

REGULAR MEETING -BOARD OF TRUSTEES-AUGUST 17, 2010-7:00 P.M.

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

ABSENT: TRUSTEE KEITH COLLINS

ALSO PRESENT: ATTORNEY, JAMES PELUSO; SUPT. OF PUBLIC WORKS, JOHN SCOTT; FIRE CHIEF TONY CONTI

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

CORRESPONDENCE

The 2010 Tour de Farm will take place on August 22, 2010

RESOLUTION

WHEREAS: September 17, 2010 marks the two hundred twenty-third anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE, I, Ernest W. Martin by virtue of the authority vested in me as Mayor of the Village of Stillwater in the Village of Stillwater do hereby proclaim the week of September 17 through 23 as **CONSTITUTION WEEK**

AND ask our citizens to reaffirm the ideals of the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

Resolution offered by Trustee Basile, seconded by Trustee Vomacka
Resolution approved 3-0

The Mayor read a letter from the Stillwater Booster Club soliciting donations and a letter from Supervisor Kinowski and Historian Linda Sanders inviting everyone to attend the 911 Ceremony to be held on September 11, 2010 at 2pm at the Blockhouse

Trustee Basile distributed tickets to the United States Air Force Band of Liberty concert to be held on Saturday, September 25, 2010 at 3pm at the Saratoga Performing Arts Center. The concert is free and sponsored by the Saratoga County Board of Supervisors.

BUILDING CODE OFFICER – Lynn Goman - Absent – The Mayor read the code officers written report (copy on file)

FIRE CHIEF – Tony Conti – reviewed his written report (copy on file)

MOTION to accept Gary Barnes, Brandon D'Ambro, and Robert Collette as members pending license checks made by Trustee Basile, seconded by Trustee Baker
Discussion: The Mayor noted none of the proposed members were to drive any fire equipment until the licenses were checked.
Motion carried 3-0

The new By-Laws have been completed and Board approval is needed.

SUPT. OF PUBLIC WORKS – John Scott

Supt. Scott reviewed his written report (copy on file) and discussed the recent inspection of sewer manholes on Yorktown Lane. Trustee Basile and the Supt. will follow up on Colonial Estates.

The bucket truck needs a new radiator at an estimated cost of \$798.80. The sewer jet is also in need of repairs and the Supt. will be seeking additional estimates. Discussion was held on which budget line item is used for equipment repair.

COMMITTEE REPORTS

Trustee John Basile – Issues are being resolved with EFC; the storm water portion of the SRTS Project may not be accepted. Delaware Engineering updated the engineering report on August 11 but we may have to separate financially. The Castle Cliff Contract is due to expire in 2016 and EFC will not fund that portion of the project unless the contract is extended.

Trustee Keith Collins – absent

Trustee Ellen Vomacka – Thanked the Supt. and his crew for their work on the Lake Street sewer line and advised she would have an item under New Business

Trustee Ken Baker – no report

ATTORNEY - James Peluso – no report

CLERK-TREASURER – Patti Ryan

Last year's books have been closed and the Annual Update Document was submitted to the NYS Comptroller; a copy is available in the office for anyone who is interested.

The SCWA BAN was renewed on August 12 with Ballston Spa National who submitted the low bid of .95%. Adirondack Trust was paid \$711,340.00 via wire transfer on the same date.

A Budget Amendment is needed in order for the Clerk to pay the \$20,000 civil penalty assessed by the NYS Attorney General.

MOTION to increase Appropriations 960F by \$20,000 and create a new line item Judgments and Claims 1930F made by Trustee Basile, seconded by Trustee Vomacka

Roll Call Vote:

- Trustee Basile – yes
- Trustee Vomacka – yes
- Trustee Baker – yes
- Mayor Martin – no

Motion carried 3-1

The Clerk reviewed Village Tax Collections as follows:

The Total billed in 2010 was \$370,374 representing tax of \$272,152 and water/sewer relievis of \$98,222. In 2009 the total billed was \$362,053 with tax of \$256,420 and relievis of \$105,633. As of June 30, \$70,514 was outstanding. As of July 31, \$42,130. was outstanding.

Two outside water customers remain delinquent; one has not paid since March 2009. Another outside water customer was notified in May 2010 he needed to resume monthly installments to pay for the installation of his service but has not done so. His last payment was November 9, 2009 and the outstanding balance is \$1134.02

The Mayor agreed to contact Customer #520095 and advise if payments were not made, his water would be turned off.

MOTION authorizing the Mayor to commence small claims action against Customer #520047 and Customer #630036 for collection of overdue water and sewer made by Trustee Basile, seconded by Trustee Vomacka
Motion carried 3-0

MOTION to open the floor to the public and press made by Trustee Basile, seconded by Trustee Baker
Motion carried 3-0

Bob Kruzowy has had conversations with Section 8, Office of the Aging, and the Building Code Officer about converting his vacant commercial space into a studio apartment for one of his tenants. He will be submitting a Special Use Permit Application and is requesting the Village allow a 5 year minimum on the Permit to enable him to recoup his substantial out of pocket expenses in making this conversion.

Sheila McNeil would like permission to make a lot line adjustment transferring 25' from 65 Ferry Lane to 67 Ferry Lane. The Zoning requirements were reviewed and it was determined the change would comply with the setbacks. Ms. McNeil was advised to obtain a survey with the proposed change and submit to the Board.

Tim Campbell presented suggested revisions to the Village Law asking that road specs be developed, that three phase power and low voltage be used for sewer equipment, and that an owner of a unit in a two family, duplex, or condo be held duly liable for structural integrity under penalty of law. A copy of the Town of Hastings Highway Construction Specification Ordinance was given to the Mayor for his review.

MOTION to close the floor to the public and press made by Trustee Basile, seconded by Trustee Baker
Motion carried 3-0

NEW BUSINESS

MOTION to approve Patroon Abstract to provide title services for the SCWA Project for an amount not to exceed \$19,000 made by Trustee Basile, seconded by Trustee Vomacka Discussion: Mr. Peluso recommended title work be done on all properties but the Village has decided not to include any property without pipe.
Motion carried 3-0

MOTION to accept SCWA TSCO#10 from The Chazen Companies for additional easement work for an amount not to exceed \$36,000 made by Trustee Basile, seconded by Trustee Vomacka Discussion: Trustee Basile advised we approved \$25,000 last month for this but Task 29 has added additional services such as copies, and notary, etc.
Motion carried 3-0

MOTION to accept SRTS TSCO#2 from The Chazen Companies for an amount not to exceed \$5,250. made by Trustee Vomacka, seconded by Trustee Basile Discussion: Trustee Vomacka explained this work is necessary since the NYSDOT design approval process requires the project conform to the requirements of the National Environmental Policy Act (NEPA.) Mr. Peluso advised any easement work needed to be addressed immediately.
Motion carried 3-0

OLD BUSINESS

None

MOTION to approve the Treasurer Report made by Trustee Basile, seconded by Trustee Baker

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Motion carried 3-0

MOTION to approve the minutes of July 20, 2010 made by Trustee Baker, seconded by Trustee Basile
Motion carried 3-0

MOTION to approve the audited claims:

A- \$10,400.52

F - \$10,070.27

G - \$ 8,753.45

H - \$23,631.05

made by Trustee Basile, seconded by Trustee Vomacka
Motion carried 3-0

MOTION to adjourn to executive session at 8:30pm to discuss matters related to easement acquisition and litigation made by Trustee Basile, seconded by Trustee Baker
Motion carried 3-0

Meeting adjourned 8:45pm

Respectfully submitted,

Patricia A. Ryan
Clerk-Treasurer