

SPECIAL MEETING-BOARD OF TRUSTEES-AUGUST 3, 2010-7:00 P.M.

PRESENT: ERNEST W. MARTIN, MAYOR; TRUSTEES - JOHN BASILE, KEN BAKER

ABSENT: TRUSTEES KEITH COLLINS AND ELLEN VOMACKA

Mayor Martin called the meeting to order at 7:00pm and advised the meeting was called to discuss the Stillwater Landings Project in response to the July 23, 2010 letter received from Scott Ronda (copy on file)

RESOLUTION

**VILLAGE BOARD OF TRUSTEES
OF THE VILLAGE OF STILLWATER**

WHEREAS, the Village Board of Trustees previously approved the subdivision and site plans for a residential subdivision project by NKT Land Acquisitions, Inc. ("Applicant") on NYS Route 4 & 32 and Clinton Court, on lands identified as Tax Map parcel Nos. 244-2-27.1 & 244-2-27.2; and

WHEREAS, the Applicant by letter dated July 23, 2010 requested that the Village Board confirm certain conditions specified for the project and approve other site plan modifications; and

WHEREAS, the Village Board has duly considered the Applicant's site plan proposals for the project, and;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board hereby determines the following:

1. Applicant shall install lamp posts on each of the thirty-nine (39) lots.
2. The \$100,000 public benefit fee to be paid by the Applicant to the Village shall be used by the Village, pursuant to its sole discretion, for infrastructure, storm drainage, sewer, water, utility, and/or other improvements to Clinton Court.
3. The request to approve construction of the project without sidewalks is approved.
4. Construction of the total number of homes shall remain at 39 units. Of said 39 units, approval is granted for construction of up to 10 townhome units with a common wall on the existing lot line.
5. The project may be constructed in three (3) phases.
6. All other prior approvals and conditions for the project remain in full force and effect.
7. Any subsequent modifications are to be agreed upon by the Applicant and the Village Board.

Resolution offered by Trustee Basile, seconded by Trustee Baker Discussion: The Mayor asked if there were any other modifications possible or if we were bound by this as he would like leeway to negotiate with the contractor. Trustee Basile stated modifications were always possible and felt that items 6 and 7 of the resolution protected the Village.

The Mayor expressed concern regarding the \$100,000 public benefit fee and once again stated he would like to see that paid up front; Trustee Basile disagreed saying it would be paid at the start of the second phase.

The Mayor advised he had received a letter from Margo and Ron Partak regarding their concerns and changing the location of the entrance. The Mayor agrees with the Partak's and asked their letter become part of the official record.

Trustee Baker said he had no comments

Trustee Basile said he would like to see the entrance relocated as well as changes to the sewer design which is currently adequate but could be better.

Several Village residents were present and expressed their concerns about the project including who the prospective builder was, their intent, the effect of traffic on Clinton Court, and the cost to the taxpayers. A great deal of discussion was held regarding how poorly Clinton Court was built in the first place with the residents asking how the Village would prevent a similar situation in the new development.

Mayor Martin requested the Board add the following to the Resolution:

#8: This Resolution will take effect upon a legal opinion by the Village Attorney

#9: The present NKT applicant tell the Board who the buyer is

#10: The Village is allowed to negotiate new items on the original proposal with any new Applicant

Trustee Basile stated #8 was already determined.

MOTION to amend the original resolution to add two new items: 1) the present applicant will notify the Board as soon as possible who the new applicant will be; 2) The Village is allowed to negotiate new items on original plans with any new applicant made by Trustee Basile, seconded by Trustee Baker
Motion carried 3-0

MOTION to approve the resolution as amended made by Trustee Basile, seconded by Trustee Baker

Roll Call Vote:

Trustee Basile - yes

Trustee Baker - yes

Mayor Martin - yes

Trustee Collins – Absent

Trustee Vomacka - Absent

Resolution approved 3-0

MOTION to adjourn made by Trustee Basile, seconded by Trustee Baker
Motion carried 3-0

Meeting adjourned 10:29pm

Respectfully submitted,

Patricia A. Ryan
Clerk-Treasurer