

**PUBLIC HEARING-PROPOSED RETAIL CENTER, HUDSON AVENUE-AUGUST 21, 2007-6:30 P.M.**

Mayor Martin called the public hearing to order, he read the notice of Public Hearing to evaluate environmental significance and Village approval of the land development application by Dennis DeGennaro to construct a commercial retail center along Hudson Avenue.

Trustee Murphy reviewed the history of the property and how we got to this place before introducing Clay Ernst. Mr. Ernst explained the retail project with assurances that wetlands will not be disturbed. He described the proposed buildings which will be of wood construction with a brick façade, adequate parking, and installation of sidewalks as requested by the Board.

The Board asked questions regarding potential tenants and number of units planned. Relocating the Post Office is a possibility and discussions have taken place but there's been no commitment.

Mayor Martin entertained questions from the public.

Linda Sanders asked if any businesses had committed. Laura LaFountain expressed concerns regarding noise, privacy, traffic, and lighting; it was explained that there would be a green buffer along the north boundary of the property. Shane Mahar asked if a space for the steamer was still included, Mr. Ernst explained a space would be provided but the Village would be responsible for constructing a building. Maria Morris questioned lighting and security; Mr. Ernst explained proposed lighting and Trustee Basile advised that the Village Zoning Law requires cut off lighting. Francis Zagorski asked about the moratorium on sewer connections and Trustee Murphy explained DEC is allowing the Village to utilize existing connections.

Mr. Ernst discussed storm water management and answered additional questions on what businesses are expected. Jeff Mahar asked if a sprinkler system was included, he was told it wasn't necessary according to NYS Code. Mr. Goyer questioned whether a bank would be the only drive through business or would others be allowed; discussion was held regarding street lighting and concerns regarding left hand turns. Mr. Ernst advised construction would take approximately seven to eight months and the property will be known as Village Square.

Mayor Martin thanked Mr. Ernst and Mr. DeGennaro for their presentation. He adjourned the public hearing and advised the public that action would be taken during the regular meeting.

**REGULAR MEETING-BOARD OF TRUSTEES-AUGUST 21, 2007-7:00 P.M.**

**PRESENT: ERNEST W. MARTIN, MAYOR; TRUSTEES – JOHN MURPHY, KENNETH BAKER, JOHN BASILE**  
**ABSENT: RAYMIE WALKER**

**ALSO PRESENT: ATTORNEY, JAMES PELUSO; FIRE CHIEF, SHANE MAHAR; BUILDING CODE OFFICER, LYNN GOMAN, LINDA SANDERS, VILLAGE HISTORIAN**

Mayor Martin called the regular meeting to order at 7:00 p.m. and led the Pledge to the Flag.

**SPECIAL GUEST** Linda Sanders, Village Historian advised the Board there have been 2,400 visitors to the Blockhouse and she hopes to exceed prior attendance. She advised there are two upcoming events; Blazing Ballads on August 31, 2007 and Heritage Week which will begin September 10, 2007 and will include a Veteran Program September 11<sup>th</sup>. She requested photos of local Vets to be added to the current collection. She spoke about the history of the Golden Cane as well as the

recent presentation of Stillwater's to Dorothy McClements. Ms. Sanders informed the Board the real reason she was in attendance was due to concerns regarding preservation of historic sites in the Village. After reading Goal #4 of the Comprehensive Plan, she requested the Village create a historic preservation committee and that she be appointed to it. The Mayor recommended appointing Ms. Sanders as chairman with the power to enlist a committee and offered to work closely with her.

#### **RESOLUTION**

**WHEREAS**, Goal #4 of the Village of Stillwater Comprehensive Plan sets forth several recommendations for preserving our small village character, historic sites and structures, and

**WHEREAS**, Ms. Linda Sanders as Village Historian has requested a committee be formed to begin the process of implementing the recommendations, now therefore

**BE IT RESOLVED**, that Ms. Linda Sanders is appointed to Chair a Historic Preservation Committee,

**BE IT FURTHER RESOLVED**, that Ms. Sanders is authorized to invite Village Residents to serve on her Committee with her and the Mayor as an exofficio member and make recommendations to the Board of Trustees with regard to historic preservation within the Village of Stillwater.

Resolution moved by Trustee Murphy, seconded by Trustee Baker.

Motion carried 3-0

Ms. Sanders was authorized to invite the Historian from Clifton Park to the next Board meeting to explain the way Clifton Park handles Historic Preservation.

#### **SMOKE TESTING RESULTS-Trustee Basile**

Reviewed smoke testing which took place from July 24 through August 14 and informed the Board the DPW was able to complete the job so there was no need to hire an outside contractor. Several issues were discovered including holes in lines, tree roots, manholes not on drawings, old brick style lines which will need to be sealed, blockages, and some inappropriate connections by residents. Trustee Basile explained the impact of the findings will remain unknown until we experience a high flow event and/or do additional testing and answered questions from the Board and the public.

Voluntary sump pump removal to end August 31, the DPW will inspect residences for illegal connections when they read meters in September.

#### **CORRESPONDENCE-None**

#### **BUILDING CODE OFFICER-Lynn Goman**

Five permits issued; 8 unit apartment complex at 10 Russell Drive, porch replacement on Major Dickinson, two pools on Yorktown, stabilization rear of property on 24 Major Dickinson. Warning issued to resident on Russell Drive regarding more than three uninsured vehicles on property with a deadline to remove by September 15. Exterior of Saint Peter's is complete, the interior to be done by volunteers.

Trustee Basile requested Mr. Goman confirm no illegal sump pumps exist prior to issuing CO's.

#### **FIRE CHIEF-Shane Mahar**

Report on file. The Chief advised Trustee Murphy he was asked to provide a report of the alarm on August 1 to the residents at 13 Russell Drive and agreed to send a copy to Mr. Murphy.

**MOTION** to approve Kevin Pratt and Amy Benaquista as active members subject to Clerk license and arson check made by Trustee Murphy, seconded by Trustee Baker  
Motion carried 3-0

**MOTION** to authorize the hanging of banners advertising the Saratoga County Recruitment Campaign pending NYSEG approval by Trustee Baker, seconded by Trustee Murphy  
Motion carried 3-0

**MOTION** to authorize annual Tag Day over Labor Day Weekend made by Trustee Baker, seconded by Trustee Basile  
Motion carried 3-0

Chief discussed attending Reverse 911 Training with Mayor Martin and Assistant Chief Mahar and answered questions from Trustee Murphy on how the program will work. A media campaign is expected to advise residents they may receive a call as part of the testing procedure.

Chief Mahar invited the Board to attend the Memorial Monument Dedication to be held on September 10 at 6pm and requested the Mayor and Trustee Baker speak at the ceremony along with Father Kane.

**DEPARTMENT OF PUBLIC WORKS-Robert Gerasia**

Supt. Gerasia was absent due to illness, a written report was distributed to the Board, copy on file.

**COMMITTEE REPORTS**

Trustee John Murphy-reported on conversations with residents regarding changing the Major Dickinson playground into a park and offered to obtain preliminary plans to do so at no cost to the Village. Suggested purchasing new flags to match those recently installed by the Town at Saratoga Lake. Grant meeting with Amanda Walsh had to be cancelled but will be rescheduled.

Trustee John Basile- discussed the July 23 meeting with DEC regarding WWTP issues, the imposition of a flow limit, and the backwash violation at the WTP. We have received a proposed consent order and a draft SPDES permit and were granted an extension to September 15 to respond. Meetings will be held with the Engineer to prepare cost estimates for the work that will need to be done.

Trustee Ken Baker-working with Trustee Basile on storm sewers and sump pumps.

**ATTORNEY-James Peluso-no new business**

**CLERK-TREASURER-Margo Partak**

The Clerk distributed a written report (Copy on file) and discussed the proposal received from Converged regarding telephone service. Mr. Dunn spoke to Cornerstone who is offering a one year contract for \$8.95 per line, \$14.95 per line without a contract. There will be a FEMA meeting on August 29 or 30<sup>th</sup> regarding flood mapping, since our maps are inadequate, someone should attend. Mr. Goman offered to attend.

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

No one from the public wished to speak.

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

## **OLD BUSINESS**

Mr. Peluso reviewed the SEQR process and Trustee Murphy explained the project called "Village Square" retail center and reviewed the engineer's findings on the plans. Discussion was held regarding Zoning and environmental impact along with addressing issues raised by residents during the public hearing.

### **RESOLUTION**

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

**WHEREAS**, Dennis DeGennaro, 210 Morris Road, Schenectady, NY ("Applicant"), has submitted a land development application for construction of a commercial retail center on NYS Route 4 & 32, on lands identified as Tax Map parcel No. 243.76-2-1; and

**WHEREAS**, pursuant to the New York State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617, the proposed action is an unlisted action; and

**WHEREAS**, pursuant to 6 NYCRR § 617.6, the Village of Stillwater Board of Trustees has previously declared itself lead agency concerning the action proposed by Applicant; and

**WHEREAS**, the Applicant has completed a Short Form Environmental Assessment Form; and

**WHEREAS**, a public hearing was noticed and duly held on August 21, 2007 to consider the environmental significance of the proposed action; and

**WHEREAS**, the Village Board has carefully considered and weighed the input by the public; and

**WHEREAS**, the Village Board has reviewed the environmental findings and recommendations of the Village's engineers with respect to the proposed action, and has duly reviewed the EAF and has considered the criteria contained in 6 NYCRR §617.7(c) to determine whether the proposed action will have a significant impact on the environment;

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board hereby determines that the proposed action by the Applicant, to construct a commercial retail center of the lands located on NYS State Route 4 & 32, and identified as Tax Map parcel No. 243.76-2-1 NOT have a significant adverse impact on the environment; and

**IT IS FURTHER RESOLVED**, that the Village Board adopts the findings and conclusion relating to probable environmental impacts contained within the Negative Declaration and authorizes the Mayor and Village Clerk to execute and file the Negative Declaration in accordance with the applicable provisions of law.

**MOTION** to adopt the foregoing Resolution made by Trustee Murphy, seconded by Trustee Basile.

Roll Call Vote:

Trustee Basile – aye

Trustee Baker – aye

Trustee Murphy – aye

Trustee Walker – absent

Resolution carried 3-0

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**WHEREAS**, the Applicant has concurrently engaged in the site plan and environmental review process; and

**WHEREAS**, the Village’s engineers have reviewed the land development application, including the proposed subdivision map, site plans and related construction documents, and provided their findings and recommendations to the Village Board; and

**WHEREAS**, a public hearing on the land development application was duly held on August 21, 2007; and

**WHEREAS**, the Village Board completed a SEQRA review and issued a Negative Declaration by Resolution dated August 21, 2007; and

**WHEREAS**, the Village Board has duly considered the land development application, public comment, and findings and recommendations of its engineers;

**NOW, THEREFORE, BE IT RESOLVED**, that the land development application of the Applicant for construction of a commercial retail center on NYS Route 4 & 32, on lands identified as Tax Map parcel No. 243.76-2-1; is hereby granted approval pursuant to the drawings, specifications and documents filed with the Clerk’s office subject to the Applicant obtaining all other necessary State and Federal permits as may be required by applicable law.

Moved by Trustee Murphy, seconded by Trustee Basile.

Discussion: Mr. Peluso spoke regarding the extensive discussions and many meetings that had taken place regarding this project. He has reviewed and finds acceptable. Infinigy also found the plans to be acceptable. Roll call vote:

Trustee Murphy – Aye  
Trustee Basile – Aye  
Trustee Baker – Aye  
Trustee Walker - absent  
Resolution carried 3-0

**MOTION** authorizing the Mayor to enter into a contract with Mr. and Mrs. Hallum to provide water and sewer to the Town portion of Hallum Trailer Park by Trustee Basile, seconded by Trustee Murphy. Discussion: Mr. Peluso confirmed the Hallum Trailer Park currently has service but no written contract. There are nine units for sewer with metered water billed monthly. Need to add language regarding right to cancel.

Motion carried 3-0

Mayor received correspondence from Fred Tracy regarding his property on Russell Drive. Mr. Tracy would like the Board to consider changing his property from residential to commercial. Trustee Murphy stated he is not in favor of changing zoning and would vote no. Trustee Basile noted Mr. Tracy is not the only owner with a non-conforming use despite the property being in a primarily residential area and suggested Mr. Tracy be invited to come speak to the Village Board.

**NEW BUSINESS**

**MOTION** authorizing the Clerk Treasurer to enter into a one year contract with Cornerstone Telephone Company by Trustee Murphy, seconded by Trustee Basile  
Motion carried 3-0

**MOTION** to approve the Treasurer Report made by Trustee Baker, seconded by Trustee Murphy.  
Motion carried 3-0

**MOTION** to approve minutes of July 17 and 25 made by Trustee Baker, seconded by Trustee Basile.  
Motion carried 3-0

**MOTION** to approve the audited claims:

A	\$30,127.71
F	\$44,794.32
G	\$7,910.97
T	\$ 5,225.41

Made by Trustee Murphy, seconded by Trustee Baker  
Motion carried 3-0

**MOTION** to adjourn to executive session at 8:40pm made by Trustee Basile, seconded by Trustee Murphy  
Motion carried 3-0

**MOTION** to adjourn made by Trustee Basile, seconded by Trustee Walker.

Meeting adjourned at 9:00pm

Respectfully submitted,

Margo L. Partak  
Clerk-Treasurer