

**Stillwater Town Board
Business Meeting
February 19, 2009 7:00 PM
Stillwater Town Hall**

Present: Councilman Artie Baker
Councilman Ken Petronis
Councilwoman Lisa Bruno
Supervisor Shawn Connelly

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

Absent: Councilwoman Virginia Whitman

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

Sue Cunningham, Town Clerk took the roll call.

Attorney Trainor at this time gave a brief statement on Water District # 4 ruling from the Supreme Court.

7:00 PM Public Hearing (Local Law--Residency)

Purpose: *The purpose of the public hearing is to offer the public the opportunity to comment on a proposed Local Law expanding the geographical area for residency of the Town Building Inspector/Code Enforcement Officer.*

Supervisor Connelly called the public hearing to order.

Public Input

John V. spoke against the proposed Local Law and stated that it was illegal for the Board to do this.

With everyone having the opportunity to be heard Supervisor Connelly declared the public hearing adjourned at 7:20 PM.

Business Meeting

Adoption of Minutes: Motion by Councilman Baker and seconded by Councilwoman Bruno to adopt the minutes of the January 15, 2009 Business Meeting of the Stillwater Town Board.

Motion carried.

Communications: none

Public Input

Resident I inquired as to the next step of the Town Board relating to Water District #4, where the Town Board stands in regard to the Judges decision, if there would be a form to fill out for tax rebate on monies already paid and commented on the formulas used.

Supervisor Connelly stated that the Town Attorney will look into the decision handed down and advise the Town Board accordingly.

Resident II commented on Water District #4, how he already had water when he was put in this district, and commented that the Board should be more in touch with the residents than just advertising a legal notice. He also inquired about the town outside portion of the tax bill and tax increases.

Supervisor Connelly stated that the Town outside tax is an amount that had to be budgeted to cover the principle & interest payments for work that was bonded through the prior administration

Resident I stated that during the informational meeting 90% were against the water district but the Board passed it, special consideration was to be given for the lay of the land which didn't happen, and that residents in the district were misled.

Resident III inquired about the calculation of Water District #3 and #4 being the same and what effect does the decision of water District #4 have on District #3.

Attorney Trainor stated that the appeal was denied so therefore Water District #3 is over and has no role in the current decision.

Resident III inquired about 5 Campbell Road in regard to the grant application, Resolution #24 & #29 and requested that the Supervisor recuse himself from voting on Community Center items that might involve his wife who is a member of the Community Center board.

A discussion was held on the house that sat on 5 Campbell Rd and how it was not covered under the original grant but was submitted under a different grant.

Councilman Baker stated that he would be requesting Resolution #24 be pulled or tabled indefinitely.

Supervisor Connelly stated that Resolution #29 was dealing with a grant that was awarded to the Community Center. The grant is a reimbursement grant which means they need to spend the money first than submitted those for reimbursement.

Resident IV stated that she has a parcel on the County tax auction and in light of the judge's decision regarding water District #4 she requested that the Supervisor request that this parcel be pulled off the auction.

Resident V inquired as to the status of the water in regard to the PCB's and if any money from the stimulus package the President signed could be used towards hooking into the County.

Supervisor Connelly stated that the EPA informed the Village to use filters on their water system and that he will look into the stimulus monies.

Councilman Baker stated that they will be having a special meeting in the future to consider combining all districts, how to go and the cost involved.

Further discussion was held.

Resident VI commented on Water District #4 in regard to the directions that the line has gone.

Resident III asked if the Town is collaborating with the Village on the water issue and inquired if they connect with the County will Van Ness Road be stable enough to install a water line.

Supt Minick stated that the line would be put in on the south side and will have no impact on the north side of the road.

Resident VII commented on the trailer park relating to his fence being on Town property and that the Town lost the property so therefore PNL owns the property.

Resident VIII inquired on the amount the Town has spent on the Water District #4 lawsuit over the last four years.

Supervisor Connelly stated that he did not know the amount that has been spent.

Resident VII commented on the codification

Attorney Trainor stated that the codification will need to be updated with the new Local Laws that are before the Board this evening.

Action Items (Resolutions #15 thru #33)

Resolution # 15 – Adopting Local Law No. ____ of 2009 to Expand the Geographical Area for Residency of the Town Code Enforcement Officer.

Resolution #16 – Authorizing to Deposit Capital Reserve into an Interest Bearing Account.

Resolution #17 – Amending Resolution No. 163 of 2008 to re-number the Local Law regarding Peddling and Solicitation.

Resolution #18 - Adopting Local Law _____ of 2009 regarding Rules for Public Access to Records

Resolution # 19 - Adopting Local Law _____ of 2009 regarding the conduct of Town Board Meetings.

Resolution #20 - Adopting Local Law _____ of 2009 regarding Adoption of a Town Code.

Resolution #21 - Adopting Local Law _____ of 2009 A Local Law Amending Local Law No. 5 of 2004 regarding fines for violation of the Animal Control Law.

Resolution #22 - Appointing Sara Kipp to the Ethics Board to Fill a Vacancy.

Resolution #23 – Requesting additional Escrow Fees Regarding the AMD Project.

Resolution #24 – Authorizing the upgrade to the Computer System at the Stillwater Area Community Center.

Resolution #25 - Authorizing the Supervisor to Sign a Retainer Agreement with Dreyer Boyajian, LLP Regarding the EPA/GE Dredging.

Resolution #26 – Authorizing the Supervisor to Sign an Intermunicipal Agreement with the Other Municipalities for Litigation.

Resolution #27 – Authorizing the installation of Stop Signs at Fitch/Cold Springs Road/Joyce Road Intersections

Resolution #28 - Adopting the Town Wide Final Environmental Impact Statement.

Resolution #29 - Approve Landlord's Release and Consent for Stillwater Area Community Center.

Resolution #30: Authorizing the Attorney for the Town to execute the necessary legal documents to settle the judicial proceeding entitled Haddad v. Town reducing the 2008 assessed value of property.

Resolution #31: Appointing Joseph A. Benamati, MD as the Town Health Officer for 2009.

Resolution #32: Authorizing the installation of Stop Signs at Fitch/Cold Springs Road/Joyce Road Intersections

Resolution #33: Authorizing the Chazen Companies to evaluate a possible Saratoga County Water Authority Water System Connection to the Town of Stillwater.

Motion by Councilman Baker and seconded by Councilwoman Bruno to table Resolution #24 indefinitely. **Motion carried.**

Motion by Councilman Petronis and seconded by Councilman Baker to table Resolution #27 indefinitely. **Motion carried.**

Councilwoman Bruno requested Resolution #29 be pulled for discussion and a separate vote.

Motion by Councilwoman Bruno and seconded by Councilman Baker to adopt Resolutions #15, #16, #17, #18, #19, #20, #21, #22, #23, #25, #26, #28, #30, #31, #32, & #33.

A roll call vote was taken as follows:

Councilman Baker	Yes
Councilman Petronis	Yes
Councilwoman Bruno	Yes
Councilwoman Whitman	Absent
Supervisor Connelly	Yes

Motion carried. Resolutions #15, #16, #17, #18, #19, #20, #21, #22, #23, #25, #26, #28, #30, #31, #32, & #33 were adopted unanimously. (Copies attached and made part of the minutes)

Resolution #29 (Approve Landlord's Release and Consent for SACC.)

Motion by Councilman Petronis and seconded by Councilman Baker to adopt Resolution #29.

Discussion: Councilwoman Bruno inquired in to the Towns risk in doing this, if when the money comes in it will be paid directly towards the debt and if another organization came in would they do the same thing for them.

Councilman Baker stated that it was a line of credit for a certain length of time and when the money comes in it will go directly towards the debt.

Supervisor Connelly stated that he would do this for another organization if the Town owned the building.

A roll call vote was taken as follows:

Councilman Baker	Yes
Councilman Petronis	Yes
Councilwoman Bruno	Yes
Councilwoman Whitman	Absent
Supervisor Connelly	Yes

Motion carried. Resolution #29 was adopted unanimously. (Copy attached and made part of the minutes).

Motion by Councilman Baker and seconded by Councilman Petronis to pay the audited claims.

General	#94-#115	\$13,197.45
Highway	#80-#105	\$94,951.36
Town Outside	#1-#25	\$7,446.76
Capital Projects	#15-#18	\$8,975.78
Water & Sewer	#9-#10	\$243.00

Motion carried.

Motion by Councilman Petronis and seconded by Councilman Baker to adjourn the Business meeting of the Stillwater Town Board at 8:25 PM. **Motion carried.**

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk