

Stillwater Town Board
Business Meeting/Public Hearing
(Local Law on Parking on Town Owned Property)
October 17, 2013 7:00 PM
Stillwater Town Hall

Present: Councilman Artie Baker
Councilman Ken Petronis
Councilwoman Lisa Bruno
Councilwoman Virginia Whitman
Supervisor Ed Kinowski

Also Present: Sue Cunningham, Town Clerk
James Trainor, Attorney for the Town
Joe Lanaro, Engineer for the Town
Mark Minick, Supt of Highways

Supervisor Kinowski called the meeting to order and led everyone in the Pledge to the Flag.

Sue Cunningham, Town Clerk took the roll call.

7:00 PM Public Hearing

Purpose: To consider Local Law No. _____ of 2013, a Local Law amending the Town Code relating to unauthorized parking on Town-owned property.

Public Input

Coke C inquired if this included roadways.

Supervisor Kinowski that this was for Town owned lands such as Parks, Town hall, etc.

Karen L inquired if this included the Community Center.

Supervisor Kinowski stated that it did and that do notice would be given, publish notices and signs.

Attorney Trainor stated that it pertains mostly to Town parks with no parking from 10 pm and 5:30 am.

With everyone having the opportunity to comment on the proposed Local Law Supervisor Kinowski declared the public hearing closed at 7:10 pm.

Business Meeting

Supervisor Kinowski called the Regular Business meeting to order.

Adoption of Minutes: Motion by Councilman Baker and seconded by Councilwoman Whitman to adopt the minutes of Sept. 19, 2013. **Motion carried.**

Special Presentation: Madeline Patterson, Community Center Director gave a brief presentation on the progress of the Community Center's programs and updates on the building.

The Town Board thanked the Director of the Community Center for the presentation and everything she has accomplished as director. They wished her well on the new position she has accepted.

Karen Lorf, Community Center Board Member spoke on the organization and job she has done at the Center and feels the Center is moving in the right direction.

Reports

Councilman Petronis

Global Foundries Grant: Councilman Petronis relayed a message from Phil Colarusso thanking the Town Board for supporting the Militia.

Supervisor Kinowski

Browns Beach: Supervisor Kinowski reported that the Town now owns Browns Beach and that no petition of referendum was filed.

Councilman Petronis stated that Ivinello informed him that water was available if they needed it.

Supervisor Kinowski commented that Mackey had a water line also and if needed down the road

Councilman Baker commented on the clean-up day at Brown’s Beach.

Supervisor Kinowski stated that every Saturday starting at 8:00 am they will be cleaning up at Browns Beach. If anyone would like to volunteer they can contact his office. To date no one has been paid to help with the cleaning and they have removed 4 dumpsters so far.

Councilwoman Bruno

Senior Program: Councilwoman Bruno spoke on the request to move the senior program that is held at the Community Center to the Town Hall.

After a brief discussion the consensus of the Town Board was to grant the request and allow the use of the board room and kitchen for the Senior program.

Councilwoman Whitman

Town Wide Clean-Up: Councilwoman Whitman reminded everyone that Saturday was the fall clean-up.

Emergency Management: Councilwoman Whitman reported that Nov 12th the Emergency Management Committee would be meeting here at the Town Hall.

Town Board room: Councilwoman Whitman requested to spend \$400 on new blinds to replace the old drapes hanging in the board room.

The Town Board agreed to the expenditure of \$400 for new blinds.

Councilwoman Whitman reported that the donated paintings that were done by Chester Hewitt a local painter have been hung.

Property Maintenance: Councilwoman Whitman inquired about property maintenance and the Towns standing on this issue.

Attorney Trainer stated that the Town has not adopted any Local law on this issue but they do have emergency power if needed.

Supervisor Kinowski stated he has met with Attorney Cutler in regard on how to handle all issues the Town faces.

A brief discussion was held.

Planning & Zoning Alternate Members: Councilwoman Whitman inquired about alternate members for the Planning & Zoning Boards.

Councilman Baker stated that the problem with that if the alternates don’t attend all the meetings they won’t know what is going on.

Supervisor Kinowski stated that he spoke with the Chairman of the two Boards and they feel the same way.

Supt of Highways (Mark Minick)

Hudson Ave: Supt Minick reported that the State DOT will be milling and filling Hudson Ave from out in front of the Town Hall south to the Village line starting next week.

Global Foundries: Supt Minick commented on a traffic issue on Cold Springs Rd from the construction entrance to Cordero Blvd.

Agenda Items

Resolutions #99-#

Resolution #99

Setting a Public Hearing Regarding the Planning Board’s Notice of Intent for MS4 Permit

Introduced by: Supervisor Kinowski

WHEREAS, State law requires the Town of Stillwater to develop and adopt certain plans for storm water management; and

WHEREAS, adopting the proposed programs will require a public hearing;

Now, therefore be it

RESOLVED, that a public hearing is hereby set for November 7, 2013 at 7:00 p.m. at the Stillwater Town Hall, 881 Hudson Avenue, Stillwater, New York 12170 to consider the Town's Notice of Intent for a DEC MS4 Permit; and be it further

RESOLVED, that the Town Clerk is directed to publish the appropriate Notice of Public Hearing.

Motion by Councilman Baker and seconded by Councilman Petronis to adopt Resolution #99 of 2013.

A roll call vote was taken on Resolution #99 of 2013 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilman Petronis	YES
Councilwoman Whitman	YES
Councilwoman Bruno	YES

Motion carried. Resolution #99 of 2013 was adopted unanimously.

**Resolution #100 Authorizing the Supervisor to Accept a
Proposal from DeCrescente Company to Lease
The Boilerhouse Property**

Presented By: Supervisor

WHEREAS, DeCrescente Company ("DeCrescente") has made the Town aware of their desire to lease the Boilerhouse property located at Route 4 and Route 32 (SBL: 262.-1-9.14); and

WHEREAS, DeCrescente provided the attached draft Letter of Intent ("LOI") which provides for, among other terms, a ten (10) year lease of the Boilerhouse property at an annual payment of \$7,687.00;

Now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to enter into discussions with DeCrescente and negotiate a lease of the Boilerhouse property based upon the attached draft LOI; and be it further

RESOLVED, that when the Town Board approved of the Lease, the Resolution authorizing the lease of the property is subject to a permissive referendum pursuant to NYS Town Law §§64 and 220, and in the manner prescribed in Sections 90 through 94 of the Town Law; and be it further

RESOLVED, that the Town Clerk is hereby directed to publish a Notice of the Adoption of Resolution to Accept the Lease of the Boilerhouse Property in both the *Mechanicville Express* and the *Schenectady Gazette* as required by law.

Motion by Councilman Baker and seconded by Councilman Petronis to adopt Resolution #100 of 2013.

A roll call vote was taken on Resolution #100 of 2013 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilman Petronis	YES
Councilwoman Whitman	YES
Councilwoman Bruno	YES

Motion carried. Resolution #100 of 2013 was adopted unanimously.

**Resolution #101 Setting a Public Hearing to Consider
Changes to the Ethics Code**

Introduced by: Supervisor Kinowski

WHEREAS, the Board of Ethics has recommended a change to the Ethics Code regarding the annual disclosure forms; and

WHEREAS, changes to the legislation will require a public hearing;

Now, therefore be it

RESOLVED, that a public hearing is hereby set for November 7, 2013 at 7:00 p.m. at the Stillwater Town Hall, 881 Hudson Avenue, Stillwater, New York 12170 to consider Local Law No. ____ of 2013, Local Law Amending Local Law No. 1 of 2010 and amended by Local Law No. 9 of 2010 regarding the Town's Ethics Code; and be it further

RESOLVED, that the Town Clerk is directed to publish the appropriate Notice of Public Hearing.

Motion by Councilman Baker and seconded by Councilman Petronis to adopt Resolution #101 of 2013.

A roll call vote was taken on Resolution #101 of 2013 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilman Petronis	YES
Councilwoman Whitman	YES
Councilwoman Bruno	YES

Motion carried. Resolution #101 of 2013 was adopted unanimously.

**Resolution #102 Authorizing a Title Search/Abstract to be
Conducted on the Mullah Hill Property**

Introduced By: Supervisor Kinowski

WHEREAS, the Town Board wishes to ascertain the precise property rights for the land commonly known as the Mullah Hill property; and

WHEREAS, it is necessary to obtain a title search and/or abstract to be conducted by a local title insurance company;

Now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the attorneys for the Town to engage a title search/abstract company to perform a search and/or abstract on the property commonly known as Mullah Hill property at a cost not to exceed \$1,000.00.

Motion by Councilman Baker and seconded by Councilman Petronis to adopt Resolution #102 of 2013.

A roll call vote was taken on Resolution #102 of 2013 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilman Petronis	YES
Councilwoman Whitman	YES
Councilwoman Bruno	YES

Motion carried. Resolution #102 of 2013 was adopted unanimously.

Resolution #103 **Setting a Public Hearing Regarding 2014 Budget**

Introduced by: _____ Supervisor _____

WHEREAS, Supervisor Kinowski has recommended that a Public Hearing be set for taking public input on the proposed 2014 Budget;

Now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for November 7, 2013, at 7:00 p.m. at Town Hall 881 Hudson Avenue, Stillwater, New York, to receive comments from the public regarding the proposed 2014 Budget; and be it further

RESOLVED, that Town Clerk is hereby directed to publish appropriate notice of the public hearing.

Motion by Councilman Baker and seconded by Councilman Petronis to adopt Resolution #103 of 2013.

A roll call vote was taken on Resolution #103 of 2013 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilman Petronis	YES
Councilwoman Whitman	YES
Councilwoman Bruno	YES

Motion carried. Resolution #103 of 2013 was adopted unanimously.

Councilman Petronis

Bonuses: Councilman Petronis brought up to the Town Board for review to give Highway Employee Jim Marshall a \$5,000 bonus for work, above & beyond his duties, on the new Town Hall.

Councilwoman Whitman commented that another employee also worked alongside J. Marshall.

After a lengthy discussion on singling out one employee to receive a bonus Attorney Trainer was asked to research this.

Supervisor Kinowski

Parks: Supervisor Kinowski gave a brief update on Glen Hollow Park and Browns Beach.

Budget Workshop: Supervisor Kinowski inquired as to what would be a good time to set up a budget workshop.

The consensus was to have the budget workshop on October 29th at 6:00 PM.

Executive Session: Supervisor Kinowski requested executive session to discuss contractual.

Public Input

Karen L commented on property maintenance codes and how sometimes they can create problems for homeowners.

Karen L inquired if there would be a problem putting up temporary signs around the Town promoting the Community Center and if a flyer could be placed in the Towns next newsletter.

Supervisor Kinowski stated there would be no problem putting up temporary signs or placing a flyer in the next newsletter.

Art F commented on the bonus idea. He stated that everyone does a good job and was not in favor of bonuses

Supervisor Kinowski spoke on an award program incentive.

Art F stated that if they were going to give bonus give to all not just one.

Audited Claims

Motion by Councilwoman Bruno and seconded by Councilwoman Whitman to pay the audited claims.

General	#384-#403	\$3,032.85
Town Outside	#187-#207	\$18,233.25
Highway	#385-#409	\$34,857.50
Water & Sewer	#54-#62	\$1,504.53
Capital Projects	#52	\$1,396.08

Motion carried.

Motion by Councilman Petronis and seconded by Councilman Baker to adjourn the meeting at 8:05 pm and enter into executive session. **Motion carried.** (Note: the Town Board will not go back into the regular board meeting.)

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk