

REGULAR MEETING-BOARD OF TRUSTEES-SEPTEMBER 16, 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; FIRE CHIEF, JEFF MAHAR

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

Special Guest, Roy Fowler of Cloverleaf Homes, came before the Board requesting information relevant to a vacant parcel in the Village and his desire to develop that parcel. He was given a copy of the site development law and advised to submit an application. Discussion was held regarding the section that is located in the Town of Stillwater, the Board advised they are not interested in providing water and sewer to additional outside developments and would request he consider annexation into the Village.

CORRESPONDENCE

None

BUILDING CODE OFFICER -Kenneth Patenaude (absent)

Trustee Martin Riccardi read the Building Code Officer's report.

Certificate of occupancy issued, 35 Yorktown Lane; pillar inspection for addition, 61 Major Dickinson Avenue; foundation inspection 52 Yorktown Lane; visual inspection of vacant property, 7 General Schuyler Lane; visual inspection of vacant property, 42 Hudson Avenue; framing inspection & insulation inspection, 8 Clinton Court. Discussion was held regarding the two vacant buildings the Attorney advised you need to contact the owners to secure the properties.

FIRE CHIEF - Jeff Mahar

Assistant Chief Shane Mahar gave the report: Department has officially announced they will be hosting the 2005 annual Hudson Mohawk Volunteer Firefighter Convention. The car show is scheduled for September 28th at the high school, 11:00 a.m. to 4:00 p.m.

Assistant Chief Mahar explained the Departments request for an amendment to the "by-laws".

AMENDMENT TO THE BY-LAWS OF THE STILLWATER FIRE DEPARTMENT

Support Class:

Role: The members enrolled in the Support Class category are to aid in the administrative function of the Stillwater Fire Department (SFD).

Requirements: Support Class members are encouraged to participate in as many SFD activities as possible (except emergency intervention); but must satisfy the following minimum annual requirements:

Drills & Alarms: May not directly participate; but may act in a support role of providing refreshments at the firehouse only. Support Class members will not be allowed to respond to emergency scenes or ride on emergency apparatus.

Work Session/Fund Drives: Minimum of 6 (4 if members hold an elected office). These include events such as Family Day, the Car Show, House-to-House and Tag Day.

Annual Meeting: Minimum of 1.

Regular Meetings: Minimum of 4.

Privileges:

Voting: May vote on any issue before SFD (except election of firematic officers)

Holding office: May hold any SFD office (except firematic offices)

Committees: May sit on any SFD committee.

Use of Facilities: May use any SFD facility in accordance with company rules.

Activities: May participate in any SFD activity except they cannot undertake direct fire suppression, rescue, or other emergency activities. Support Class members may serve refreshments at emergency drills and at training programs held at the firehouse only.

Dues: Are required to pay all company dues.

Probationary Status: All members joining the SFD as Support Class members will be assigned to probationary status until they attend at least three meetings of the company. Support Class members not meeting the minimum annual requirements will be placed on probationary status until such time as they satisfy the requirements. Transfer to and from probationary status for Support Class members is at the discretion of the president. While in probationary status, Support Class members relinquish their privileges as mentioned in the Privilege category above.

Exempt Support Status: Any member serving 15 years as a Firefighter or Support Class member of the SFD may request to be designated as an Exempt Support Member. In this status, the member is exempt from meeting the requirements of the Support Class but enjoys all of its privileges, except hold elected office.

Insurance Coverage: Support Class members will be provided insurance protection under a policy provided by the SFD and the Village of Stillwater Board of Trustees.

MOTION to adopt the amendment to the Village of Stillwater Fire Department by-laws made by Trustee Walker, seconded by Trustee Murphy.

Discussion: Trustee Hanehan questioned what functions would be in addition to the 4 that are listed. Trustee Walker stressed that these members must know their role and not cross the line to firefighting activities.

Motion carried 4-0

Chief Mahar has concern regarding some switches and outlets upstairs that are not working the way they should. Trustee Riccardi will contact electrician to investigate, he also advised that after the blackout there was a problem with no service in the Board room, he explained that the circuit breaker was lifted out of the main power box this could also be the problem upstairs.

PUBLIC WORKS DEPARTMENT

Trustee Hanehan explained the Colonial Road project is progressing, the sanitary sewer is completed on the north end and the south end force main and sanitary sewer have been started. They had a significant sewer plug on Park Avenue that was taken care of today. Water meters have been read. The force main is completed across the church parking lot. Hope to blacktop the road before the end of October.

Trustee Hanehan questioned if the Attorney had been contacted by Hallum's Attorney. He was advised no, discussion was held regarding the need for this easement.

COMMITTEE REPORTS

Trustee Raymond Walker – Trustee Walker explained he is waiting for maps from the County, he will be distributing a survey to village residents to get their input. He also prepared a survey for the Trustees, will prepare results so a discussion could be held at next meeting.

Trustee Murphy suggested the Board consider the local laws that are in place when answering the survey.

Trustee John Murphy – Trustee Murphy spoke to the Town Water Committee Chairperson regarding the \$39,000 payment the Town agreed to make for the period of time they were not connected. She agreed to contact the Town attorney to hopefully find out what is the delay. Linda Sanders approached Trustee Murphy regarding parking problems on Palmer Street. A discussion was held regarding this problem. Trustee Murphy advised the clock has been ordered, along with 3 benches. The stone for the planters has arrived, however due to the workload they will not be installed until next year. Trustee Walker has 22 soccer players that are looking for a project for community service. Trustee Murphy will discuss with Mr. Rathbun.

Trustee Michael Hanehan – Barbolt Court sewer alternative 4 has been distributed to Board, this seems to be the best way to proceed. Village work force could do this project this fall after Colonial Road is completed. Discussion was held regarding this situation. Trustee Hanehan read a narrative description of the Ferry Lane project; Engineering costs would be \$60,000 total project estimate would be \$681,000.

BOND ANTICIPATION NOTE RESOLUTION

WHEREAS, this Board has on September 16, 2003, adopted a Resolution authorizing this issuance and sale of bonds in the amount of Seventy-five thousand (\$75,000.00) Dollars for the purpose of engineering fees for the installation of a sewer force main along Ferry Lane, said bonds having not as yet been sold.

NOW, THEREFORE, IT IS RESOLVED THAT:

1. The specific object or purpose for which the obligation is to be issued pursuant to the resolution is to finance the above-stated purpose.
2. The bond resolution authorizing the bonds in anticipation of the sale of which this note hereby authorized is to be issued is a serial bond resolution of this Board adopted this day to provide funds for the above specific object or purpose.
3. The amount of bonds to be issued for such specific object or purpose is the sum of Seventy-five thousand (\$75,000.00) Dollars, and such bonds are to serial bonds.
4. The amount of bond anticipation note hereby authorized is Seventy-five thousand (\$75,000) dollars, and that none of said bonds have been sold and no other bond anticipation note has

been issued in anticipation of the sale thereof and the note hereby authorized is not a renewal note.

5. There is hereby authorized to be issued a bond anticipation note in the amount of Seventy-five thousand (\$75,000) Dollars, maturing October 3, 2004 and it shall be executed in the name of this Village by its Mayor, its corporate seal shall be affixed thereto and it shall be attested by the clerk and shall bear interest at the rate of 1.66% per annum payable at maturity; and said note shall be sold to Ballston Spa National Bank upon receipt of the face amount thereof.
6. The note hereby authorized is hereby designated a "qualified tax exempt obligation" pursuant to Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended (the "Code"). The Village reasonably anticipates and hereby agrees that it will not issue tax-exempt obligations in excess of \$10 million during the calendar year 2003. The Village further certifies that the sum of the principal amount of this note and the principal amount of any other tax-exempt obligations heretofore issued by the Village during 2003 for the purpose of Section 265 (b)(3)(C) of the Code does not exceed \$10 million.
7. Appropriate documents shall be executed to prevent application of the arbitrage provisions of the Internal Revenue Code to said note, and the note shall contain provisions required by Ballston Spa National Bank to assure continued exemption of the interest on the note from Federal and State income taxes, and in particular, said Village does hereby agree to comply with the requirements for continued tax exemption of such interest as are set forth in the Code.
8. In the event that for any reason, other than through fault of Ballston Spa National Bank, the interest on said note becomes taxable, then upon request of Ballston Spa National Bank, said Village shall redeem said Note.
9. Said note is not issued in anticipation of bonds for an assessable improvement, or any other purpose specified by Section 36.00(a) of the Local Finance Law.
10. This resolution shall take effect immediately.

MOTION to adopt the foregoing resolution was made by Trustee Hanehan, seconded by Trustee Murphy.

Motion carried 4-0

There is a wastewater treatment operator basic operations course being offered at Adirondack Community College, tuition is \$179.00, this does not include textbooks. Would like to send both Clarence Hagadorn and Robert Reilly for course.

MOTION to enroll DPW employees Hagadorn and Reilly in Wastewater Treatment Basic Operations Course, Village to pay for course and books, employees to reimburse village if they fail to pass course made by Trustee Hanehan, seconded by Trustee Murphy.
Motion carried 4-0

Trustee Martin Riccardi – The clock has been ordered, it is two sided, roman numerals and lighted. There was some money left from façade work, which was transferred to the clock; all clocks reviewed were more expensive than the amount of the grant. Trustee Riccardi took final measurements needed for Lake Street project should be bid this week.

ATTORNEY – William F. Reynolds

Commented on the site plan for the Stillwater Landings Project. Mr. Reynolds feels the application is woefully deficient for what is required by the law. Application may not require all of the information, however the site development law is very specific. Discussion was held regarding problems with the application, Trustee Murphy will contact them regarding what is required. The property owner also needs to give the Village written designation that they are acting on his behalf.

Attorney Reynolds advised that one of the properties that received Small Cities money is selling the property. They signed an agreement to reimburse the money received; however no lien has been filed so the only way to recoup would be a lawsuit.

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

No one wished to speak.

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

NEW BUSINESS

Nothing

OLD BUSINESS

The Board decided to continue to table the moratorium for one more month.

Discussion was held regarding the problem with making Palmer Street one-way versus no parking. The Board decided to make Palmer Street no parking will need to amend the Local law. Discussion was held regarding moving the stop sign on Major Dickinson Avenue at Broughton Lane to the intersection of Major Dickinson Avenue at General Schuyler Lane. Randy Rathbun advised that the paving that is scheduled to be done on Broughton between Major Dickinson Avenue and Colonial Road may help with the speed of vehicles in that area. It was decided to wait on this issue until a more detailed discussion could be held.

Trustee Walker questioned if the soccer team could help with building the planters around the welcome signs at each end of the village. Randy Rathbun stated they could do this but he would need to lay the first row so that it is set level then they could lay the rest.

Randy Rathbun explained the generator testing at the water plant went great. He is waiting for a response from the contractor regarding the additional ductwork that was recommended. He discussed various options that are available. He spoke regarding some work that needs to be done at the water plant.

Mr. Rathbun explained that the sewer pump stations have transfer switches installed, to the best of his knowledge they have never been tested, he would like to test to see if they are working properly in the event of another power outage. The DPW would need to take the generator from station to station to test each switch.

CLERK-TREASURER – Margo L Partak

It is necessary to make some changes to the existing budget.

MOTION to authorize the Clerk-Treasurer to amend the General Fund budget increasing estimated revenue 4989A(federal aid, other Home & Community Services) and appropriation 1440.4A (Engineer contractual) the amount of the grant money due the Village for the “All Hazard Disaster Mitigation Plan” from the Federal Government made by Trustee Hanehan, seconded by Trustee Murphy.

Motion carried 4-0

MOTION to transfer \$3,000 from 1990.4F(contingent) to 8330.409F(state testing) for water tests done in conjunction with the Town of Stillwater made by Trustee Murphy, seconded by Trustee Hanehan.

Motion carried 4-0

MOTION to transfer \$3,500 from 8110.1G (\$2500 Sewer Admin personal service) and 8110.2G (\$1000 Sewer Admin equipment) to 8110.420G (Sewer Admin Profession Service) for unanticipated expenses in the sewer fund made by Trustee Hanehan, seconded by Trustee Murphy.

Motion carried 4-0

MOTION to establish a Capital Project for the Engineering Fees for Ferry Lane and Barbolt Court sewer projects in the amount of \$75,000 revenue 5730H(Bond Anticipation Note) and appropriation 8120.220H(Ferry Lane – Barbolt Court Sewer) made by Trustee Hanehan, seconded by Trustee Murphy.

Motion carried 4-0

MOTION to amend the General Fund Budget increasing revenue 3501A (CHIPS) and 5112.2A (Permanent Improvements Capital Outlay) \$15,308.38 for rollover fund from the State CHIPS fund made by Trustee Hanehan, seconded by Trustee Murphy.

Motion carried 4-0

She advised there is a cash flow problem in the sewer fund, have had to borrow from debt service to pay some of the bills for the sewer line Colonial Road. This should correct itself once the October billing is complete and we bill the Town in November. The water fund is holding its own.

Trustee Murphy advised that American Homes has been delinquent with the payment for Hillside usage for the last couple of months we may need to address this again.

MOTION to approve the Treasurer report as presented made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 4-0

MOTION to approve the minutes of the August 26, 2003 Board meeting made by Trustee Walker, seconded by Trustee Murphy.

Motion carried 4-0

MOTION to approve the audited claims:

A	\$13,004.58
F	\$12,914.99
G	\$ 6,505.15
H	\$ 3,378.00

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

MOTION to adjourn to executive session at 8:25 P.M. made by Trustee Hanehan, seconded by Trustee Murphy.
Motion carried 4-0

MOTION to retain Randy Rathbun as part-time Superintendent of Public Works at a salary of \$24,000 per year to be paid monthly made by Trustee Murphy, seconded by Trustee Hanehan.
Discussion was held regarding the definition of the job and the start date. Title to begin September 15, 2003.
Motion carried 4-0

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

Meeting adjourned at 9:15 P.M.

Respectfully submitted

Margo L. Partak
Clerk-Treasurer