

**REGULAR MEETING -BOARD OF TRUSTEES- JUNE 16, 2020-6:00 P.M.**

**PRESENT: MAYOR – JUDY WOOD-SHAW, TRUSTEE DOROTHY DEMARCO, TRUSTEE JUDY WOOD-ZENO, TRUSTEE PATRICK NELSON, TRUSTEE JOHN BASILE  
CLERK/TREASURER: SHERISTIN TEDESCO  
DEPT. OF PUBLIC WORKS: MATT RIFENBURGH  
BUILDING CODE OFFICER: LARRY WOLCOTT - ABSENT  
ATTORNEY: JAMES PELUSO  
FIRE CHIEF: TONY CONTI  
ENGINEER – ED HERNANDEZ**

Public Attendance – 3

The meeting began with The Pledge of Allegiance and a moment of silence.

Mayor Shaw thanked the Town of Stillwater for allowing us to use their building for our monthly meeting.

**CORRESPONDENCE – none**

**FIRE MARSHALL –** Stated he inspected the new American Legion building and changed the occupancy to 132 for the hall and 5 for the kitchen. The annual conference has been moved to September.

**BCO – (Absent)**

**DPW –** Fence has been installed at the splashpad. Cleaned the screens at the water tanks and put in a new pump at the Clinton Court substation. He mentioned he would like to purchase a spare pump from Siewert equipment. The crew also rebuilt the station at SCSD which cost \$6,000.00. Evolution Construction Services has the county bid for paving and will be paving Champlain Ave to Rundle Lane, Rundle Lane, Montgomery Place, Ferry Lane – from Hudson Ave to the corner and Ten Broeck Street in the coming weeks.

Mayor Judy thanked the DPW for all their hard work during the recent drive thru food pantry at the Community Center.

**FIRE DEPARTMENT CHIEF:** There were 7 alarms and 3 training drills in the month of May. The FD also participated in the SCSD student appreciation parade.

**ENGINEERING –** Reviewed monthly reports, there are no compliance issues. Draft plans for the Lake Street water line have been sent to DOH for review. We have not heard anything regarding the NBRC grant yet.

**COMMITTEE REPORTS:**

Trustee Basile – There have not been any updates on the LEDs.

Trustee DeMarco –The flowers have been planted and she volunteered at the drive thru food pantry this month.

Trustee Nelson – Discussed Local Law #2 of 2020, amending the Zoning Law to include hens in the Village (On file). The boat to bike connection that he was trying to establish at Lock 4 will not work out because of lack of places for boaters to tie up at the locks.

Trustee Zeno – Will discuss grant information during old business and also participated in the drive thru food pantry and the school parade.

**VILLAGE ATTORNEY –** No report at this time

**TREASURER REPORT**

<b>Voucher Totals By Account for the month year end 5/31/2020</b>	
“A” General Fund	\$ 7,572.51
“F” Water Fund	\$ 8,068.58
“G” Sewer Fund	<u>\$ 7,639.40</u>
TOTAL	\$23,280.49

**Voucher Totals By Account for the month**

"A" General Fund	\$ 59,794.85
"F" Water Fund	\$ 189.88
"G" Sewer Fund	<u>\$ 5,081.50</u>
TOTAL	\$ 65,066.23

Treasurer’s Report – copy provided to all board members

Up to date Revenue and Expense Control Reports have been provided to all board members.

**MOTION** to accept the budget adjustments as presented below made by Trustee Zeno, seconded by Trustee DeMarco  
Motion carried 4-0

- Increase G.8035.800 Medicare by \$.38 to cover payroll
- Increase F.8310.100 Water Admin. Personal Service by \$49.76 to cover year end DPW Payroll
- Increase G.8110.100 Sewer Admin. Personal Service by \$29.40 to cover year end DPW payroll
- Increase A.5110.100 Street Maintenance Personal Service by \$3,495.94 to cover year end DPW Payroll
- Increase G.8120.100 Sanitary Sewers Personal Service by \$1,876.74 to cover year end DPW Payroll
- Increase A.9035.800 Medicare by \$.26 to cover monthly payroll
- Increase A.9030.800 Social Security by \$.72 to cover monthly payroll
- Transfer \$4000.00 from G.8120.402 Sanitary Sewer, I&I Removal to G.8120.404 Sanitary Sewer, Equipment Repair
- Increase A.5010.408 Street Administration, Uniforms by \$150.00 to cover DPW uniforms
- Transfer \$700.00 from G.8110.401 Sewer Admin, Supplies to G. 8110.420 Sewer Admin, Professional Services to cover the 2<sup>nd</sup> Sewer License at the WWTP for the month of May 2020
- Transfer \$2300.00 from F.8340.403 Transmiss. & Dist. Electricity to F.8340.404 Transmiss. and Dist. Equipment Repair for water parts
- Transfer \$650.00 from F.1990.400 Contingent Account to F.8330.412 Purification Chemicals
- Transfer \$300.00 from A.9050.800 Unemployment Ins. To A.9060.800 Hospital & Medical Ins. To cover year end deductibles.

**MOTION** to open the floor to the public and press made by Trustee Basile, seconded by Trustee DeMarco  
Motion carried 4-0

**MOTION** to close the floor to the public and press made by Trustee Basile, seconded by Trustee DeMarco  
Motion carried 4-0

**NEW BUSINESS**

**MOTION** to accept Adam & Jessica Archard’s request dated 4/23/20 to have the sewer portion only of their October 1, 2020 water bill reduced by 15,000 gallons for filling their pool made by Trustee Zeno, seconded by Trustee Nelson  
Motion carried 4-0

Proposed Local Law #2 of 2020 was discussed and the following was determined.

The proposed zoning amendment modifies Table 1 Schedule of Uses to include "LIMITED AGRICULTURAL USE" as a permitted use in all Transect Zones. The amendment further defines "LIMITED AGRICULTURAL USE" under Article X as "Land may be used for the raising of hens with no more than 1 hen per 800 square feet of open lot space. Hens must not be kept in high density cages and shall be contained to a fenced area with adequate space to roam. Roosters are prohibited. Fruit and vegetable gardens permitted."

**RESOLUTION**

**BOARD OF TRUSTEES  
VILLAGE OF STILLWATER  
June 16, 2020**

**Resolution Designating SEQRA Lead Agency  
Amendment of Village of Stillwater Form-Based Code**

Motion By: Trustee Nelson  
Seconded By: Trustee Basile

**WHEREAS**, the Board of Trustees of the Village of Stillwater is considering adoption of Local Law No. 2 of 2020, a local law amending Local Law No. 2 of 2017 entitled "Village of Stillwater Form-Based Code"; and

**WHEREAS**, pursuant to NYCRR Part 617, the proposed action is a Type I Action requiring SEQRA review; and

**WHEREAS**, the Village Board has prepared and completed Parts 1 and 2 of the Full Environmental Assessment Form (EAF); and

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Trustees of the Village of Stillwater hereby designates itself as the Lead Agency pursuant to the State Environmental Quality Review Act (SEQRA), 6 NYCRR § 617.6, in the consideration and review of the Village's proposed Local Law No. 2 of 2020; and

**BE IT FURTHER RESOLVED**, that the Board will hold a public hearing on the proposed Local Law No. 2 of 2020 and environmental review thereof on July 21, 2020; and

**BE IT FURTHER RESOLVED**, that the Village Mayor and Clerk are directed to prepare such notice, publication and referral as required by law, including Village Law 7-706 and General Municipal Law 239-m.

The Village Board Members present were:

	<b>VOTE:</b>	<b>YES</b>	<b>NO</b>
Trustee Basile	Voting	<u>  X  </u>	
Trustee DeMarco	Voting	<u>  X  </u>	
Trustee Nelson	Voting	<u>  X  </u>	
Trustee Wood-Zeno	Voting	<u>  X  </u>	
Mayor Wood-Shaw	Voting	<u>  X  </u>	

I, Sheristin Tedesco, Village Clerk, do hereby verify that the foregoing is a true copy of a Resolution adopted by the Board of Trustees of the Village of Stillwater, Saratoga County, New York on June 16, 2020.

Trustee Basile read the following bond resolution pertaining to the Lake Street water line.

**BOND RESOLUTION**

At a meeting of the Board of Trustees of the Village of Stillwater, Saratoga County, New York, on June 16, 2020, at 6 o'clock, Prevailing Time.

The meeting was called to order by Mayor Judith Wood Shaw, and upon roll being called, the following were:

- PRESENT: Trustee John Basile  
 Trustee Judith Wood-Zeno  
 Trustee Dorothy DeMarco  
 Trustee Patrick Nelson

ABSENT:

The following resolution was offered by Trustee Basile, who moved its adoption, seconded by Trustee Wood-Zeno, to-wit:

Poll Vote:

	Yes	No	Abstain	Absent
Trustee Basile	<u>  X  </u>	_____	_____	_____
Trustee DeMarco	<u>  X  </u>	_____	_____	_____
Trustee Nelson	<u>  X  </u>	_____	_____	_____
Trustee Wood-Zeno	<u>  X  </u>	_____	_____	_____
Mayor Wood-Shaw	<u>  X  </u>	_____	_____	_____

**A Resolution Authorizing Improvements to the Village of Stillwater Hillside Tank Water Supply Line and Related or Incidental Thereto, and Authorizing the Issuance of Serial Bonds of the Village of Stillwater in an Aggregate Principal Amount Not to Exceed \$1,222,364 Pursuant to the Local Finance Law to Finance Said Purpose and Delegating the power to Issue Bond Anticipation Notes in Anticipation of the Sale of Such Bonds to the Village Treasurer.**

BE IT RESOLVED, by the Board of Trustees of the Village of Stillwater, New York (the "Village") (by the favorable vote of not less than Two-Thirds of all the members of the Board) as follows:

**Section 1.** The specific object or purpose (herein referred to as "purpose") to be financed pursuant to this Resolution is the construction and installation of improvements to the Village water distribution system, including, but not limited to, replacement and installation of a new water supply line, and the acquisition of equipment, machinery or apparatus. The estimated maximum cost of said purpose is \$1,222,364.

**Section 2.** The Board of Trustees plans to finance the total cost of said purpose by the issuance of serial bonds of the Village in an amount not to exceed \$1,222,364, hereby authorized to be issued therefore pursuant to the Local Finance Law, through a combination of (i) an approximately \$733,418 New York State Water Infrastructure Improvement Grant (the "WIAA Grant") which has been awarded the Village to pay a portion of the cost of the Purpose and (ii) debt financing by the issuance of its serial bonds.

**Section 3.** It is hereby determined that said purpose is an object or purpose described in subdivision 1. of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 40 years.

**Section 4.** It is hereby determined that the proposed maturity of the obligations authorized by this Resolution will be in excess of five years.

**Section 5.** Current funds are not required to be provided prior to the issuance of the bonds authorized by this Resolution or any notes issued in anticipation of such bonds by virtue of paragraph 9 of subsection d. of Section 107.00 of the Local Finance Law, with respect to all objects and purposes authorized to be financed hereby.

**Section 6.** The faith and credit of said Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

**Section 7.** Subject to the terms and contents of this Resolution and the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00, and 56.00, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this Resolution and the renewals of said notes and the power to prescribe the terms, form and content, and the manner of execution of the same, of said serial bonds, and said bond anticipation notes, including the consolidation with other issues, and also the availability to issue bonds with substantially level or declining annual debt service, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of such bonds, is hereby delegated to the Village Treasurer, the Chief Fiscal Officer of the Village.

Such bonds and bond anticipation notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

**Section 8.** The Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this Resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this Resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3) of the Code.

**Section 9.** Pending the sale of bonds herein authorized, the temporary use of funds from the Village's general fund, pursuant to the provisions of Section 165.10 of the New York Local Finance Law, is hereby authorized. The Village reasonably expects to reimburse itself from the proceeds of

bonds or notes herein authorized for expenditures made for the purpose to be financed by this Resolution prior to the issuance of such bonds or notes, and this Resolution is intended to constitute a declaration of "official intent" to reimburse for the purposes of U.S. Treasury § 1.150-2.

**Section 10.** The Village has determined that the purpose described in Section 1 of this Resolution is a Type II action (under 6 NYCRR 617.5(c)(2)&(5)) which will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQR") is required.

**Section 11.** The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of the publication of this resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

**Section 12.** The Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance law, in a newspaper having a general circulation in said Village and hereby designated as the official newspaper of said Village for such publication, after the period of time shall have elapsed for the submission and filing of a petition for a permissive referendum and a valid petition shall not have been submitted and filed.

**Section 13.** The firm Barclay Damon LLP is hereby appointed Bond Counsel of the Village in connection with the bonds and notes herein authorized.

**Section 14.** Except as provided in the following sentence, this Resolution is adopted subject to a permissive referendum pursuant to Section 36.00 of the Local Finance Law and Article 9 of the Village Law, and the Village Clerk is hereby authorized and directed within ten (10) days after the adoption of this Resolution, to post and publish a notice which sets forth the date of the Resolution's adoption and contains an abstract of this Resolution concisely stating its purpose and effect and indicating that this Resolution is subject to a permissive referendum.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

VOTING:	Yes	No	Abstain	Absent
Trustee Basile	<u>  X  </u>	_____	_____	_____
Trustee DeMarco	<u>  X  </u>	_____	_____	_____
Trustee Nelson	<u>  X  </u>	_____	_____	_____
Trustee Wood-Zeno	<u>  X  </u>	_____	_____	_____
Mayor Wood-Shaw	<u>  X  </u>	_____	_____	_____

The resolution was thereupon declared duly adopted.

The Splashpad will tentatively be opening July 1, 2020

**MOTION** to approve Evolution Construction Services quote dated 6/16/2020 for milling, crack sealing and topping with 2" pavement for the American Legion basketball courts, not to exceed \$34,500.00 made by Trustee Basile, seconded by Trustee Nelson  
Motion carried 4-0

**MOTION** Authorizing the Village Treasurer to reimburse the American Legion Post 490 for the pro-rated cost of the surveillance equipment and services purchased from Johnson Controls pursuant to a sales agreement dated October 9, 2019 which monitor the Village's leased facilities at the American Legion property, including the basketball courts and splash park, in an amount not to exceed \$1500.00, made by Mayor Wood-Shaw, seconded by Trustee Zeno  
Motion carried 4-0

**OLD BUSINESS**

**MOTION** to increase the grant writing cost to Flatley Read for water access, when and if the funding becomes available, from \$1150.00 to \$2500.00 made by Trustee Zeno, seconded by Trustee Basile  
Motion carried 4-0

**MOTION** to hold a Public Hearing on July 21, 2020 at 6:00 p.m. to consider the adoption of Local Law No. 3 of 2020. The purpose of said local law is to amend Local Law No. 1 of 2007 entitled "Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code." Adoption of the local law would create a Village Bureau of Fire Services to administer and enforce fire prevention and safety regulations made by Trustee Basile, seconded by Trustee Zeno  
Motion carried 4-0

**MOTION** to approve the audit claims for the month made by Trustee Nelson, seconded by Trustee Basile  
Motion carried 4-0

**MOTION** to approve the Treasurer's report made by Trustee Basile, seconded by Trustee Nelson  
Motion carried 4-0

**MOTION** to approve the minutes from Regular Meeting dated 5/19/2020 Via Zoom made by Trustee Basile, seconded by Trustee Zeno  
Motion carried 4-0

**MOTION** to enter executive session, legal matter regarding water, made by Trustee Basile, seconded by Trustee Zeno  
Motion carried 4-0

**MOTION** to exit executive session, legal matter regarding water, made by Trustee Nelson, seconded by Trustee Basile  
Motion carried 4-0

**MOTION** to adjourn made by Trustee Nelson, seconded by Trustee Basile  
Motion carried 4-0

Meeting adjourned 8:25 PM

Respectfully submitted,

Sheristin Tedesco  
Clerk/Treasurer