

**SPECIAL MEETING-BOARD OF TRUSTEES-NOVEMBER 30, 2005-7:00 P.M.**

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

**ALSO PRESENT: ATTORNEY, JAMES PELUSO; SUPT OF PUBLIC WORKS, ROBERT GERASIA, PROVIDENT DEVELOPMENT GROUP**

**MEMBERS OF THE PUBLIC:** William Stanley, Donald Goodrich, Thomas Roberts, Howard Baker, Diane Farrell, Susan Basile, Richard Mone, Steve Elmer, Kathleen Schreiber, Shawn Connelly, Dale Smith, Robert Camarota, Scott Ronda, Gene Cook, Priscilla Mueller, Eric Mueller

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

**PROVIDENT DEVELOPMENT GROUP** – Jim Quinn, Ken Rontondo, Jon Lapper Esq.

Attorney for Provident, Jon Lapper explained the situation to date and that the developers would convey the river parcel to the village for recreational use.

Ken Rontondo & Jim Quinn gave a brief history of the project for the public.

Mr. Rontondo explained the project was first presented in July 2003; it has been reviewed and modified over the past 2 years. The wetland requirements have been met. Traffic, soil and archaeological studies have been completed. He explained they have been waiting for the sewer capacity study to be completed for DEC approval. Hope to be ready for construction on a spring timetable

Mr. Quinn explained the original design used the right of way next to the school entrance; it also had a much higher density. The second design came in off route 4&32 farther from the school entrance. The concept was new urbanism, with eighty units of multi-level to single family homes. The most recent design has the entrance off Clinton Court at the beginning of the hill, second exit at the lower end of Clinton Court. He explained this would be an upscale community with quality architecture, sidewalks, pedestrian friendly, multi-generational, riverfront recreation and a homeowners association to regulate the properties. It would create stable property values and a much larger tax base for the village. Their goal is to create a walkable multi-generational community.

Mayor Martin opened the floor to questions from the residents.

A resident questioned where the entrance would be located. It was explained it would be at the beginning of Clinton Court immediately behind the corner house facing Hudson Avenue. It was explained that DOT preferred the entrance off of route 4&32.

Mr. Mone expressed concern that there would be an intersection directly in front of his home at the top of a blind hill.

It was explained that the homes would be in the \$250,000 to \$400,000 price range. Questions were asked regarding the acreage, if there are any existing developments that could be seen and the amount of wetlands.

Questions were asked if there would be affordable senior housing, it was stated that this would help the traffic concerns. It was explained that this is the reason for the term multi-generational housing. They plan to offer smaller housing to seniors, perhaps duplex style housing.

A question was asked regarding the location of the sewer disposal, it was explained that this would be a village decision.

The Mayor explained that it is getting more and more difficult to provide services, if the tax base does not increase the taxes will be going up, up & up.

A question was asked if there is a projection as to how this development would affect the school district.

Concern was expressed regarding the danger of going over the blind hill, current residents are aware of the danger however new people might think that there is no problem.

Trustee Murphy stated he sent a list of requests from the Village, he is not sure that all of these concerns have been addressed.

Mr. Quinn explained that normally a development of this size would not need more than one entrance, they have offered two, it historically would not impact the school, the Clinton Court pump station would be upgraded and the street repaved.

Trustee Murphy expressed concern that none of these offers have been made in writing.

Questions regarding the river access and what type of services would be provided were asked, concern was expressed that this would bring more traffic into the area. It was explained that the only service provided would be a foot path. Any other type of service would be cost prohibitive.

Residents expressed concern about the lack of sidewalks along Routes 4&32, it was explained that it would be too costly for the State to install sidewalks due to the lack of drainage.

A question regarding the status of the sewer study was asked, it was explained that there should be a report some time next week; it would need to be reviewed by the Board and forwarded to DEC.

**MOTION** to approve the audited claims for November:

A	\$72,600.80
F	\$ 4,691.91
G	\$ 3,755.57
H	\$28,424.85

was made by Trustee Walker, seconded by Trustee Murphy.

Motion carried 3-0

**WHEREAS**, this Board has adopted a Resolution authorizing this issuance and sale of bonds in the amount of Fifty thousand (\$50,000.00) Dollars for the purpose of splitting of the sanitary sewer fore main along Hudson Avenue, said bonds having not as yet been sold. The Board has previously issued the sale of bonds in the amount of One Hundred thousand (\$100,000.00) Dollars for said project by resolution dated September 16, 2005.

**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 Fifty thousand (\$50,000.00) Dollars, and such bonds are to be serial bonds.
4. The amount of bond anticipation note hereby authorized is Fifty thousand (\$50,000.00) 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 Fifty thousand (\$50,000.00) Dollars, maturing September 16, 2006, 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 3.70% 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 2005. 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 2005 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

Resolution moved by Trustee Murphy, seconded by Trustee Riccardi.

Motion carried 3-0

The Clerk-Treasurer advised that there is a need to amend the General Fund Budget increase the CHIPS Revenue A3501 and Appropriation A5112.2 in the amount of \$15,285.15 and appropriate fund balance in the amount of \$3,500.00 increasing the following appropriations A1620.2 \$1,100.00, A1620.404 \$900.00 and A3410.2 \$1,500.00. The CHIPS increase is for rollover funds and the others are due to the work completed on the main building renovations to the Fire Department meeting rooms.

**MOTION** authorizing the Clerk-Treasurer to make the necessary budget adjustment as requested made by Trustee Walker, seconded by Trustee Riccardi.

Motion carried 3-0

Mayor Martin advised that he received a letter from DEC notifying him that Randy Rathbun's Sewer License has expired and that the Village must appoint a licensed operator within 10 days or face significant fines. The Supt. has contacted Russell Laquidara he has agreed to be the operator until Supt. Gerasia receives his license.

**MOTION** to appoint Russell Laquidara as sewer operator at \$100.00 per month until Supt. Gerasia receives his license made by Trustee Murphy, seconded by Trustee Walker.

Motion carried 3-0

A discussion was held regarding the new intersection at Broughton Lane and Major Dickinson Avenue, there was concern expressed regarding the possibility of people continuing to cut the corner after the barrels are removed. Supt. Gerasia explained that the plan is to install guardrails to prevent cutting the corner.

The Board was advised that we have received proposals from G.A. Bove & Sons to provide LP gas, fuel oil and service for this 2005/06 heating season.

#2 Fuel oil	\$2.369
LP Gas	\$1.699
Mixed fuel	\$2.569

Plus \$389.90 for maintenance agreement.

**MOTION** to accept G.A. Bove & Sons proposal for the 2005/06 heating season made by Trustee Walker, seconded by Trustee Riccardi.

Motion carried 3-0

Mayor advised that the Clerk and he met with a NYSEG Representative this morning, they will be putting in a work order to change 20 lights as soon as possible

and then the remainder would be changed in another year. NYSEG should be contacted when new developments are approved, they are willing to work with the contractor to ensure proper streetlights are installed so they would not need to be metered.

**MOTION** to adjourn was made by Trustee Murphy, seconded by Trustee Riccardi.  
Motion carried 3-0

Meeting adjourned at 8:45 P.M.

Respectfully submitted,

Margo L. Partak  
Clerk-Treasurer