

REGULAR MEETING-BOARD OF TRUSTEES-NOVEMBER 16, 2004-7:00 P.M.

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

ALSO PRESENT: ATTORNEY, JAMES PELUSO; FIRE CHIEF, JEFF MAHAR, HISTORIAN, LINDA SANDERS; SUPT. OF PUBLIC WORKS, RANDY RATHBUN

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

SPECIAL GUESTS: Camelot Associates

Trustee John Murphy introduced Dennis DeGenaro, President and Clay Ernest, Vice President. He explained that he and the Mayor have met with these developers in the past, they are requesting water for homes that they are proposing along Stratton Lane in the Town of Stillwater. Trustee Murphy reminded the Board that when the water line was installed along Stratton Lane a tap was installed for the purpose of providing water to homes that could be built in that area as well as a taps on Dick Lynch Road and Colonial Road for possible future development in those areas as well.

Clay Ernest explained they are proposing 12 single-family homes in the Town of Stillwater along Stratton Lane.

Trustee Murphy explained that Camelot was also interested in extending sewer along that area, however at the present time the Village is unable to offer sewer to that area. He provided copies of correspondence he had with Camelot regarding water connections.

Mayor Martin appointed an ad-hoc Committee to meet with the Developers Trustee Hanehan, Sewer and Trustee Murphy, Water. Mayor Martin requested the committee speak to member of the Board of Trustees to get their opinion before meeting with the developer.

HUDSON AVENUE Conceptual plan

Mr. Ernest distributed a concept plan for the property on Hudson Avenue that was approved for storage shed units. Mr. Ernest explained the strip mall concept with apartments above. He explained there would be 39% greenspace area included in the plans. The drawings have depicted an area for a building to house the steamer.

Trustee Murphy stated of all developers that have approached the Board this is the first commercial project presented and they have offered something to the village.

Board comments were in favor of the concept.

Trustee Murphy advised that they would need to obtain copies of the relevant local laws and make application to the Clerk's Office to begin the process.

Public Comment: John Girard questioned if the aesthetics would remain as the drawing depicts. He also questioned if it would be affordable housing. He was advised it could be rather expensive.

Linda Sanders questioned if the lighting could be similar to what is currently being installed along Hudson Avenue.

Joan Ronda, Councilperson, Town of Stillwater is very much in favor of the concept. Other neighbors in the area are also in favor of the concept.

James Champlin asked questions regarding Stratton Lane project. Discussion was held regarding the request for water for the Stratton Lane area.

Mayor Martin thanked representatives of Camelot for attending the meeting and their excellent presentation.

CORRESPONDENCE

Clerk read a letter from SEMO regarding money that is to be received for storms in May and June of 2004.

Clerk read correspondence from New York State Retirement System advising of the option of paying the annual fee in December 2004 or February 2005 the December payment would be a saving of \$227.00.

Clerk read a letter from John & Sheila Nett regarding problems they have due to sewer backups. Mrs. Nett spoke regarding her letter she would like an answer to her questions. The status of the line split was explained. They would have the Supt. clear the debris in the creek to help with that problem. It was explained that the splitting of the force main should alleviate the sewer problems all along Park Avenue, hope to have this completed by the end of next summer.

FIRE CHIEF – Jeff Mahar

Annual inspection of air packs went well. New truck is coming along well, will probably arrive early December.

Trustee Walker spoke regarding the Grumman van to be sold. He has committed to provide excellent equipment for the Department and would dispose of old equipment that would drain the department budget for repairs.

Convention update: professional fundraisers are working on behalf of the department, fundraising seems to be going well. We are brining in neighboring Department to help out with the convention needs. The dates for the Convention will be July 14, 15 & 16 2005. Are working with the police for coverage, also need to contact New York State Dept of Transportation for permission to close Route 4&32 during the parades.

COMMITTEE REPORTS

Trustee John Murphy – Trustee Murphy had a suggestion from a resident that the new streetlights be lit the same night as the tree. Have been doing a lot of testing at the water treatment plant.

Trustee Raymond Walker – no updates

Trustee Martin Riccardi: Streetlight update, was originally to be direct connect from NYSEG, they have changed to requiring they be metered, this is a setback and the lights will probably not be ready to be lit by November 28th. Will install stamped concrete between curb and sidewalk in the spring. Would like to have representative from NYSEG come before the Board to discuss various issues.

Spoke to master alarm systems for installing alarms in the remainder of the building, waiting for an estimate.

Mayor Martin spoke regarding changing the name of Champlain Road. Linda Sanders, Historian distributed information to the Board, she also made some suggestions for new names: Water Street; Swart Street; Benedict Street; there was also discussion about changing the name to NewlandWood Street. Ms. Sanders distributed a brochure from the Town of Milton with the location of all historical markers in their Town. She suggested that the Village and Town of Stillwater consider preparing a brochure similar to Milton's locating the historical markers in the Town and Village of Stillwater.

Trustee Michael Hanehan – Department of Public Works is working at top speed. There is a need to have a crossing sign moved; it is blocking one of the lights.

SUPT. OF PUBLIC WORKS – Randy Rathbun

Water – regenerating the filters, doing chemical analysis, need to purchase media for filters, new media for 2 filters would cost \$19,000. It would take 3-4 months to receive the media and we should change it as soon as we can.

MOTION authorizing the Supt. to purchase media for 2 filters at a cost not to exceed \$20,000 made by Trustee Murphy, seconded by Trustee Walker.
Discussion: speak to company about different options regarding purchasing more media and the possibility of paying options.
Motion carried 4-0

The broken mixers in the Dick Lynch Road standpipe have been replaced.
Sewer – Have been working on the main pump station, it has been very disappointing from the beginning, would suggest we consider replacing the pumps. Force main project is progressing, an agreement for the necessary easement has been reached. Supt. Rathbun explained the status of the project and stated he hopes to begin the final construction of the force main in the spring. There are some problems with the Clinton Court pump station, would like to purchase new pumps and next summer install a new wet well. The original plan when splitting the forcemain was to upgrade that pump station, it has outlived its usefulness. Capacity Study could take eight-months to one year to complete, waiting for estimates to complete the study.
Buildings – met with Shane Mahar doing a needs assessment in process of preparing a plan to address the needs of everyone that uses the building.
Supt. explained the streetlight situation. We may want to consider connecting some of the streetlights together and doing away with some of the meters.
Concrete stamps have arrived would do a small section before winter and complete in the spring. Will pave areas that were cut to install wiring tomorrow.
Supt. would like to consider renting uniforms again, cost would be approximately \$25-\$30 per week.
Mayor requested that Supt. clear out creek. He would check to see if there is debris that needs to be removed, would not be able to do significant work without researching who owns the creek and what permits would be required.

ATTORNEY – James Peluso
Nothing.

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

No one wished to speak

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

NEW BUSINESS

MOTION to pay New York State Retirement System in December of 2004 made by Trustee Hanehan, seconded by Trustee Walker.
Motion carried 4-0

Mayor Martin stated that DBS Planning proposed to resubmit the record management grant application for \$250.00.

MOTION to authorize DBS Planning Consultants to resubmit the application to the New York State Archives to have Village Minute books restored at a cost of \$250 made by Trustee Riccardi, seconded by Trustee Walker.
Motion carried 4-0

Mayor Martin advised that the annual tree lighting would take place in Cannon Park on November 28th at 6:00 P.M.

Discussion was held regarding tapping fees for water and sewer. Trustee Murphy feels the village rates are low compared to other municipalities. Supt. questioned when the tap would be wanted for Stratton Lane, normally the village does not tap between November 15th and April 1st. Would like to install the tap now, not connect until the Board makes necessary approvals. It was decided to install the tap and curb stop with no connection until the Board approves.

OLD BUSINESS

Unsafe building law – Trustee Hanehan feels 10 days is too short a time from notice to securing. He feels it should be changed to 30-60 days. Unsafe building hearing before the Board, need to have a quorum of the Board for a hearing to be valid. Mayor would like a public hearing to be held on December 21, 2004.

**BOND ANTICIPATION RENEWAL NOTE RESOLUTION,
DATED THE 16th DAY OF NOVEMBER, 2004, AUTHORIZING
THE RENEWAL OF A BOND ANTICIPATION NOTE
ISSUED ON THE 19th DAY OF NOVEMBER 2002,
IN THE AMOUNT OF \$26,500 IN ANTICIPATION
OF THE SALE OF SERIAL BONDS AUTHORIZED TO
FINANCE THE PURCHASE OF A GENERATOR**

BE IT RESOLVED, by the Village Board of the Village of Stillwater, in the County of Saratoga, as follows:

WHEREAS, this Board has on November 19, 2002, adopted a resolution authorizing the issuance and sale of bonds in the amount of Twenty-six thousand five hundred dollars (\$26,500) for the purpose of financing the purchase of a GENERATOR, said bonds having not as yet been sold, and

WHEREAS, said Board did on November 18, 2003 further adopt a Resolution authorizing the issuance of a Bond Anticipation Note in the amount of eighteen thousand five hundred dollars (\$18,500);

AND WHEREAS, pursuant to said Resolutions a Bond Anticipation Note was issued on November 20, 2003 to Ballston Spa National Bank, which said Bond Anticipation Note is due and payable on November 20, 2004.

NOW THEREFORE, BE IT RESOLVED, by the Village Board as follows:

1. The Village Board of the Village of Stillwater duly authorized the renewal of said Bond Anticipation Note in the principal sum of Ten thousand five hundred dollars (\$10,500), said Bond Anticipation Note as renewed, shall be due and payable on November 18, 2005 in said principal amount, together with accrued interest at a rate of 2.66% per annum. Said note shall be executed in the name of this Village by its Mayor, as Chief Fiscal Officer, his corporate seal shall be affixed thereto, and it shall be attested thereto by the Clerk.
2. The specific object or purpose to be financed pursuant to this Resolution is the purchase of a generator.
3. As required by the Local Finance Law of the State of New York, it is hereby stated that (a) there is now outstanding a Bond anticipation Note issued on November 20, 2003 in the amount of eighteen thousand five hundred dollars (\$18,500), which said Note is due and payable on November 20, 2004, and (b) the note authorized by this Resolution is a renewal note, and (c) the Note authorized by this Resolution shall mature within one (1) year from the date of its issue, and (d) such Note is issued in anticipation of bonds.

4. Said Note shall be in the same form and contain the same terms and conditions as the original Bond Anticipation Note, except that the interest rate in the Bond anticipation Note shall be 2.66% per annum.
5. 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 2004. 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 2004 for the purpose of Section 265(b)(3)(C) of the Code does not exceed \$10 million.
6. 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.
7. 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.
8. Said Note is not issued in anticipation of bonds for an assessable improvement.
9. This Resolution shall take effect immediately.

MOTION to adopt resolution made by Trustee Murphy, seconded by Trustee Walker.

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| Board Members in attendance: | Trustee Murphy | Yes |
| | Trustee Walker | Yes |
| | Trustee Hanehan | Yes |
| | Trustee Riccardi | Yes |

Motion carried 4-0

Clerk-Treasurer explained that there would be a balance in the CDBG money of \$5,033.06, after speaking to DBS Planning representative, they advised that this balance could be used to help electrify the streetlights, the Governors Office stated this would be an acceptable use.

MOTION to appropriate the remaining balance \$5,033.06 to be used to electrify the streetlights upon discussion with the Governors Office for Small Cities made by Trustee Murphy, seconded by Trustee Riccardi.

Motion carried 4-0

Clerk-Treasurer advised the Supt. would like to connect to the internet, there is a problem the only way to obtain this service requires a credit card for billing purposes. Would like authorization to obtain a credit card for the village to be used for Internet access?

MOTION to authorize the Clerk-Treasurer to obtain a credit card for the village to be used for Internet access for the DPW Garage made by Trustee Walker, seconded by Trustee Murphy.

Discussion: Trustee Walker will attempt to contract with TimeWarner for Roadrunner service first. Will contract for credit card until other arrangements could be made.

Motion approved: 4-0

MOTION to approve the Treasurer Report as presented made by Trustee Murphy, seconded by Trustee Hanehan.
Motion carried 4-0

MOTION to approve the minutes of the October 26, 2004 meeting made by Trustee Riccardi, seconded by Trustee Murphy.
Motion carried 4-0

MOTION to approve the audited claims: A \$33,788.10
F \$21,353.55
G \$ 4,804.88
H \$ 4,418.74

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

Trustee Hanehan questioned if the village would bond the Clinton Court pump station pumps. Supt. has one quote of \$11,442.00 for complete set up, will get at least one more quote before next meeting.

MOTION to adjourn to executive session at 8:45 P.M. made by Trustee Murphy, seconded by Trustee Hanehan.
Motion carried 4-0

MOTION to return to regular session at 9:05 P.M. made by Trustee Murphy, seconded by Trustee Hanehan.
Motion carried 4-0

MOTION to authorize a public hearing December 21, 2004 on the Street Local Law changing the name of Champlain Road to NewlandWood Lane made by Trustee Hanehan, seconded by Trustee Riccardi.
Motion carried 4-0

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

Meeting adjourned at 9:10 P.M.

Respectfully submitted,

Margo L. Partak
Clerk-Treasurer