

REGULAR MEETING -BOARD OF TRUSTEES- SEPTEMBER 15, 2020-7:00 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 - ABSENT**

Public Attendance - 6

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

Special Guest – Sara Kipp from the Stillwater Library gave a short presentation on the anticipated referendum for moving the library to the Fiber Mill Building. She stated if the referendum passes and the library moves, then the library board would like to keep the building a public service building and wanted to know if the Village was interested in obtaining ownership. The Village Board showed preliminary interest, pending multiple factors. Both Emily Nadler, President of the Trustees of the Library, and John Butler, committee member, spoke on behalf of the library committee for the ideas for the future.

CORRESPONDENCE – None

FIRE DEPARTMENT CHIEF: There were 12 alarms and 4 training drills in the month of August.

FIRE MARSHALL – (Report on file)

BCO – There were 2 permits issued during the month, with multiple inspections and on site meetings (Report on file)

DPW – Installed some new meters, fixed a water leak at Bucciero's and completed some blacktop patching. The basketball hoops have been delivered and are scheduled for installation. The quotes for striping are \$1350 & \$950. The splashpad has been winterized and covered. The leaf collection system quotes are as follows, All Seasons Equipment Sales \$6800, Emerichs \$7200 & John Deere \$8800.

MOTION to approve the purchase of a leaf removal system, from All Season Equipment, with a price not to exceed \$6900.00 made by Trustee Basile, seconded by Trustee Zeno
Motion carried 4-0

ENGINEERING – (Report on file)

COMMITTEE REPORTS:

Trustee Basile – Letter was received from RWE requesting a yearlong extension on the special use permit for the battery project. Trustee Basile stated he inquired to NYSEG if this was such an important project why is it taking so long to complete? He stated he has not received a reasonable answer to date. The battery project manager stated they expect to begin installation early next year. The LED streetlights have been ordered and are expected to be installed shortly. We have an opportunity to acquire and restore an antique canal buoy boat from NYS Canal Corp. The board talked about areas for placement for the boat. Some additional measuring/surveying may need to be completed before a definite decision can be made.

Trustee DeMarco – No report at this time.

Trustee Nelson – Was not able to attend the Champlain Canal group meeting this month but did offer some minutes from the meeting. He is also looking at promoting the bicycle friendly business initiative.

Trustee Zeno – Is currently working on the walking tour (previously the Millennium Miles) and has completed her first interviews and sent them to Drew. She will be attending a meeting for the Colonial Road Apts. on Thursday.

VILLAGE ATTORNEY – No report at this time

TREASURER REPORT

Voucher Totals By Account for the month 9/15/2020

“A” General Fund	\$ 111,251.80
“F” Water Fund	\$ 2,652.50
“G” Sewer Fund	\$ <u>4,702.20</u>
TOTAL	\$ 118,606.50

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 adjustment as presented below made by Trustee Basile, seconded by Trustee Nelson
Motion carried 4-0

Increase A.5112.200 CHIPS of \$44,799.35 to add carryover from last year plus EWR and PAVE NY per NYSDOT notification dated 8/17/2020 for paving of roads.

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

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

Village Garage Sales are this weekend from 9:00 am to 4:00 pm
There will be a Flu Shot Clinic at SACC on 10/6/2020 from 11:00 am to 1:00 pm
Newsletters are being put together to be included with the Fall 2020 water bills.

NEW BUSINESS

RESOLUTION

**VILLAGE BOARD OF TRUSTEES
VILLAGE OF STILLWATER
September 15, 2020**

**Decision Extending Special Use Permit for Stillwater Energy Storage, LLC
at 982 Hudson Avenue**

Motion By: Trustee Basile

Seconded By: Trustee Nelson

WHEREAS, by Resolution dated September 18, 2018, the Board of Trustees of the Village of Stillwater approved an application for a Special Use Permit by Stillwater Energy Storage, LLC to install and operate a lithium-ion powered battery energy storage system (BESS) at 982 Hudson Avenue (Tax Map # 244-1-8); and extended by The Village Board of Trustees by Resolution dated September 17, 2019; and

WHEREAS, pursuant to the Village of Stillwater’s zoning laws, including Local Law No. 3 of 2007 as amended (Village of Stillwater Zoning Code) and Local Law No. 2 of 2017 as amended (Village of Stillwater Form-Based Code), the special use permit shall expire if construction has not commenced within one year or been completed within two years or the special use ceases for more than 12 months; and

WHEREAS, the Stillwater Energy Storage, LLC seeks to extend the Special Use Permit; and

WHEREAS, the Board of Trustees has reviewed the original application and subsequent materials submitted by Stillwater Energy Storage, LLC in support of their request for an extension of said permit; and

WHEREAS, permit extensions may be granted at the discretion of the Village Board pursuant to the applicable local laws; NOW,

THEREFORE, BE IT KNOWN AND RESOLVED THAT pursuant to Village of Stillwater Local Law No. 4 of 1994 (Land Development), Article VI of Local Law No. 3 of 2007 (Zoning Law) and Article VI of Local Law No. 2 of 2018 (Form-Based Code), the Village Board of Trustees hereby approves

an extension of the September 18, 2018 Special Use Permit subject to the following conditions: 1. Approval is conditioned upon the applicant obtaining any federal, state, local or other permits/approvals as may be necessary, including but not limited to the requested use variance for a fence from the Zoning Board of Appeals; 2. This special use permit shall expire if project construction has not been commenced within one (1) year and has not been completed within two (2) years of the date of this resolution approving the extension of the special use permit. 3. This special use permit shall expire if the special use shall have ceased for more than twelve (12) consecutive months for any reason. 4. This special use permit shall expire on a date to be determined ten years after the battery is declared in service (unless it should expire sooner by reason of conditions 2 or 3 above). Extensions may be granted at the discretion of the Village Board of Trustees. 5. Approval is conditioned on the battery project not exceeding 10 dBs above the baseline ambient sound. Prior to placing the battery project into service, an ambient baseline sound survey shall be performed including the three nearest points of the adjacent residences. It shall ignore noise emanating from passing vehicles. The parameters of the baseline survey shall be agreed to by the Village Engineer. Upon placing the project into service and after the landscape screening is installed around the fencing, the sound survey shall be repeated. If the sound in decibels is greater than 10 dB above the baseline, additional sound attenuation shall be made by the applicant until the ambient sound increase is equal to or less than the 10 dBs at the three nearest points of the adjacent residences; and 6. Approval is conditioned upon the applicant submitting an amended site plan showing the revised location of the battery project behind the residence at 982 Hudson Avenue, which amended site plan shall be subject to acceptance by the Village Mayor; and 7. Approval is conditioned upon the Village Mayor's acceptance of mutual agreement between Stillwater Energy Storage, LLC and the Village for a Public Benefit Fee and/or a Payment In Lieu of Taxes; and 8. Approval is conditioned upon Stillwater Energy Storage, LLC complying with the October 25, 2018 Use Variance granted by the Village Zoning Board of Appeals for the proposed fence enclosing the project; and 9. Prior to installation of a second battery module, the Village reserves the right to impose additional conditions.

The members of the Village Board of Trustees present and voting were:

Trustee:	Vote:	YES	NO
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>	

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 September 15, 2020.

MOTION to approve a survey for Cannon Park by Mr. James Vianna, not to exceed \$2500.00 made by Trustee Basile, seconded by Trustee Zeno
Motion as amended below carried 4-0.

MOTION to amend the above motion, to release the survey assignment of Cannon Mark, by Mr. James Vianna, at the discretion of the Mayor made by Trustee Basile, seconded by Trustee Nelson
Motion carried 4-0

OLD BUSINESS

MOTION to approve the audit claims for the month made by Trustee Basile, seconded by Trustee Zeno
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 8/18/2020 made by Trustee Zeno, seconded by Trustee Basile
Motion carried 4-0

MOTION to adjourn to executive session for legal consult regarding term limits made by Trustee Basile, seconded by Trustee Nelson

Motion carried 4-0

MOTION to exit executive session for legal consult regarding term limits made by Trustee Basile, seconded by Trustee Nelson
Motion carried 4-0

MOTION to approve the purchase of four (4) goose neck basketball hoops from Summit Supply Corp of Colorado, not to exceed \$4200.00, made by Trustee Basile, seconded by Trustee Nelson
Motion carried 4-0

RESOLUTION

**BOARD OF TRUSTEES
VILLAGE OF STILLWATER
September 15, 2020**

Resolution Public Hearing Proposed Local Law No. 4

Motion By: Trustee Nelson
Seconded By: Trustee Zeno

WHEREAS, the Board of Trustees of the Village of Stillwater is considering adoption of Local Law No. 4 of 2020, a local law entitled "A Local Law to Enact Term Limits for the Village Mayor and Members of the Board of Trustees"; and

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Stillwater will hold a public hearing on the proposed Local Law No. 4 of 2020 on October 20, 2020; and

The Village Board Members present were:

	VOTE:	YES	NO
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 September 15, 2020.

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

Meeting adjourned 8:50 PM

Respectfully submitted,

Sheristin Tedesco
Clerk/Treasurer