

REGULAR MEETING -BOARD OF TRUSTEES- JUNE 21, 2022-6:00 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
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 - 1

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

MOTION to open a public hearing to consider the adoption of Local Law #1 of 2022, Amendment to 2007 Admin and Enforcement Building Code, and Local Law #2 of 2022, Amendment to 2005 Unsafe Building Law made by Trustee Basile, seconded by Trustee Nelson
Motion carried 4-0

The two local law amendments were explained by Mayor Wood-Shaw. Verbage changes due to the addition of the Bureau of Fire Services and dissolution of the Stillwater Consolidated Health Board.

MOTION to close a public hearing to consider the adoption of Local Law #1 of 2022, Amendment to 2007 Admin and Enforcement Building Code, and Local Law #2 of 2022, Amendment to 2005 Unsafe Building Law made by Trustee Basile, seconded by Trustee DeMarco
Motion carried 4-0

SPECIAL GUEST - Dave Meager, Amsure Insurance

A presentation was given by Mr. Meager regarding the Village Insurance renewal. The policy has gone up 4.5% for the renewal.

MOTION to increase the Newland Wood Fire Department Group Accident policy by \$288 and Statutory Cancer Policy by \$1224 made by Mayor Wood-Shaw, seconded by Trustee Basile
Motion carried 4-0

CORRESPONDENCE – None

FIRE DEPARTMENT CHIEF: There were 4 alarms and 4 training events in the month of May.

Congratulations to Newland-Wood Fire Company 59 of Stillwater for capturing a total of four trophies at the Hudson Valley Firemen's Assoc. Convention. The event was held in June and hosted by Ulster County Battalion 4 in Walkill, NY. The theme of the 2022 parade was "The Luck of the Irish." Friday night a Mardi Gras Parade was held. The Company's 1871 Button Steamer took the second place trophy for Best Firematic Unit.

The fire team also won in the following categories in the Dress Parade which was held the next day:

First place for Best Appearing Antique Apparatus for the company's 1871 Button Steamer
Best Appearing Fire Unit Dress Uniform 8 to 13 in Line.
Fire Unit Traveling the Furthest Distance

The convention included a memorial service, meetings, and awards. The HVVFA encompasses volunteer fire departments in New York State from Westchester County-(Tappan Zee Bridge downstate) to Essex County (The Canadian border). A total of 16 counties.

DPW – (Report on file)

BCO – (Report on file)

ENGINEERING – (Report on file)

BUREAU OF FIRE SERVICES – (Report on file)

COMMITTEE REPORTS:

Trustee Basile – RWE Battery and NYSEG have completed negotiations for two contracts. The first being the supply of energy, and the other allowing RWE to connect to the NYSEG system. They are hoping to begin in September, depending on lead time on materials.

Trustee DeMarco – Flowers have been planted and is working with the DPW for a sun shade structure at the splashpad.

Trustee Nelson – June 15th the DEC opened up a grant program for EV funding. We are going to try to apply. We need to register with Grants Gateway as the first step. Clerk Tedesco will register the Village of Stillwater.

Trustee Zeno – Working on the history for the four table top places in the Village, it is proving quite challenging sifting through the materials provided.

VILLAGE ATTORNEY – No report at this time

**Voucher Totals by Account
Year End 5/31/2022**

“A” General Fund	\$ 11,018.78
“F” Water Fund	\$ 1,296.71
“G” Sewer Fund	\$ 5,471.17
TOTAL	\$ 17,786.66

**Voucher Totals by Account
Abstract #1 - 6/21/2022**

“A” General Fund	\$ 65,975.23
“F” Water Fund	\$ 355.70
“G” Sewer Fund	\$ 7,644.33
TOTAL	\$ 73,975.26

Treasurer’s Report – copy provided to all board members

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

Village Taxes Billed 6/1/2022

General Village	\$395,173.08
Water and Sewer Relevy	\$ 86,135.20
Total	\$481,308.28

MOTION to accept the water billing and budget adjustments as presented below, made by Trustee Nelson, seconded by Trustee Basile
Motion carried 4-0

Judith Wood, 76 Colonial Road, Customer #520076 is requesting a 14,000 gallon forgiveness on the sewer portion only of her October 1, 2022 water bill for filling a pool.

Jonathan Harbeson, 996 Hudson Ave, customer #410310 is requesting a 3,000 gallon forgiveness on the sewer portion only of his October 1, 2022 water bill for filling a pool.

Fiscal Year Ending 5/31/2022

Increase A.5197.200 Highway Equipment and Vehicles, Equipment by \$48,314.00 for the purchase of a new 2022 Chevrolet 3500 truck, approved by VB 4/20/2021

Budget Adjustments June 2022

Increase A.3010.400 Public Safety Admin., Contractual by \$10,361.00 to pay for Knox Boxes approved by VB

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

NEW BUSINESS –

RESOLUTION
BOARD OF TRUSTEES
VILLAGE OF STILLWATER
June 21, 2022

Resolution Adopting Local Law No. 1 of 2022
Amending Local Law No. 7 of 2007 for the Administration and
Enforcement of NYS Uniform Fire Prevention and Building Code

Motion By: Trustee Wood-Zeno
Seconded By: Trustee DeMarco

WHEREAS, after due notice a public hearing was duly held before the Village of Stillwater Board of Trustees on June 21, 2022 at 6:00 p.m. to consider the adoption of Local Law No. 1 of 2022 amending Local Law No. 7 of 2007 Administration and Enforcement of NYS Uniform Fire Prevention and Building Code, 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 No. 1 of 2022 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>	_____	_____	_____
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 June 21, 2022.

RESOLUTION
BOARD OF TRUSTEES
VILLAGE OF STILLWATER
June 21, 2022

Resolution Adopting Local Law No. 2 of 2022
Amending Local Law No. 1 of 2005 - Unsafe Building Law

Motion By: Trustee Basile
Seconded By: Trustee Nelson

WHEREAS, after due notice a public hearing was duly held before the Village of Stillwater Board of Trustees on June 21, 2022 at 6:00 p.m. to consider the adoption of Local Law No. 2 of 2022 amending Local Law No. 1 of 2005 entitled "Unsafe Building Law," 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 No. 2 of 2022 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>	_____	_____	_____
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 June 21, 2022.

MOTION to accept the Amsure Insurance renewal proposal dated 6/8/22 at a cost of \$33,605.39 made by Trustee Basile, seconded by Trustee Nelson
Motion carried 4-0

OLD BUSINESS

The BDC Group representative Cosmo Marfione and Derek from Cotler Architecture gave a presentation on proposed 178 apartments on Colonial Road. They propose 10-unit and 16-unit buildings. There will be four (4) sixteen-unit buildings and one (1) ten-unit building located in the Village. All apartments will connect to water on Colonial Road and a force main for sewer will be added on Colonial Road. There will be a total of thirty six (1) bedrooms with rent of \$1,150.00, one hundred and sixteen (2) bedroom units with rent of \$1500.00 and twenty six (3) bedroom units renting around \$1800.00 per month.

Part 2 of the EAF was read in full by Trustee Wood-Zeno and is on file for review during normal business hours at the Village Clerks office.

Part 3 of the EAF was read in full by Trustee Wood-Zeno and is on file for review during normal business hours at the Village Clerks office.

Trustee Nelson stated he believes the traffic study is incorrect and misleading. It grossly underestimates the amount of traffic during peak hours. The mathematical flow does not work and leads to “disappearing cars”.

Trustee Wood-Zeno stated the BDC Group has done everything was asked and apartments are needed, even though she is not really for this project she cannot find a legal reason to deny the project.

RESOLUTION
BOARD OF TRUSTEES
VILLAGE OF STILLWATER
June 21, 2022

Resolution SEQRA Negative Declaration for Colonial Road Apartment Project

Motion By: Trustee Wood Zeno
Seconded By: Trustee DeMarco

WHEREAS, The BDC Group of (“Applicant”) of 11 Herbert Drive, Latham, NY 12110 has filed a land development and site plan application to construct thirteen (13) three-story buildings containing a total of 178 apartment units (containing 1, 2 or 3 bedrooms) and 273 parking spaces on 24.07 acres of vacant land owned by the BDC Group located at 19 Colonial Road in the Village of Stillwater (Tax Map No.: 243.75-1-2); and

WHEREAS, the property is split by the boundary line of the Village and Town of Stillwater, and the proposed project is located in both municipalities within the V5 and T5 zoning districts; and

WHEREAS, the Applicant proposes to construct a new sewer pump station and install sewer and water lines that would connect to the Village’s water and sewer systems; that said pump station and sewer and water lines would be dedicated to the Village; that the development would contain privately owned and maintained roadways and sidewalks; and the Applicant proposes to construct and dedicate to the Village additional sidewalks along Colonial Road, Broughton Lane and Major Dickinson Avenue; and

WHEREAS, the application is subject to the Village of Stillwater’s Land Development Law (Local Law No. 4 of 1994 as amended), Form-Based Code (Local Law No. 2 of 2017 as

amended) and all other applicable laws and regulations; and

WHEREAS, the proposed action is Unlisted action pursuant to the New York State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617.4 and the applicant has prepared and submitted a Full Environmental Assessment Form (EAF); and

WHEREAS, the Board of Trustees of the Village Stillwater has designated itself as lead agency under SEQRA and transmitted notice to all involved and interested agencies, including referrals as required by General Municipal Law §§ 239-m, 239-n, 239-nn and/or SEQRA; and

WHEREAS, the Village Board of Trustees has duly reviewed the application materials, plans, maps, etc. as thereafter revised and amended; considered the Village’s Comprehensive Plan, Land Development Law and Form-Based Code; received the recommendations of the County of Saratoga Planning Board; and consulted with Village and Town officials, engineers and planners; and

WHEREAS, the Village Board has carefully considered and weighed the input by the public and others; and

WHEREAS, the Village Board has reviewed the environmental findings and recommendations of the Village’s engineers with respect to the proposed action, and has duly reviewed the EAF and has considered the criteria contained in 6 NYCRR §617.7(c) to determine whether the proposed action will have a significant impact on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustee of the Village of Stillwater hereby determines, subject to concurrence by the Town of Stillwater with respect to that portion of the project contained within the Town, that the proposed action by the applicant, The BDC Group to construct thirteen (13) three-story buildings containing a total of 178 apartment units and 273 parking spaces on 24.07 acres of vacant land owned by Joseph Fondano located at 19 Colonial Road in the Village of Stillwater (Tax Map No.: 243.75-1-2) will NOT have a significant adverse impact on the environment; and

IT IS FURTHER RESOLVED, that the Village Board, subject to concurrence by the Town of Stillwater with respect to that portion of the project contained within the Town, adopts the findings and conclusion relating to probable environmental impacts contained within the attached EAF and Negative Declaration and authorizes the Mayor and Village Clerk to execute the EAF and file the Negative Declaration in accordance with the applicable provisions of law.

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> X </u>	<u> </u>	<u> </u>
Trustee Nelson	<u> </u>	<u> X </u>	<u> </u>	<u> </u>
Trustee Wood-Zeno	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Mayor Wood-Shaw	<u> X </u>	<u> </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 June 21, 2022.

RESOLUTION
BOARD OF TRUSTEES
VILLAGE OF STILLWATER
June 21, 2022

Resolution Approving Site Plan for Colonial Road Apartment Project

Motion By: Trustee Basile
Seconded By: Trustee Wood Zeno

WHEREAS, The BDC Group of (“Applicant”) of 11 Herbert Drive, Latham, NY 12110 has filed a land development and site plan application to construct thirteen (13) three-story buildings containing a total of 178 apartment units (containing 1, 2 or 3 bedrooms) and 273 parking spaces on 24.07 acres of vacant land owned by the BCD Group located at 19 Colonial Road in the Village of Stillwater (Tax Map No.: 243.75-1-2); and

WHEREAS, the property is split by the boundary line of the Village and Town of Stillwater, and the proposed project is located in both municipalities within the V5 and T5 zoning

districts; and

WHEREAS, the Applicant proposes to construct a new sewer pump station and install sewer and water lines that would connect to the Village's water and sewer systems; that said pump station and sewer and water lines would be dedicated to the Village; that the development would contain privately owned and maintained roadways and sidewalks; and the Applicant proposes to construct and dedicate to the Village additional sidewalks along Colonial Road, Broughton Lane and Major Dickinson Avenue; and

WHEREAS, the application is subject to the Village of Stillwater's Land Development Law (Local Law No. 4 of 1994 as amended), Form-Based Code (Local Law No. 2 of 2017 as amended) and all other applicable laws and regulations; and

WHEREAS, the Board of Trustees of the Village Stillwater has transmitted notice, including referrals as required by General Municipal Law §§ 239-m, 239-n and/or 239-nn; and

WHEREAS, numerous joint public meetings/hearings were noticed and duly held on the application by the Village and Town planning boards, including on October 26, 2020, June 28, 2021 and July 26, 2021, together with additional meetings between the Applicant, Town and/or Village's officials and consultants; and

WHEREAS, the Village Board of Trustees has duly reviewed the application materials, plans, maps, etc. as thereafter revised and amended; considered the Village's Comprehensive Plan, Land Development Law and Form-Based Code; received the recommendations of the County of Saratoga Planning Board; and consulted with Village and Town officials, engineers and planners; and

WHEREAS, the Village Board has carefully considered and weighed the input by the public and others; and

WHEREAS, the Village Board completed a SEQRA review and issued a Negative Declaration by Resolution dated June 21, 2022; and

WHEREAS, the Village Board has carefully considered the land development and site plan application, public comment, and findings and recommendations of its engineers and planners;

NOW, THEREFORE, BE IT RESOLVED, that the land development and site plan application of The BDC Group to construct thirteen (13) three-story buildings containing a total of 178 apartment units and 273 parking spaces on 24.07 acres of vacant land owned by The BDC Group located at 19 Colonial Road in the Village of Stillwater (Tax Map No.: 243.75-1-2) is hereby granted preliminary approval pursuant to the drawings, specifications and documents filed with the Clerk's office subject to the following conditions:

1. Approval is conditioned on the joint approval of the application by the Town of Stillwater;

2. Approval is conditioned upon the project drawings, maps and other required submissions containing all restrictions and conditions deemed necessary by the engineers for the Village.

3. Approval is condition upon a site plan map showing lot areas, property line descriptions, buildings, roadways, sidewalks, water and sewer facilities, stormwater facilities, recreational areas, easements for utilities and drainage, together with any other conditions deemed necessary by the engineers for the Village.

4. Approval is conditioned upon the Applicant submitting detailed design plans for all buildings, roadways, sidewalks, water and sewer facilities, stormwater facilities, recreational areas, easements for utilities and drainage, together with any other conditions deemed necessary by the engineers for the Village.

5. Approval is conditioned upon the Applicant submitting a Stormwater Pollution Prevention Plan acceptable to the Village's engineers and planners.

6. Approval is conditioned upon the Applicant submitting a landscaping design plan showing trees, shrubs, vegetation, and buffer zone areas, including species and tree calipers, acceptable to the Board.

7. Approval is conditioned upon the Applicant submitting a lighting design plan, including fixtures, energy efficiency and illumination specifications, acceptable to the Village;

8. Applicant has agreed as a public benefit to construct sidewalks along the west side of Colonial Road, Broughton Lane and Major Dickinson Avenue, which plans and specifications are subject to review by the Village's engineers and approval by the Board.

9. Approval of the Applicant's proposed construction of a sewer pump station and connection to the Village's wastewater treatment system is conditioned upon any necessary approvals by NYSDEC or other applicable state or local agencies.

10. Approval of the Applicant's proposed connection to the Village's water system is conditioned upon any necessary approvals by NYSDOH or other applicable state or local agencies, including the Saratoga County Water Authority.

11. Approval is conditioned upon the Applicant obtaining all other necessary State and Federal permits as may be required by applicable law.

12. Approval of all proposed easements, deeds, rights or ways or other conveyances for utilities or other improvements is subject to review and approval by the Village's engineers and attorneys, and the dedication of any utilities or other improvements shall be made only after inspection and approval of the same.

13. Approval is conditioned upon the Applicant paying all permit fees required under the Village's local laws and regulations. Building permit fees shall be due and payable at the time a building permit application is submitted for each building. Water and sewer hook-up fees shall be due and payable prior to the issuance of a certificate of occupancy for each building.

14. Approval is conditioned upon the Applicant submitting a letter of credit, payment bond, and performance bond for the project in an amount and upon such terms prescribed by the Village after consultation with its engineers and attorneys.

15. Any subsequent modifications are to be agreed upon by the Applicant and the Village Board.

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> X </u>	<u> </u>	<u> </u>
Trustee Nelson	<u> </u>	<u> X </u>	<u> </u>	<u> </u>
Trustee Wood-Zeno	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Mayor Wood-Shaw	<u> X </u>	<u> </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 June 21, 2022.

MOTION to amend the above resolution #8 to state "Along the west side of Colonial Road" made by Trustee Basile, seconded by Trustee Nelson
Motion carried 4-0

MOTION to correct the land ownership in Resolution from Mr. Fondano to BDC Group, made by trustee Wood Zeno, seconded by Trustee DeMarco
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 5/17/22 and 6/7/2022 Special Meeting made by Trustee Basile, seconded by Trustee Nelson
Motion carried 4-0

MOTION to adjourn to executive session for legal advice made by Trustee Basile, seconded by Trustee Nelson
Motion carried 4-0

MOTION to exit executive session for legal advice made by Trustee Basile, seconded by Trustee Wood-Zeno
Motion carried 4-0

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

Meeting adjourned 8:30 PM

Respectfully submitted,

Sheristin Tedesco
Clerk/Treasurer

