

**REGULAR MEETING-BOARD OF TRUSTEES- DECEMBER 18, 2007-7:00 P.M.**

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

**ABSENT: TRUSTEE RAYMIE WALKER**

**ALSO PRESENT: ATTORNEY, JAMES PELUSO; FIRE CHIEF, SHANE MAHAR; SUPT OF PUBLIC WORKS, ROBERT GERASIA; BUILDING CODE OFFICER LYNN GOMAN**

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

**CORRESPONDENCE**

Clerk read a letter received from Donna Farrar, CPA of Whittemore, Downen & Ricciardelli with regard to an audit of the Village of Stillwater.

The Mayor read a letter from Supervisor Connors who is preparing to leave office and noted Mr. Connors has been a great asset and will be sorely missed.

**BUILDING CODE OFFICER-Lynn Goman**

Two CO's issued, one for a mobile home at 7A Ferry Lane, one for 7 S. Hudson. Framing, plumbing, and electrical has been completed at 10 Russell Drive. 145 Hudson Ave – drywall done, expected to be finished by 1/1/08. Mr. Goman was contacted by a potential buyer for the Old Stewarts building, appears it may become office space for a drywall and insulation contractor.

**FIRE CHIEF – Shane Mahar**

The Chief reviewed his monthly report. (Copy on file)

**MOTION** to approve John Demers as a Junior Firefighter made by Trustee Murphy, seconded by Trustee Basile

Motion carried 3-0

Three members are about to finish Firefighter 1 Class, they've brought back a lot of good information for the department. The Bruno Grant has been used to purchase six full sets of gear. The Chief would like to meet with the Board to discuss the 4-5 year plan for the building provided by Donovan Restoration to see if it can be worked into the next several budgets. Trustee Murphy requested copies of Donovan's suggestions and would like to set up a meeting to discuss after the holidays. Trustee Basile requested Chief Mahar consider creating a spreadsheet showing the trend in what the FD has had to address over the years.

Chief Mahar reviewed his annual report for the Board (copy on file)

**MOTION** to approve Officers Elect:

Chief – Shane Mahar	President: Tracey Cancilla
1 <sup>st</sup> Asst. Chief – Jeff Mahar	V President: Raylene Dunn
2 <sup>nd</sup> Asst. Chief – Tony Conti	Secretary: Amy VanArnum
Captains – Paul O’Kosky, II	Treasurer: Bill Mehan
Kevin Mehan	Trustees: Joe Fitzpatrick (2-year term)
Lieutenants – Matt Mehan	Jeri Mehan (2-year term)
Tracey Cancilla	Steward: Nicole Schermerhorn

made by Trustee Basile, seconded by Trustee Baker

Motion carried 3-0

**DEPARTMENT OF PUBLIC WORKS-Robert Gerasia**

Supt. reviewed his monthly report. (Copy on file) Leaf pickup was a success, all lightning damage at the WTP has been repaired and the alarm system will no call everyone in the event of a problem. Trucks are ready for snow, alternator replaced in the 1 ton dump but a new truck is needed and will be requested during budget workshops. Mayor Martin asked that more caution be used plowing after a resident

notified him that his mailbox had to be replaced after each of the last two storms. Supt. advised that the booster pump at the water plant is not working would cost \$5,200 to repair or \$11,000 to purchase a new one. Would like some direction from the Board.

#### **COMMITTEE REPORTS**

Trustee John Murphy – No report.

Trustee John Basile-A new draft Order on Consent has been received but will be discussed in executive session. If we sign, Trustee Basile will schedule and host a workshop to inform the public on the specifics. Meetings continue with Kestner Engineering and will hopefully have all cost information needed to make a decision on upgrading or sending to the County. We would need Board of Supervisors approval to become an inside user for Saratoga County Sewer District. A report on the backwash water from the WTP is due 12/31/07 and Mr. Kestner will have it ready

Trustee Kenneth Baker-Still waiting for information on storm sewer grant

Trustee Raymond Walker-Absent

**CLERK-TREASURER** – Margo Partak

#### **BOND ANTICIPATION RENEWAL NOTE RESOLUTION**

**AUTHORIZING THE RENEWAL OF A BOND ANTICIPATION NOTE ISSUED ON THE 19th DAY OF DECEMBER 2006 IN THE AMOUNT OF \$115,000, IN ANTICIPATION OF THE SALE OF SERIAL BONDS AUTHORIZED TO FINANCE THE PURCHASE OF A NEW DUMP TRUCK CHASSIS & BODY**

**THE BOARD OF TRUSTEES  
VILLAGE OF STILLWATER  
COUNTY OF SARATOGA  
STATE OF NEW YORK**

**ADOPTED DECEMBER 18, 2007**

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

WHEREAS, this Board has on December 20, 2005, adopted a resolution authorizing the issuance and sale of bonds in the amount of One-Hundred Thirty Thousand Dollars (\$130,000) for the purpose of financing the purchase of a new Dump Truck Chassis & Body, said bonds having not as yet been sold, and

WHEREAS, a pursuant to a Resolution dated December 19, 2006, said Bond Anticipation Note was renewed in the sum of \$115,000 due and payable on December 21, 2007;

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

1. The Village Board of the Village of Stillwater duly authorize the renewal of the said Bond Anticipation Note in the principal sum of One Hundred Thousand Dollars (\$100,000). Said Bond Anticipation Note as renewed, shall be due and payable on December 21, 2008 in said principal amount, together with accrued interest at a rate of 3.75% 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 aforementioned purchase of a new Dump Truck Chassis & Body.
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 December 19, 2006 in the amount of One-Hundred Fifteen Thousand Dollars (\$115,000), which said Note is due and payable on

December 21, 2007; (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 Notes, except that the interest rate in this Bond anticipation Note shall be 3.75% 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 2007. 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 2007 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.

Resolution moved by Trustee Basile, seconded by Trustee Baker.  
Motion carried 3-0

Discussion was held regarding a letter received Donna Farrar about auditing the Village books. Mayor Martin spoke to the Mayors of Schuylerville and South Glens Falls who have used this CPA firm and they were pleased.

**MOTION** authorizing the Mayor to sign a contract with Whittemore, Downen & Ricciardelli, LLP Trustee Murphy, seconded by Trustee Baker.  
Discussion: Attorney would like to review the information prior to approval  
Motion tabled

The Clerk-Treasurer advised that the following accounts have been over spent  
Budget amendments and transfers need to be made to balance the books:

Amend the General Fund budget increase \$13657.00  
Estimated Revenue 3501A (CHIPS)  
Appropriation 5112.2A Permanent Improvements

Transfer \$4,083.00 from 19904A (contingent)  
To: 5410.4A (sidewalks) \$1,000.00  
85404A (drainage) \$130.00  
90108A (state retirement) \$2,953.00

Amend Water Fund budget increase \$24,750  
Estimated Revenue 2680F (insurance recoveries)  
Appropriation 8330.2F (purification equipment)

Transfer \$2,000 from 8340404F (equipment repair)  
To 8340401F (water meters)

Sewer Fund budget:

Transfer \$10.00 from 9710.7G (budget note interest) to 9730.710G (BAN split interest)

Transfer \$5000.00 from 9950.903G (transfer to Capital) to 8120.402G (I&I removal)

**MOTION** to authorize the above transfers made by Trustee Murphy, seconded by Trustee Basile.

Discussion was held regarding the NYS Retirement amount due.

Motion carried 3-0

The Clerk distributed a fax received from the County regarding Real Property Aged Exempt Limits and advised the Board Village numbers were last updated in 1996 and the Town of Stillwater updated their number in March of 2007.

### **RESOLUTION**

**RESOLVED** the Village of Stillwater adopt the following sliding scale of income and percentage of exemption from real property taxation for the exemption set forth in Section 467 of the Real Property Tax Law.

Up to \$16,600	50 per cent
\$17,600	45 per cent
\$18,600	40 per cent
\$19,600	35 per cent
\$20,500	30 per cent
\$21,400	25 per cent
\$22,300	20 per cent
\$23,200	15 per cent
\$24,100	10 per cent
\$25,000	5 per cent

Resolution moved by Trustee John Murphy, seconded by Trustee John Basile.

Discussion: Trustee Basile questioned the impact; the Assessor will be contacted to request that information.

Motion carried 3-0 (Trustee Walker absent)

**MOTION** to open the floor to the public and press made by Trustee Basile, seconded by Trustee Baker.

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 Murphy, seconded by Trustee Basile.

Motion carried 3-0

### **OLD BUSINESS**

Mayor Martin stated the Shared Municipal Service Grant Application has been submitted and answered questions from Trustee Basile and Attorney Peluso on the specifics.

### **NEW BUSINESS**

None

**MOTION** to approve the Treasurer Report made by Trustee Murphy, seconded by Trustee Basile

Motion carried 3-0

**MOTION** to approve the minutes of November 20, 2007 made by Trustee Basile, seconded by Trustee Baker

Motion carried 2-0 with Trustee Murphy abstaining as he was not at the November meeting

**MOTION** to approve the audited claims:

A	\$31,378.69
F	\$29,898.62
G	\$ 6,677.77
H	\$15,837.12
T	\$ 12.50

made by Trustee Murphy, seconded by Trustee Baker.

Motion carried 3-0

**MOTION** to adjourn to Executive Session at 8:15 PM made by Trustee Basile, seconded by Trustee Baker

Motion carried 3-0

The Board decided that Mayor Martin & Trustee Basile would audit the Village Books and request New York State audit the Court as it has been abolished.

Meeting adjourned at 8:45 P.M.

Respectfully submitted,

Margo L. Partak  
Clerk-Treasurer