

**REGULAR MEETING -BOARD OF TRUSTEES- AUGUST 15, 2023-6:00 P.M. – TOWN HALL**

**PRESENT: MAYOR – JUDY WOOD-SHAW, TRUSTEE DOROTHY DEMARCO, TRUSTEE JUDY WOOD ZENO, TRUSTEE PATRICK NELSON, TRUSTEE JOHN BASILE**  
**CLERK TREASURER – SHERISTIN TEDESCO**  
**DEPUTY CLERK – BARBARA PONZILLO**  
**DEPT. OF PUBLIC WORKS: MATT RIFENBURGH - Absent**  
**BUILDING CODE OFFICER: LARRY WOLCOTT - Absent**  
**ATTORNEY: JAMES PELUSO**  
**FIRE CHIEF: JERI MEHAN**  
**FIRE BUREAU CHIEF: LAURENCE CASE - Absent**  
**ENGINEER: ED HERNANDEZ**

Public Attendance - 4

The meeting began with The Pledge of Allegiance

**CORRESPONDENCE** – A 9/11 Ceremony will be held at the Mechanicville Fire Dept and is hosted by the Elks.

**SPECIAL GUEST-** Ryan Wilson, Edmunds Government Tech explained his proposal for a new village email system with online back up and antivirus services. All current emails will be forwarded to the new system.

**MOTION** to amend the following motion with Edmunds Gov't Tech to, not to exceed \$3300, made by Trustee Basile, seconded by Trustee Nelson  
Motion carried 4-0

**MOTION** to accept and enter into a contract with Edmunds Gov't Tech for an amount of \$2790, made by Trustee Nelson, seconded by Trustee Wood Zeno  
Motion carried 4-0

**MOTION** to allow Deputy Mayor Wood Zeno to sign the contract with Edmunds Gov't Tech made by Trustee Nelson, seconded by Trustee DeMarco  
Motion carried 4-0

**FIRE DEPARTMENT CHIEF:** (Report on file) There were 14 alarms and 4 training events during the month. The FD was given the battery project tour and had the discussion with the battery reps of what to do/what not to do if there is an alarm or fire at the site. The fire dept members were shown how to disconnect if needed. In regard to the Knox boxes at the business locations in the Village, each fire chief has a code and a key in their vehicle to access each Knox box at their location. Chief Mehan was asked if he felt the CO should be issued for the battery project and he responded yes.

**MOTION** to allow the Newland Wood Fire Dept to hold their annual coin drop on 9/2/23 and 9/3/23 made by Trustee Basile, seconded by Trustee Nelson  
Motion carried 4-0

**BUREAU OF FIRE SERVICES** – (Report on file)

**DPW** – (Report on file)

**BCO** – (Absent)

**ENGINEERING** – (Report on file) A new federal regulation has been adopted by the state for a lead service inventory of all connections in municipalities, they want it documented what material each service is. This report needs to be submitted by 10/1/2024. This is a project we should begin to work on. It was decided a meeting would be set up for September to discuss how to begin.

**COMMITTEE REPORTS:**

Trustee Basile – Battery project update – Project manager told Trustee Basile that all cold testing has been done, but the hot testing has not been completed. The final test is scheduled for the first of second week of September.

Trustee DeMarco – No report at this time

Trustee Nelson – NYSEG visited the site for the infrastructure for the EV project and he updated the Town Supervisor and the Diocese.

Trustee Wood Zeno – No report at this time

**VILLAGE ATTORNEY** .- No report at this time

Treasurer’s Report – copy provided to all board members

**Voucher Totals by Account  
8/15/2023**

“A” General Fund	\$ 26,523.85
“F” Water Fund	\$ 563.85
“G” Sewer Fund	<u>\$ 11,127.27</u>
 TOTAL	 \$ 38,214.97

Treasurer’s Report – copy provided to all board members

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

The AUD was submitted to the State Comptroller’s Office on 7/17/2023 and published as required.

**MOTION** to accept the budget adjustment as presented below, made by Trustee Basile, seconded by Trustee Nelson  
Motion carried 4-0

Increase F.9710.700 Budget Note Interest. EFC Water Line Loan (Lake Street) by \$9,900.00 to cover interest payment July 2023  
Increase A.3010.400 Public Safety Admin. Contractual by \$1700.00 for grant monies received by Walmart, per Laurence Case’s grant request for fire prevention and public safety.

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

Mr. Carlos Benjamin, 8 Newland Road, stated he never received a water bill in the Fall of 2021 and Spring of 2022 and requested a credit for the late fees accrued.

**MOTION** to credit \$69.76 to Carlos Benjamin’s October 1, 2023 water bill made by Trustee Nelson, seconded by Trustee Demarco  
Motion carried 3-0, Trustee Wood Zeno abstained

Trustee Basile stated he would like to share his experiences – Part 2.

**August 15, 2023 Public Report**

Review of DEC related events effecting the Village

Since 2004 DEC tried getting Village to take action to stop water plant backwash discharge to Hudson.

3/8/08 DEC and Village entered into a consent order to:

- Engineer and install a backwash treatment system
- Study and resolve I/I influx to sewer plant
- Pay \$4,000 fine which was reduced to 2,000.
- As incentive the Sewer plant discharge was changed from unspecified to 252,000 gal/day monthly average.
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Village proceeded to locate some sewer infiltration examples and engineer designed backwash system connection to sewer plant which went to bid. Engineer was unable to perform necessary calculations to increase sewer plant discharge flow rate.

Beginning in 2006 DOH began a study which proved that water plant wells water came from Hudson. In July 2008 DOH as part of dredging preparations had used new more sensitive tests to reveal PCBs in the water (levels varied from about 20 to 200ppt still well below MCL).

DOH informed Village that activated carbon filters would be installed by GE at water plant to handle PCBs which were expected to rise during dredging.

Board had a hard decision to make rather to go ahead with Backwash project which created debt for no longer viable water plant. Village informed DEC that it would not proceed with backwash project thus violating the consent order. Then DOH had EPA/GE study new water source options for the Village.

I had begun interviewing engineering firms that might be able to calculate a new and higher sewer discharge rate. I was unsuccessful. The Board leaned toward the future SCWA, and knew with carbon filters paid for by GE that we could utilize the water plant until that could be effected.

W/r/t the sewer discharge, both the original engineer and newly selected Chazen Engineers, recommended sending the sewage to the SCSD#1. While that solution would cause the abandonment of a yet unpaid for sewer plant and involve considerable cost as well as the correction of the I/I.

4/1/09 DEC issued Notice of Non-compliance with Consent Order:

- Stipulated penalties of \$758,000
- Unresolved backwash discharge remains
- Engineer's I/I report not submitted-they actually found the results incomplete
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June 2010 Meeting in Attorney General's office with DEC:

- Attending for Village Mayor Martin, James Peluso, Ed Hernandez and myself
- Proposed temporary backwash treatment solution proposed by Gerasia to DEC accepted to meet eliminate illegal discharge.
- Village to select 4 possible Environmental Benefits Project candidates of which one would be chosen by DEC.
- No firm decision on how to treat I/I was made, but recognition of additional methods as well as several specific corrective actions.
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On way to meeting Mr. Hernandez showed me draft calculations to relicense the sewer plant discharge flow rate. The next day the Mayor engaged Delaware Engineering to make a submittal to the DEC for a change.

7/6/2010 Supreme Court Consent Decree:

- Makes the decisions of the June meeting official
- \$100,000 penalty with injunctive relief to be paid \$20,000 fine and \$80,000 applied to Environmental Benefits Project which is to be Route 4 storm water/sidewalk project.
- Temporary sewer plant interim limit of 547,000 gal/day while review of 415,000 report is in progress.
- Village actions to effect several identified I/I problems
- Then a set of due dates for each of the actions
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8/10/2010 Temporary backwash treatment installed at water plant and new SPDES authorized same. At about the same time the sewer plant SPDES permit revise to 415,000 gal/day.

Part 3 to be presented in September.

Sheila Nett stated she would like to give a "hats off" to Mr. Basile for all the work he has done on the Village Board over the years. She stated that in 1986 she had orange drinking water and sewage backing up into her house. He was the first one that came to look and address her concerns. We now have great drinking water and he and the Board have done amazing things for our village over the years. She wanted to thank everyone for their hard work.

**MOTION** to close the floor to the public and press made by Trustee Nelson, seconded by Trustee Basile

Motion carried 4-0

## **NEW BUSINESS**

Trustee Nelson presented a proposed local law for discussion regarding idle commercial property registrations and incentives. He proposes that all commercial properties have one year to present a plan to the Village Board of what the owners plan to do with the property. He is hoping the board can be a pipeline to assist with grants and agencies. Attorney Peluso stated Trustee Nelson may want to review our unsafe building law for an amendment. He suggested checking with Laurence Case regarding properties and registration.

## **RESOLUTION**

## **BOARD OF TRUSTEES**

**VILLAGE OF STILLWATER**  
**August 15, 2023**

**Resolution Appointing Code Enforcement Officer**

Motion By: Trustee Wood Zeno

Seconded By: Trustee Demarco

**WHEREAS**, Laurence Wolcott has been serving as the Village's Code Enforcement Officer and Laurence Case has been serving as the Village's Bureau Chief of Fire Services; and

**WHEREAS**, Mr. Wolcott is willing to serve as a Code Enforcement Inspector on a part-time basis as needed; and

**WHEREAS**, Mr. Case is willing to serve as the Code Enforcement Officer and continue to serve as the Bureau Chief of Fires Services.

**NOW, THEREFORE BE IT RESOLVED**, that Laurence Case is hereby appointed Code Enforcement Officer of the Village of Stillwater effective September 1, 2023 (and for the remainder of the calendar year term through December 31, 2023), and shall be compensated at the same rate previously authorized for said position; and

**IT IS FURTHER RESOLVED**, that Mr. Case shall continue to serve as Bureau Chief of Fire Services of the Village of Stillwater; and

**IT IS FURTHER RESOLVED**, that Laurence Wolcott is hereby appointed as a Code Enforcement Inspector and shall be compensated on an part-time, hourly basis as needed at the rate of \$75.00 per hour.

The Village Board Members present were:

<b>Voting:</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Trustee Basile	_____	___X___	_____	_____
Trustee DeMarco	___X___	_____	_____	_____
Trustee Nelson	___X___	_____	_____	_____
Trustee Wood-Zeno	___X___	_____	_____	_____
Mayor Wood-Shaw	___X___	_____	_____	_____

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 15, 2023.

Mayor Wood Shaw brought up the matter of purchasing a jetter for the DPW on Matt's behalf because he is on vacation. The jetter will clean culvert pipes, act as a pressure washer and clean storm drains. She presented options for a new jetter at \$86k, used at \$45k and then one local for sale at \$11,440 at SRE Equipment. The jetter at SRE is a 1995, has been serviced, and has a Ford engine with 400 hours on it.

**MOTION** to authorize the purchase of a 1995 jetter from SRE, not to exceed \$12,000.00, made by Mayor Wood Shaw, seconded by Trustee Wood Zeno  
Motion carried 4-0

A BSNB Visa has been opened in the Village of Stillwaters name, with a list of authorized users, to only be used as a last resort. A credit card policy is being written and in the interim see the motion below.

**MOTION** for any purchase made with the new BSNB Visa credit card to have approval by both the Mayor and the Clerk/Treasurer made by Trustee Nelson, Seconded by Trustee Basile  
Motion carried 4-0

**OLD BUSINESS**

The Major Dickinson park vandalized parts have been replaced and the invoice for the new parts will be paid and a phone appointment is scheduled with the parents of the child who did the vandalizing to talk about reimbursement.

Family Day prep is going well.

Touch-A-Truck will be held at SCSD parking lot on 8/25/2023 from 3-5 pm

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

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

**MOTION** to approve the minutes from Regular Meeting dated 7/18/2023 made by Trustee Basile,  
seconded by Trustee DeMarco  
Motion carried 4-0

**MOTION** to adjourn to executive session at 8:10 PM for legal advice on property negotiations  
made by Trustee DeMarco, seconded by Trustee Basile  
Motion carried 4-0.

Clerk excused at 8:10 PM

**MOTION** to exit executive session at for legal advice on property negotiations made by Trustee  
Nelson, seconded by Trustee DeMarco  
Motion carried 4-0

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

Meeting adjourned 8:33 PM

Respectfully submitted,

Sheristin Tedesco  
Clerk/Treasurer