

REGULAR MEETING -BOARD OF TRUSTEES- AUGUST 16, 2022-6:00 P.M. – TOWN HALL

**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 - Absent
ATTORNEY: JAMES PELUSO
FIRE CHIEF: TONY CONTI
ENGINEER: ED HERNANDEZ - Absent**

Public Attendance - 7

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

Special Guest - RWE – Battery project presentation, with Mr. Paul Griffin and Jacques Pouliot representing RWE, for renewal of their special use permit. Also in attendance was Melany Putman representing NYSEG, Curtis Compton and Adam Laughman representing Ferreira Construction and Evan Falk representing Substation Engineering Co. Mr. Griffin explained the agreements are in place and contracts are in place for the main equipment. They expect mobilization to begin in September 2022 and delivery of the main equipment in January 2023. The main reason for the Stillwater Battery Energy Storage System is to relieve overload on the system in the Village of Stillwater.

Special Guest – Scott Fitzgerald, Solar on Earth, presented a program to help save on the Village’s electric bills 10 percent by joining a solar farm system. The Village Board decided to research the topic and will discuss at the next meeting.

CORRESPONDENCE – Family Day will be 9/9 and 9/10/22 with the Village hosting karaoke on 9/9 from 5 – 7pm. The economic summit dinner will be October 6th this year in Mechanicville.

FIRE DEPARTMENT CHIEF: There were 4 alarms and 4 training events in the month of July. There will be a “Touch-A-Truck” program at the Stillwater School on August 26th from 3 – 6 pm and a “Backpack Giveaway” at the SACC on August 28th from 1-4 pm. The antique steamer won second place at the 150th Anniversary of FASNY convention in Tarrytown last weekend. The old fire department equipment was packed up and shipped to Ukraine.

BUREAU OF FIRE SERVICES – GR Catalyst One needs an electrical conduit replaced. Casey was to speak with the NYSEG representative after the meeting to schedule.

DPW – (Report on file) The Mayor thanked the DPW members for helping Schuylerville and Mechanicville hang their hero banners.

BCO – (Report on file)

ENGINEERING – (Report on file)

COMMITTEE REPORTS:

Trustee Basile – Stated there was a walk thru for the area to launch the airboat for emergency situations with village and Arvin Hart members. The Basile’s will offer their personal property for the term of their ownership.

Trustee DeMarco - Absent

Trustee Nelson –.EV grant application is in process, working to get finalized. He will follow up with Ashley Bankcroft to compare solar companies.

Trustee Zeno – An extension for the Greenway Grant has been submitted to allow more time to get the kiosks completed. The Stillwater Bridge has been substituted for the cemetery because there was not enough viable information found on the cemetery.

VILLAGE ATTORNEY .

**Voucher Totals by Account
8/16/2022**

“A” General Fund \$ 20,615.52

"F" Water Fund	\$ 1,613.97
"G" Sewer Fund	\$ 9,779.63
TOTAL	\$ 32,009.12

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 forgive 10,000 gallons, water only portion, of the October 1, 2022 water bill for Kellianne Hooley at 27 Newland Road, per email request dated 7/26/2022 for filling a pool made by Trustee Basile, seconded by Trustee Nelson
Motion carried 3-0

Reminder that the September meeting begins at 6:30, summer hours will be over.

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

John Murphy, 57 Major Dickinson, spoke to the cost of the Newland Wood Fire Dept. vs Arvin Harts costs. He stated that NW is 7% of the Village's general fund budget, costing the taxpayers \$.29 per thousand of assessment. Arvin Hart is a cost of \$1.16 per thousand of assessment to their residents. He stated he reviewed the current by laws and they looked good. He asked about membership and the Fire Chief answered roughly there are 40 active members. Mr. Murphy stated the focus was on water and sewer when he served on the board and stated the board may be looking toward a new firehouse for the future, should be looking at more for less with the current FD.

MOTION to close the floor to the public and press made by Trustee Basile, seconded by Trustee Wood-Zeno
Motion carried 3-0

NEW BUSINESS - None

OLD BUSINESS

RESOLUTION

**VILLAGE BOARD OF TRUSTEES
VILLAGE OF STILLWATER
August 16, 2022**

Decision Extending Special Use Permit for RWE Renewables Americas LLC (formerly Stillwater Energy Storage, LLC) at 982 Hudson Avenue

Motion By: Trustee Basile

Seconded By: Trustee Wood-Zeno

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 Special Use Permit by Resolutions dated September 17, 2019, September 15, 2020 and September 21, 2021; and

WHEREAS, by Resolution dated December 21, 2021, the Board of Trustees approved updated drawings for the project; and

WHEREAS, by Decision and Resolution dated February 2, 2022, the Zoning Board of Appeals of the Village of Stillwater extended the project's Use Variance dated October 25, 2018; 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, or any renewal thereof, 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	ABSENT
Trustee Basile		<u> X </u>	<u> </u>	<u> </u>
Trustee DeMarco		<u> </u>	<u> </u>	<u> X </u>
Trustee Nelson		<u> X </u>	<u> </u>	<u> </u>
Trustee Wood-Zeno		<u> X </u>	<u> </u>	<u> </u>
Mayor Wood-Shaw		<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 August 16, 2022.

MOTION to approve the Town of Stillwater to use and pay for water from a hydrant during construction of a new public safety building on 266 County Route 76 made by Trustee Basile, seconded by Trustee Wood-Zeno
Motion carried 3-0

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 7/19/22 made by Trustee Nelson, seconded by Trustee Basile
Motion carried 3-0

MOTION to adjourn to executive session for legal advice made by Trustee Basile, seconded by Trustee Nelson
Motion carried 3-0

MOTION to exit executive session for legal advice made by Trustee Nelson, seconded by Trustee Basile
Motion carried 3-0

In Executive Session one motion was presented.

MOTION to authorize Mayor Wood Shaw to negotiate a land purchase, not to exceed \$50,000.00 made by Trustee Nelson, seconded by Trustee Wood Zeno
Motion carried 3-0

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

Meeting adjourned 7:45 PM

Respectfully submitted,

Sheristin Tedesco
Clerk/Treasurer