

**SPECIAL MEETING-BOARD OF TRUSTEES-MAY 12, 2009-7:00 P.M.**

**PRESENT: ERNEST W. MARTIN, MAYOR; TRUSTEES – KENNETH BAKER, JOHN BASILE, KEITH COLLINS, ELLEN VOMACKA**

Mayor Martin called the meeting to order at 7:00 P.M.

**MOTION** authorizing Change Order #2 to “The Chazen Companies” (TCC) Project Number 30907.00 to prepare an application to USDA Rural Development at a cost not to exceed \$3,200.00 made by Trustee Basile, seconded by Trustee Vomacka.

Discussion: Trustee Basile explained that the head of the program for New York State read about our problems and contacted Eric Johnson of TCC advising that we should apply for funds; there are two types of funding available. We had not previously recognized this funding source as an option.

**Motion carried 4-0**

**MOTION** to approve a proposal from Delaware Engineering for the Wastewater Treatment Facility to: review existing data and WWTP, preparation of SPDES Permit Application, preparation of an Engineering report and for the Water Treatment facility to: review existing data, on-site testing and information gathering, preparation of SPDES Permit Application, preparation of plans for settling basin & piping, preparation of engineering report at a cost not to exceed \$15,000 made by Trustee Basile, seconded by Trustee Collins.

Discussion: Trustee Basile explained SPDES (State Pollution Discharge Elimination System), the Village does not currently have a permit for the Water Treatment Plant and we are due to renew the current permit for the Wastewater Treatment Plant. There is an 85% removal required to comply with this permit. The current permit for the WWTP has a flow limit of 252,000 gallons daily average for each month.

We have made a commitment to stop illegal discharge of waste water at the Water Treatment Plant by June 30, 2009 and provide an engineering report explaining the procedures. The process is to use 1 or 2 frac tanks to settle out the manganese & iron and any other materials that are filtered out. Trustee Basile explained the history of the frac tank plans.

Trustee Basile explained the other part of the proposal is to prepare a report that would make technical changes to our SPDES permit that is about to expire. Mr. Hernandez feels he can get us a higher level of effluent for our SPDES permit.

The costs for this work should be split between the water and sewer budgets. A review of the 2009/10 budget has identified items that could be used for this project. There would be two separate SPDES applications from this contract.

**Motion carried 4-0**

**MOTION** authorizing the Mayor to enter into a contract, not to exceed \$25,000, for the rental or purchase of 1 or 2 frac tanks for the water treatment backwash filter effluent made by Trustee Basile, seconded by Trustee Baker.

Discussion: Trustee Basile explained the costs associated with the frac tank installation for the filter backwash wastewater.

**Motion carried 4-0**

Mayor Martin advised he has been contacted by the Supt. of Stillwater Central School regarding the status of the sidewalk program. The Supt. strongly recommends we continue to participate in this grant opportunity.

**MOTION** authorizing the Mayor to sign the agreement for the Safe Routes to School Grant for installation of sidewalks improvements along Route 4 in the Village of Stillwater made by Trustee Basile, seconded by Trustee Vomacka.

Discussion: Trustee Collins questioned what the village responsibility would be with regard to this program. He was advised that we would be responsible for \$425,000 in costs associated with this program. Mayor stated the Superintendent of Schools

is contacting representatives to help the village receive additional funding to complete the project. If we can not secure additional funding we would have to abandon the project as we can not ask village residents to pay for any additional debt at this time.

**Motion carried 4-0**

## **RESOLUTION**

A RESOLUTION authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a Project for the SRTS: Route 4 Sidewalk Extension, Village of Stillwater, P.I.N. 1758.10 ("the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; and

WHEREAS, the Village of Stillwater desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering and Construction.

NOW, THEREFORE, the Village Board, duly convened does hereby

RESOLVE, that the Village Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Villages Board hereby authorizes the Village of Stillwater to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering and Construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$818,800.00 (Eight hundred eighteen thousand eight hundred dollars and no cents) (\$30,000 for 100% State Administered Preliminary Engineering Phase; \$365,300.00 for Locally Administered Construction and Inspection Phase; and \$425,000.00 for a Non-Participating 100% Local Share) is hereby appropriated from Bond Issue and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Village Board of the Village of Stillwater shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Mayor of the Village of Stillwater be and is hereby authorized to execute all necessary Agreements, certifications or reimbursements requests for Federal Aid and/or Marchiselli Aid on behalf of the Village of Stillwater with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately

Resolution moved by Trustee Basile, seconded by Trustee Baker.

**Motion carried 4-0**

The Clerk-Treasurer advised the DPW read the meter at 3 Lansing on May 5, 2009, the reading was less than the estimate, however there was 18,650 gallons used over the last estimate; would like permission to adjust the current bill to reflect the actual reading.

**MOTION** authorizing the Clerk Treasurer to adjust the current bill for 3 Lansing Road to reflect the actual reading made by Trustee Basile, seconded by Trustee Vomacka.

Discussion: Trustee Collins would like to see this residence added to the list of meters to be replaced as soon as possible.

**Motion carried 4-0**

**MOTION** to adjourn to Executive Session at 8:00 p.m., to discuss litigation, made by Trustee Basile, seconded by Trustee Baker.

**Motion carried 4-0**

**MOTION** to adjourn made by Trustee Baker, seconded by Trustee Vomacka.

**Motion carried 4-0**

Meeting adjourned at 9:15 P.M.

Respectfully submitted,

Margo L. Partak,  
Clerk-Treasurer