

REGULAR MEETING -BOARD OF TRUSTEES- OCTOBER 20, 2020-7:00 P.M.

**PRESENT: MAYOR – JUDY WOOD-SHAW, TRUSTEE DOROTHY DEMARCO - ABSENT,
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
ATTORNEY: JAMES PELUSO
FIRE CHIEF: TONY CONTI
ENGINEER – ED HERNANDEZ**

Public Attendance - 6

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

MOTION to open the public hearing for Local law #4 of 2020 to enact Term Limits made by Trustee Basile, seconded by Trustee Nelson
Motion carried 3-0

Trustee Nelson explained the law would introduce term limits of three consecutive terms (12 years) for mayors and trustees.

MOTION to close the public hearing for Local law #4 of 2020 to enact Term Limits made by Trustee Basile, seconded by Trustee Zeno
Motion carried 3-0

CORRESPONDENCE – Letter received from NYSDEC for the WWTP Spedes annual inspection stating the plant is well maintained and operated. The Mayor thanked the DPW and Ed Hernandez for their work at the sewer plant.

FIRE DEPARTMENT CHIEF: There were 5 alarms in the month of September. Chief Conti stated the back roof on the firehouse was leaking. It was decided the Mayor would contact Kevin Nevins Direct.

Mayor Wood-Shaw commended the fire department for their work on the emergency call from October 9th regarding a water rescue.

FIRE MARSHALL – (Report on file)

DPW – Installed basketball hoops at the American Legion Court, replaced hydrants, put the new leaf vacuum into service, blacktop patching and flushed hydrants
Leaf pick started on 10/19/2020 and will continue through 11/19/2020

BCO – CO for 5 Abel, CO for Dom's OTR for 614 Hudson regarding chickens, 2 new construction permits issued for 3 and 6 Abel and reviewed plans for 950 Hudson Ave during the month.
(Report on file)

ENGINEERING – Lake Street water project is moving forward with financing. EFC has requested additional paperwork from the Village that he and Clerk Tedesco have provided.
(Report on file)

COMMITTEE REPORTS:

Trustee Basile – The Trustees just signed the final voucher for the last payment on the old water loan, meaning the water plant is finally the Village's free and clear, it was a 20-year payment schedule. The streetlight replacement project has not begun yet and the Battery Project should begin in early 2021.

Trustee DeMarco – Absent

Trustee Nelson – No report, at this time.

Trustee Zeno – Working on a new name for the Millennial Miles project. Now has a digital recorder for use during the interviews. Drew Alberti is working on language and marketing for the project. They have a goal date of May 1, 2021. She will be reviewing the procurement and financial policy for the Village.

Mayor Judy thanked Trustee Zeno for attending the domestic violence workshop at SACC last week, in her absence.

VILLAGE ATTORNEY – No report, at this time

TREASURER REPORT

Voucher Totals By Account for the month 10/20/2020

“A” General Fund	\$ 108,030.49
“F” Water Fund	\$ 47,927.07
“G” Sewer Fund	<u>\$ 23,459.55</u>
TOTAL	\$ 179,417.11

Treasurer’s Report – copy provided to all board members

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

Submitted CHIPS reimbursement of \$68,799.35 on 9/29/2020.

Water Billing for October 1, 2020 - **Grand Total \$263,764.52, 45% have been collected to date**

Inside Users

Water \$97,077.78
Sewer \$89,305.97
Debt Service \$46,895.86
Total \$233,279.61

Outside Users, District 5, Saratoga Hills

Water \$26,506.19
Sewer \$3,978.72
Total \$30,484.91

MOTION to accept the budget and water billing adjustments as presented below made by Trustee Basile, seconded by Trustee Zeno
Motion carried 3-0

Increase A.9785 Old Water Loan from Reserve to pay off the Old Water Loan, Final Payment since 2001 of \$45,445.80.

Increase A.9010.800 State Retirement by \$7,911.00 for the actual retirement contribution needed for 2020.

Water billing adjustments

23 Neilson \$260.00 credit – should have been minimum instead of estimated, house proven to be vacant for billing period.

3 Carpenter \$600 credit – Ian accidentally read a “1” as “7”, reread to verify by Ian Raydo the week of 10/12/2020.

MOTION to open the floor to the public and press made by Trustee Nelson, seconded by Trustee Basile
Motion carried 3-0

There was a clarification to verify the Trunk or Treat Program is on October 31, 2020 from 12-4 PM at SACC.

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

NEW BUSINESS

RESOLUTION

**VILLAGE BOARD OF TRUSTEES
VILLAGE OF STILLWATER
October 20, 2020**

Resolution Establishing Water Regulations Effective November 1, 2020

Motion By: Trustee Basile
 Seconded By: Trustee Nelson

WHEREAS, Local Law No. 3 of 1999 provides for the establishment of water rents and regulations enacted by resolution of the Village Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED that the Village Board of Trustees hereby establishes the revised Water Regulations and Rates adopted in the form attached hereto effective November 1, 2020.

The Village Board Members present were:

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>	_____	_____	_____

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 October 20, 2020.

WATER REGULATIONS AND RATES
 EFFECTIVE March 1, 2018

1. CONNECTION AND TERMINATION OF SERVICE

- A. To connect to the Village Water System, all property owners must complete a written application obtainable from the Village Clerk’s Office.
- B. For outside users located in Town Districts 5 and 5 extension 1 to connect to the Village Water System, the applicant shall first make application to the Town of Stillwater which shall convey the application to the Village.
- C. The application fee for single family residences shall be \$1,500 payable to the Village of Stillwater. For multifamily residences such as apartment buildings the fee for the first unit shall be \$1,500 and all subsequent units shall be at \$1,000 each. Commercial or industrial facilities fees shall be determined by meeting of the Village Board.
- D. No work shall commence until payment of the application fee and Village approval of the application.
- E. All single family residence water services shall be 1 inch in size and comply with all Village specifications. Each single family residence shall be connected by its own lateral to the Village Water System. Application may be made to the Village for larger connections for other properties.
- F. For inside users as part of the application fee, the Village shall furnish to the property owner or their contractor the corporation curb stop box, the corporation saddle and fitting, and the line to the curb stop.
- G. For outside users the applicant shall be responsible to obtain the corporation curb stop box, the corporation saddle and fitting, and the line to the curb stop as required by the Village specifications at their expense.
- H. The property owner shall be responsible for installation of the lateral line to be connected to the Village Water System, including all labor and materials. All materials shall meet Village specifications. The owner shall purchase a water meter specified by the Village. For outside users in a Town of Stillwater water district, the water meter shall be purchased by the owner from the Town.
- I. Unless otherwise agreed to by the Village, the property owner shall be responsible for excavation, exposure and backfill of the Village water line. The Village reserves the right in its sole discretion to approve or disapprove any contractor hired by the owner to perform such work.
- J. All work performed by the owner and owner’s contractor shall be in accordance with all applicable local, state and federal safety, environmental and other regulations.
- K. The property owner’s contractor shall be licensed and maintain insurance coverage acceptable to the Village and name the Village as an additional insured on a primary and noncontributory basis.
- L. Prior to commencing any work, the contractor performing the work shall provide the Village with a Certificate of Insurance that shall name the Village, on a primary and noncontributory basis, as an additional insured under its public liability policy of insurance and any umbrella or excess policy of insurance covering any construction, installation, work or operations

performed pursuant to the contractors agreement with the property owner. Said additional insured coverage shall include coverage for General Liability, Automobile Liability, Property Damage Liability and Products-Completed Job Operations and contain, at minimum, a combined personal injury (or death) and property damage limit of not less than \$1,000,000 for each occurrence and \$2,000,000 in the aggregate.

- M. The Village in its sole discretion may permit the owner's contractor to make the tap connection to Village Water System or require that such tap connection work be performed by the Village.
- N. If the water service line from the corp stop to the entrance to the residence equals or exceeds 200 ft. then a meter pit shall be installed as directed by the DPW.
- O. If an application is approved for water service, the owner will be expected to become a customer within sixty (60) days of completion of connection. If said owner is not a customer within the sixty (60) days, the minimum will be charged for each six (6) month period, which passes without service commencing. This charge will continue until said services are in place.
- P. The Village does not guarantee minimum water pressure. Should the property owner require additional water pressure, a pressure booster system may be installed by the owner after the water meter at the owner's expense to meet NYS or federal standards.
- Q. In the event that a property owner requests that water service be terminated for any reason or length of time, there will be a service charge of \$300.00 to reinstate the service.
- R. In event the Village is required to discontinue service because of an emergency that directly affects the owner's property or the Village Water supply to that customer, there shall be a fee of \$300 to return service and an additional amount should the water meter need replacement.

2. ACCESS TO VILLAGE WATER DEPARTMENT PROPERTY

- A. All persons not employed by the Village of Stillwater are prohibited from trespassing on or tampering with the property of said Village DPW, including the water meters or curb stops.

3. ACCESS TO CONSUMERS PROPERTY

- A. Upon request, any employee of the Village DPW or member of the Village Board of Trustees shall be allowed access to all areas of any premises to which water is supplied, provided that such request is made at a reasonable hour.

4. BREAKAGE AND/OR REPAIRS OF/TO THE VILLAGE WATER SYSTEM

- A. The Village reserves the right to shut off the water to its mains for making repairs to said mains or for any other necessary purposes. The Village may do so without prior notice to the consumer and any consumers having boilers on their premises are hereby cautioned against danger of collapse. Risk of damage in such case is borne by the consumer. In case of danger the hot water faucet should be opened.
- B. The Village hereby agrees to use due diligence and care to provide a constant supply of water through its system to consumers. It is of utmost importance to the Village that no break, failure or accident should occur. In the event of any such occurrence, the Village shall not be liable to any consumer for any damages resulting therefrom nor shall the Village be liable for any damage to any consumer caused by any public enemy, the elements or any accident, failure or break in the machinery, reservoirs or supply lines of the Village Water Supply System.
- C. Consumers will be held responsible for the cost of repairs to or replacement of their meter if it becomes inoperable for any reason. If a consumer's shut-off valve is faulty, the Village will replace the valve for a fee of \$20.00 plus the cost of parts.

5. TESTING OF CONSUMERS WATER METERS

- A. The Village may, at its own cost and at any time it alone deems necessary, test the accuracy of any meter and require replacement with a new meter at the consumer's expense if it does not register correctly. In the event a meter does not register correctly, that consumer will be billed by the amount the consumer was charged during the previous period. For Village meters, the DPW will test an old style meter if requested by the consumer upon the payment of a \$35.00 deposit, for new remote read meters a deposit of \$70.00 is required. The deposit is refundable in full if the meter is found to be faulty and requires replacement.

6. METER RATES, BILLING AND PENALTIES

- A. The water usage rate within the Village shall be Four and 50/100 (\$4.50) dollars per 1,000 gallons metered. There shall be a six-month minimum rate within the Village of \$45.00.
- B. All metered water outside the Village limits will be charged at the contract rate with the Town of Stillwater at a factor of one decimal five times (1.5) the inside user rate. The minimum rate will be based on 10,000 gallons. Minimum semi-annual rates for larger meters may be obtained by application to the Village Board of Trustees.
- C. The water usage rates quoted herein are effective April 1, 2018 and shall remain in effect until further notice.

- D. The Village reserves the right to amend or revise any of the foregoing rates and make changes as it may deem necessary.
- E. The Village will bill inside users for water usage on a six-month cycle. All bills for service are due and payable within thirty (30) days from the date of mailing or presentation. The Village will impose a 5% late fee to each water bill with an outstanding balance each month that it is in arrears. The amount of the total unpaid water bills and the accumulated late fees at May 1st shall be added to the owner's Village property tax.

7. ESTIMATED WATER READINGS

- A. If the DPW is unable to obtain a meter reading and the property owner fails to call in the reading within 3 days, the Village will estimate the reading based on prior documented reading, if no documented reading is available then 36,000 gallons will be billed unless we have written notification that the premises is empty. If the Water Department does not have access to read a meter for the use during a period after an estimated reading, the property owner will make the premises available so the DPW can install a new remote read meter. In the event a reading is obtained after billing and the estimates are found to be high, there will be no adjustments or refunds on either the water or sewer billed by estimate. However, should the Village underestimate the amount of water used the property owner will be liable for the full cost of the actual water delivered and corresponding costs for sewer rents.

8. DECLARATION OF A "STATE OF EMERGENCY"

- A. The Village reserves the right to declare a "State of Emergency" and to order the discontinuance of the use of sprinkling devices or the use of hoses for any purpose other than the extinguishing of fires. The Village may continue this "State of Emergency" for such periods as it may deem necessary. In the event that any consumer does not immediately comply with such declaration and order, the Village may shut off the supply of water to such consumer without further notice.
- B. Consumers must not permit water to run to waste or supply it to others.

There will be a planning Board meeting with the Town of Stillwater to discuss the Colonial Road Apts. on 10/26/2020 at 5:00 pm.

OLD BUSINESS

MOTION to approve Stephen Sgambati Jr, M.D. as the medical officer of the Fire Bureau to oversee the operation of AED usage, operating under his medical license, when necessary. The title of the Medical Officer will be Fire Department Surgeon made by Trustee Zeno, seconded by Trustee Basile
Motion carried 3-0

MOTION to approve fencing around the perimeter of the Village Basketball court by B&H Wholesale Fence Company, in the amount not to exceed \$3,800.00, and be paid from Parks Contractual, made by Trustee Zeno, seconded by Trustee Nelson
Motion carried 3-0

RESOLUTION

**BOARD OF TRUSTEES
VILLAGE OF STILLWATER
October 20, 2020**

**Resolution Adopting Local Law No. 4 of 2020
To Enact Term Limits**

Motion By: Trustee Nelson
Seconded By: Trustee Basile

WHEREAS, after due notice a public hearing was duly held before the Village of Stillwater Board of Trustees on October 20, 2021 at 7:00 p.m. to consider the adoption of Local Law No. 4 of 2020 entitled "A Local Law to Enact Terms Limits, and all persons interested in the subject thereof were duly heard; and

WHEREAS, the Board has duly considered the proposed local law and the public comment thereon; **NOW, THEREFORE BE IT RESOLVED**, that the Village of Stillwater Board of Trustees does hereby pass, approve and adopt Local Law 4 of 2020 in its entirety, a copy of which is attached hereto; and **IT IS FURTHER RESOLVED**, that the Mayor and Village Clerk are authorized to sign all documents

and perform such actions necessary to effectuate the filing of the new local law with the New York State Office of the Secretary of State.

The Village Board Members present were:

Voting:	Yes	No	Abstain	Absent
Trustee Basile	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Trustee DeMarco	<u> </u>	<u> </u>	<u> </u>	<u> X </u>
Trustee Nelson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Trustee Wood-Zeno	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Mayor Wood-Shaw	<u> </u>	<u> X </u>	<u> </u>	<u> </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 October 20, 2020.

Mayor Judy stated the flu shot clinic was a success with over 25 in attendance.

Absentee ballot information is on the Village website.

Mayor Judy attended the Emergency Mgmt meeting and the topic this month was ice storms.

The November 17, 2020 and December 15, 2020 Village meetings will be held at Town Hall at 7:00 PM

MOTION to approve the audit claims for the month made by Trustee Nelson, seconded by Trustee Basile
Motion carried 3-0

MOTION to approve the Treasurer's report made by Trustee Basile, seconded by Trustee Nelson
Motion carried 3-0

MOTION to approve the minutes from Regular Meeting dated 9/15/2020 made by Trustee Basile, seconded by Trustee Nelson
Motion carried 3-0

MOTION to adjourn to executive session for legal consult regarding contract negotiations made by Trustee Nelson, seconded by Trustee Zeno
Motion carried 3-0

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

No action was taken in Executive Session

MOTION to adjourn made by Trustee Nelson, seconded by Trustee Basile
Motion carried 3-0

Meeting adjourned 8:30 PM

Respectfully submitted,

Sheristin Tedesco
Clerk/Treasurer