hanehan, seconded by Trustee Murphy.

Motion carried 4-0

Clerk advised that New York State Archives is requesting resolutions be passed by local municipalities in favor of eliminating the sunset provision of the local government records management improvement fund.

**RESOLUTION
SUPPORT FOR THE ELIMINATION OF THE SUNSET
PROVISIONS OF THE LOCAL GOVERNMENT RECORDS MANAGEMENT
IMPROVEMENT FUND**

WHEREAS, the Local Government Records Management Improvement Fund (LGRMIF) was created in 1989 to provide technical assistance and grants to establish, improve or enhance records management programs in New York's more than 4300 local governments, and

WHEREAS, the closely related Documentary Heritage Program (DHP) for grants and technical assistance to non-governmental historical records repositories also is supported by the LGRMIF, and

WHEREAS, a sunset date for the LGRMIF was established in the original legislation to permit its operation as a five-year experiment, and

WHEREAS, the New York State Legislature twice has extended the sunset date, most recently to December 31, 2005, and

WHEREAS, the LGRMIF has effectively supported essential advisory services and 6,300 grants totaling over \$113 million to improve the management of records for over half of all NYS local governments, and

WHEREAS, the LGRMIF and the programs it supports continue to operate at a high standard of excellence and provide direct and significant benefit to local governments at not cost to the taxpayers, and

WHEREAS, the Village of Stillwater has benefited from technical assistance, training, a publications and 2 grants totaling \$4,160.00, supported by the LGRMIF, and

WHEREAS, the State Legislature created the closely-related Cultural Education Fund (CEF) to support the New York State Archives, New York State Library and New York State Museum on behalf of all New Yorkers, and the Office for Public Broadcasting, and provided the CEF with an identical sunset date, and

WHEREAS, the LGRMIF and the CEF continue to be critically important in the fulfillment of many records and information related responsibilities of the Village of Stillwater, and to the cultural and scientific needs of the people of New York State, therefore

BE IT RESOLVED, that the Village of Stillwater supports the elimination of said sunset provisions in order to make the LGRMIF and the CEF permanent as proposed in State Assembly Bill A10843 and State Senate Bill S06666.

BE IT FURTHER RESOLVED, that the Village Clerk is directed to send a certified copy of this resolution to New York State Senate Majority Leader Joseph Bruno, New York State Speaker of the Assembly Sheldon Silver and New York State Assemblyman Roy McDonald.

Motion to adopt the resolution made by Trustee Murphy, seconded by Trustee Walker.

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

VILLAGE OF STILLWATER RESOLUTION

WHEREAS, the United States Environmental Protection Agency (EPA), has recently notified the public that it will choose from one of three possible locations to construct a dewatering site for the Upper Hudson River Dredging Project; and

WHEREAS, one of the possible locations is the Bruno/Brickyard Associates/Alonzo property in the Town of Schaghticoke, directly across the Hudson River from the Riverside section of the Town of Stillwater; and

WHEREAS, the residents of the Town of Stillwater have expressed numerous objections to the proposed location of the dewatering plant, including the following:

1. The presence of the dewatering plant n the proposed site would have a negative impact on the recreational use of the portion of the Hudson River in proximity to the proposed site.
2. The presence of the dewatering plant on the proposed site would also have a negative impact on the property values of the residences and property in proximity to the proposed site; and
3. The proposed site is in the 100-year flood plan and, therefore, the siting of the dewatering plant at this location would unnecessarily increase the high risk of flooding in the area proximate to the site.
4. The siting of the dewatering plant in the proposed location would require a reduction in the water level of the Hudson River in the vicinity of the

proposed site thereby creating an unnecessary risk to Hudson River boat traffic.

5. The proposed location is not in the vicinity of the primary area in which dredging will occur.

WHEREAS, the Village Board of Trustees opposes the use of the proposed site in the Town of Schaghticoke as the location for the proposed dewatering plant and the effect such use would have on the surrounding area, including not only the Village and Town of Stillwater, but also the Town of Schaghticoke and the City of Mechanicville; now therefore be it

RESOLVED, that the Village Board of Trustees of the Village of Stillwater, acting on behalf of the residents of the Village of Stillwater and the surrounding communities, does hereby express its strong opposition to the location of a dewatering site for the Upper Hudson River Dredging Project on the Bruno/Brickyard Associates/Alonzo property in Schaghticoke, New York; and be it further

RESOLVED, that the Village Clerk is hereby directed to transmit a certified copy of this Resolution to the United States Environmental Protection Agency, U.S. Representative John E. Sweeney; U.S. Senator Charles Schumer and U.S. Senator Hillary Clinton; New York State Senate Majority Leader Joseph Bruno, New York State Speaker of the Assembly Sheldon Silver, New York State Assemblyman Ronald Canestrari, New York State Assemblyman Roy McDonald and New York State Assemblyman Robert Prentiss

Motion by Trustee Murphy, seconded by Trustee Hanehan to adopt the foregoing resolution.

Roll call vote:

Trustee Murphy	yes
Trustee Walker	yes
Trustee Hanehan	yes
Trustee Riccardi	yes
Mayor Martin	yes

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

Motion carried 4-0

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 Walker.

Motion carried 4-0

NEW BUSINESS

Trustee Walker read a letter from a resident of Russell Drive regarding the quality of the water. She had several items of laundry ruined by the amount of iron in the water.

Discussion was held regarding this ongoing problem.

A letter from Mr. & Mrs. Seth Cohen regarding their taxes was read. It was explained that they notified the Clerk's Office in November that they no longer held escrow and would respectfully request receiving their tax bill. The mortgage company requested the bill also and it was inadvertently sent to the mortgage company instead of the resident. They are requesting elimination of the penalty as they never received the bill.

MOTION to reduce the penalty from the tax bill for Mr. & Mrs. Seth Cohen made by Trustee Murphy, seconded by Trustee Walker.

Discussion was held.

Motion carried 4-0

Discussion was held regarding the curb along the United Church parking lot, it was suggested that blacktop be put in along the curb when Colonial Road top is done.

OLD BUSINESS

Mayor Martin asked for comments regarding the New York State Property Maintenance Law. Trustee Hanehan is against the law, Trustee Murphy is in favor, Trustee Walker is in favor, and Trustee Riccardi questioned who would monitor this law. Mayor advised it would be the Code Enforcement Officer. It was decided this should be part of the Comprehensive Plan.

Moratorium – it was decided that this law has been tabled to long to be enacted so it was removed from the table. Discussion was held regarding the amount of requests recently received for water and sewer services and the amount of proposed building. A lengthy discussion was held regarding the need for a comprehensive plan and laws that determine the criteria for development within the village. Who pays for engineering fees necessary when determining who develops land or not.

MOTION to accept the Treasurer Report as presented made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 4-0

MOTION to approve the minutes from June 15 and 23, 2004 made by Trustee Hanehan, seconded by Trustee Riccardi.

Motion carried 4-0

MOTION to approve the audited claims:

A	\$61,417.79
F	\$26,576.11
G	\$ 5,770.20
H	\$35,480.08

Made by Trustee
Motion carried 4-0

MOTION to adjourn to executive session at 9:00 P.M. made by Trustee Murphy, seconded by Trustee Hanehan.

Motion carried 4-0

MOTION to authorize Clerk-Treasurer pay Julie Jacques \$200.00 for her work on the Comprehensive Plan made by Trustee Walker, seconded by Trustee Murphy.

Motion carried 4-0

MOTION to authorize Attorney Peluso contact Attorney for Provident Development Group to move forward with the SEQRA process made by Trustee Murphy, seconded by Trustee Hanehan.

Motion carried 4-0

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

Motion carried 4-0

Meeting adjourned at 10:15 P.M.

Respectfully submitted,

Margo L. Partak
Clerk-Treasurer