

REGULAR MEETING -BOARD OF TRUSTEES- DECEMBER 18, 2012-7:00 P.M.

**PRESENT: ERNEST W. MARTIN, MAYOR; TRUSTEES - JOHN BASILE, KEITH COLLINS, ELLEN VOMACKA, TRUSTEE JUDY WOOD-SHAW
CLERK/TREASURER: SHERISTIN TEDESCO
SUPT. OF PUBLIC WORKS: ROBERT GERASIA
BLDG. CODE ENFORCEMENT OFFICER: LYNN GOMAN
ATTORNEY, JAMES PELUSO**

Mayor Martin called the meeting to order at 7:00 P.M. and led the pledge to the flag and a moment of silence for Newtown CT and the loss of village residents John Marshall & Richard Moore.

SPECIAL GUEST: William Frietag representing Bollam, Sheedy, Torani & Co. LLP, CPAs. Per Mr. Frietag, the Village of Stillwater required an audit for fiscal year 2011-2012, because it received more than 500K in Federal monies during that year, with the water project at \$840,000 from US Department of Agriculture, and \$2.7 million from the US Environmental Facilities Corporation, he explained. There was a financial statement audit for balances and transactions ending fiscal year May 31, 2012. There was also a compliance audit to look at internal controls and verify program requirements were met. The audit team consisted of Patti Toukatly and George Persons. There were no disagreements with management during our audit and no disagreements over treatment of accounting principles. There were not any difficulties in performing the audit. There were very few adjustments made. Mr. Frietag then reviewed all funds and the balance sheet for the Village with the board. There were no findings of any inappropriate matters in regards to expenditures, accounting systems and internal controls. "Our audit opinion of your financial statements for yearend May 31, 2012 is very positive and you have a clean report going to the feds in regard to this program, this was a very positive report" stated Mr. Frietag. The firm is also required, in the post-Enron era, as part of any CPA firm audit, to do various procedures to be alert to any possible existence of misappropriation, embezzlement or fraud. There, Freitag affirmed, they came up with no exception that "even remotely," told them they needed to look further.

CORRESPONDENCE: Resolution for polling place for the March 2013 election read by the Clerk/Treasurer.

**RESOLUTION STATING THE POLLING PLACE
AND THE HOURS DURING WHICH THE POLLS WILL BE OPEN**

WHEREAS, Section 15-104, Sub.3, Election Law of the State of New York provides that the Board shall adopt a resolution stating the polling place and the hours during which the polls will be open.

NOW, THEREFORE, BE IT RESOLVED, that such notice shall state:

1. A General Village election of the Village of Stillwater, New York, will be held on Tuesday, the 19th day of March, 2013.
2. The polling place for such General Village Election shall be the St. Peters Parish Center, 881 Hudson Avenue, Stillwater, NY 12170.
3. The polls shall be open at twelve o'clock noon (12:00n) and close at nine o'clock in the evening (9:00pm).

FIRE REPRESENTATIVE: Tony Conti
Reports given for Nov. 2012. There were 8 alarms and 3 drills in the month of November.

SUPERINTENDENT OF DPW: Robert Gerasia
We finished picking up leaves during the month, repaired some roads, installed couple new water meters, sealed storm drains, and worked on Christmas tree lights. The Clinton Court restoration work is complete, but the Russell Drive entrance will need to be repaved next year as the pavement is not holding up well. Barbolt Court pump has had problems and in the spring we will excavate that back to gravity. The trucks are prepared for snow and we had a salt delivery today. We made \$1004.00 in scrap metal. A letter was delivered to the residents of Barbolt Court requesting they stop dumping grease, wipes and feminine products.

ED HERNANDEZ, DELAWARE ENGINEERING: Sewer Project update.

Reale Construction has wrapped up for the year and Russell Drive will be repaved in the spring. Stilsing Electric is working this week on high tide notifications, but O'Connell Electric has also wrapped up at this point. Insituform will be working the next 3 days to wrap up their lining.

There was also discussion by Bob Gerasia explaining the chemicals disinfection byproducts resulting from chlorine reacting with natural organics in the water and our limits for these byproducts. Bob stated the health dept. gives you a list of dates of when to test the water and goes by a rolling average for the year. Bob suggested purchasing (2) Air-Max Oxygenators for each of our water tanks, copies of all information given to the board.

Trustee Basile reintroduced Ed Hernandez from Delaware Engineering stating he is also the acting executive director for the Saratoga County Water Authority. Ed Hernandez stated the SCWA is working on compliance issues of disinfection byproducts and a technical advisory board is being established this week to address the water quality. The SCWA has been taking measures to be in compliance with the EPA regulations. There have been many different results at different labs and the results sometimes take weeks to get back after changes are made at the plant. Ed stated that Bob has been invited to be a member of the advisory board.

BLDG. CODE ENFORCEMENT OFFICER: Lynn Goman

Report given for December 2012. There was (1) building permit issued, (1) certificate of compliance, (1) sign permit (1) inspection, and (2) letters of complaint. He had a meeting with Ray Abbey and made him aware of one open permit that he hopes to have closed out before he leaves for Florida.

COMMITTEE REPORTS:

Trustee Basile stated sewer has already been covered and will cover the water project. There is not much to report. We have not made any progress in meeting with the USDA in regard to the open issues we have discussed at previous meetings. I have been given the advice to go political to get USDA to accommodate our needs.

Trustee Collins stated he did not have any report at this time.

Trustee Vomacka stated the ZBA is reviewing the zoning laws and there is only one they are going to recommend to be changed. They will meet one more time then have information for the board. In regard to the sidewalk project, Catalfamo construction is done for the year with what they can complete. The wrong material for the curbing was sent by the distributing concrete company, but it has been removed and replaced. There have been some changes that were necessary for the project. I am now going to turn the floor to Eric Johnson, engineer from Chazen Engineering, for further reporting.

Report given by Eric Johnson from Chazen Engineering. The drainage portion of the sidewalk/drainage project is 100% complete and the sidewalk portion is approximately 10% complete. There is a change order from Catalfamo that will extend their construction contract to provide them twenty (20) more working days in the Spring 2013. Chazen Engineering has given the village a proposal for \$55,800 for completion of the sidewalk/drainage project for full time construction observation, materials and lab testing, construction meetings, NYSDOT coordination and project close out costs through the completion of the project.

MOTION to approve Chazen Engineering's proposal made by Trustee Vomacka, seconded by Trustee Basile
Motion carried 5-0

Expenditures to date on sidewalk/drainage project \$178,250.75. This includes engineering fees, lawyer fees and advertising.

Future expenses expected \$468,776.05. This will include Catalfamo's payments, flashing lights for the school and engineering fees.

Grant money expected \$363,000

Village pay portion of project to be estimated at \$284,026.80

Per Trustee Vomacka we need definition of driveway at Mr. Werneburg's property for curb cuts, she believes the driveway was just missed during original drawings. Mr. Werneburg presented photos and land deeds to prove he has an existing driveway on his property to the board. The board believes it is a certified driveway and should have a curb cut added during construction.

MOTION to approve that a driveway exists, so a curb cut should not to exist be required, on the Werneburg property. It is a pre-existing condition and will not require a permit made by Trustee Collins, seconded by Trustee Basile.
Motion carried 5-0

MOTION to approve Catalfamo Constructions change order for 20 day extension made by Trustee Collins, seconded by Trustee Vomacka.
Motion carried 5-0

Trustee Wood-Shaw update on emergency mgmt. comm. We have met our goal for 2012, which is good. The community center has a draft of their internal plan completed, it just needs to be approved by their board. Need to confirm with the Mayor who is on the emergency call list for the hyper outreach program, which is the reverse 911. The Mayor stated he is and Trustee Wood-Shaw said it is recommended to have three on that list. Trustee Wood-Shaw asked if we have walkie-talkies in the event of lost power, the mayor stated we do not. Senior program is going well. Her program received a \$500 grant from the Saratoga County Board of Supervisors for her senior program. She is also working on getting grant/foundation money from Global Foundries for new playground equipment. She also advised we get a new tree to represent the village next year at the Festival of Trees at the community center.

TREASURER REPORT – Sheristin Tedesco

Voucher totals by account for month.

“A” General Fund	\$ 29,005.86
“F” Water Fund	\$ 1,820.77
“G” Sewer Fund	\$ 6,578.43
“H” Capital Projects (Sewer)	\$ 1,145.00
Village Pay Portion	
“H” Capital Projects (Drainage)	\$ 297.87
“T” Trust & Agency	\$ <u>858.04</u>
TOTAL	\$ 39,705.97

Report for November 2012 – copies provided to all board members listing all bank accounts with all receipts and expenditures for November 2012.

Updated revenue/expense control report – copies provided to all board members.

Budget Adjustments – copy given to all board members.

MOTION to approve budget transfer from A.8989.400 (Other Home & Comm Service) to A.8510.400 (Comm. Beaut. Cont.) in the amount of \$3200 to cover webmaster John Noetzel and renewal of domain name, original budget never established. Budget increase of \$500 from donation from Saratoga Raceway Foundation to A.7989.400 (Comm. Ctr. Contractual). Budget increase of \$1004.00 monies received from sale of scrap metal and materials by Robert Gerasia on 12/12/12 to A.5132.404 (Garage Eq. Repair) made by Trustee Basile, seconded by Trustee Vomacka.

Motion carried 5-0

MOTION to open the floor to the public and press made by Trustee Basile, seconded by Trustee Wood-Shaw.

Motion carried 5-0

Village resident, James Champlin stated it would be very nice for the board or mayor to send a letter to residents Patti Ryan, Debbie Sheehan, Terri Simmons & Anne Marie Hallum thanking them for placing the yellow ribbons throughout the village. He had a request to get the water regulations listed on the website. He also inquired about the village tanker truck and shared services. He asked where the leaves went after pick up, Bob Gerasia responded they will be mulched and used as compost in various areas in the village. He also inquired as to the width of the new sidewalks if they are wide enough for wheelchair access. Trustee Vomacka stated yes, they have to be.

Village resident, James Bloomingdale asked in regard to his property if he shuts the water off at his property will he only have to pay for water to be turned back on. The Mayor asked if he saw the assessor to have his establishment changed from a two family dwelling to one family. Mr. Bloomindale responded he does not want his classification changed because of parking issues for the property. The board decided they will review the regulations and laws to better make a decision.

MOTION to close the floor to public and press made by Trustee Basile, seconded by Trustee Collins.

Motion carried 5-0

NEW BUSINESS

MOTION to approve the draft reports from BST CPA's made by Trustee Basile, seconded by Trustee Vomacka.
Motion carried 5-0

OLD BUSINESS

Robert Gerasia stated there is a problem with the line to Riverwood Apts. To fix it, the entrance would have to be raised. Per Ed Hernandez, the quote from the contractor to fix it is 38K plus another 5% retainage. It could be covered under the sewer project as a change order, but a decision needs to be made. Per Mr. Hernandez, we will get this all in writing from Riverwood Apts.

MOTION to approve the change order for the sewer upgrade project for the Riverwood portion of the work not to exceed \$50,000.00 made by Trustee Basile, seconded by Trustee Collins.
Motion carried 5-0

MOTION to approve Resolution for the Polling Place for the March 2013 Election made by Trustee Basile, seconded by Trustee Wood-Shaw.
Motion carried 5-0

MOTION to approve the audit claims for the month made by Trustee Basile, seconded by Trustee Vomacka.
Motion carried 5-0

MOTION to approve the Treasurer's report made by Trustee Basile, seconded by Trustee Wood-Shaw.
Motion carried 5-0

MOTION to approve the minutes from Regular Meeting dated 11/20/12 made by Trustee Vomacka, seconded by Trustee Wood-Shaw.
Motion carried 5-0

MOTION to adjourn to executive session to discuss a personnel and litigation matters made by Trustee Basile, seconded by Trustee Vomacka.
Motion carried 5-0

Meeting adjourned 9:20 pm