

**Stillwater Town Board
Agenda Meeting
March 5, 2009 7:00 PM
Stillwater Town Hall**

Present: **Councilman Artie Baker
Councilwoman Lisa Bruno
Councilwoman Virginia Whitman
Supervisor Shawn Connelly**

Also Present: **Sue Cunningham, Town Clerk
Mark Minick, Supt of Highways
Jim Trainor, Attorney for the Town**

Absent: **Councilman Ken Petronis
Joe Lanaro, Engineer for the Town**

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

Sue Cunningham, Town Clerk took the roll call.

Motion by Councilman Baker and seconded by Councilwoman Whitman to adopt the Minutes of the February 5, 2009 Agenda Meeting of the Stillwater Town Board. **Motion carried.**

Communications: Sue Cunningham, Town Clerk stated that a packet of information was received for the Town Board in regard to the proposed Esplanade project.

Reports: *(Town Board & Dept Heads)*

Supervisor Connelly

EPA: Supervisor Connelly reported that the lawsuit was filed against the EPA, GE and the head of the EPA February 25th. As of today there has been no response to the lawsuit.

The EPA meeting held at the Stillwater Central School was very well attended. Assemblyman Jordan and Senator McDonald were in attendance and spoke on behalf of the Village and Town of Stillwater to receive a new water supply prior to the start of dredging.

Stimulus Packet: Supervisor Connelly stated that a copy of the stimulus packet will be available in his office if anyone is interested reading the document.

HUD: Supervisor Connelly reported that an audit was done on the HUD program which came back with no deficiency.

AMD: Supervisor Connelly is now being called Global Foundaries and will be breaking ground within the next two months.

Esplanade: Supervisor Connelly reported that a project is proposed that is primarily located in the City of Mechanicville and a small portion of Stillwater on Route 4 & 32 at the entrance of the Town. The concept is comprised of housing, retail shops, office space, entertainment venues, dining, indoor & outdoor recreation and service establishments.

Councilman Baker

Councilman Baker had nothing at this time.

Councilwoman Whitman

EPA Lawsuit: Councilwoman Whitman inquired if the Town Attorney recommended the Attorney hire for the lawsuit.

Attorney Trainor stated that they did recommend the Attorney.

Personnel Policy: commented on the issue regarding the personnel policy in regard to CSEA. She stated that the policy clearly states on the front cover that the Highway & police Contract supersedes this policy. It is intended for internal use only. She contacted the Saratoga County Personnel Director who did not understand why CSEA would be involved when it did not involve union employees.

Attorney Trainor stated they thought they should be involved with the process.

Cusack & Company: Councilwoman Whitman inquired as to the status of the contract with the auditors.

Attorney Trainor stated that he waiting for a copy of the prior contract.

Cell Tower Lease: Councilwoman Whitman inquired as to the status of the cell tower lease.

There was nothing to report at this time.

Ethics Committee: Councilwoman suggested that since they have appointed a new member, they recommend to the ethics committee, the committee hold quarterly meetings and appoint a chairperson.

Sewer District #3: Councilwoman Whitman stated that she received an email from a resident on top of Viall Ave regarding establishing a Sewer District.

Supt Minick stated that this has been reviewed and it was found that the cost was high and the people turned it down twice.

Water District #4: Councilwoman Whitman questioned the next step & options of the Town Board.

Attorney Trainor stated that that the reiterated that the decision applied was for two people and limited to the calculation for those properties.

Tax rates: Councilwoman Whitman inquired as to how many calls have been received about the tax rates.

Supervisor Connelly stated that most calls have been in regard to SLIPID and Saratoga County Sewer around the lake.

AMD: Councilwoman Whitman inquired as to when monies from AMD would be received.

It was stated that according to the PDD it would be when ground breaking began which would possibly be during the summer.

Councilwoman Bruno

Library: Councilwoman Bruno reported that the library has reopened and that they will be celebrating their 60th Birthday in August.

Clean Up Day: Councilwoman Bruno reported that the first clean up day will be May 30th from 7 AM to 2PM.

Attorney for the Town (James P Trainor)

Resolutions: Attorney Trainor stated that there were two additional Resolutions before the Board this evening and proceeded to explain them.

CSR: Attorney Trainor reported that the closings for CSR were coming along.

Councilwoman Whitman questioned Resolution #36 and if it was proposing to connect Water District #3 & #4.

Supervisor Connelly stated that it was to act as lead agency for the SEQRA evaluation in connecting to the Saratoga County Water Authority and consolidation of the existing water districts.

Councilman Baker inquired about the Murley easement.

Attorney Trainor reported that the thirty day deadline has expired and he is preparing the paper for litigation to take the property.

Councilwoman Bruno requested having the resolutions in a more timely fashion.

Discussion was held on the time table for resolutions.

Town Clerk (Sue Cunningham)

Sue Cunningham, Town Clerk stated that she already submitted her monthly report to the Town Board.

911 Coordinator (Drew Walts)

Guidelines: Drew Walts suggested that the Town put 911 guidelines and standards in place.

Task Force: Drew Walts has been working on a joint task force with the Village in regard to 911 numbering.

Drew Walts reported that he has been addressing Gurba Drive and CSR in regard to renumbering.

A discussion was held on how the change of address works.

Public Input

Resident I commented on the Code Book, Local Laws and how he feels that some of the local laws are illegal.

Resident II submitted a letter to the Town Board in regard to having a parcel taking off the County Tax auction.

Councilman Baker stated that it was the consensus of the Town Board at the last meeting to have the parcel removed.

Supervisor Connelly stated that if it was the consensus of the Board he would request the parcel to be removed.

Resident III inquired if the Town bought property on Farley Rd., inquired on the status of the Water District #4 lawsuit and commented on discussion regarding the litigation of Water District #4 not being discussed in open.

Supervisor Connelly stated that there was a misprint in the paper regarding the property on Farley Rd and a retraction was made the next day.

Attorney Trainor stated that Water District #4 is an active litigation matter and they would not discuss their strategy in public.

Discussion was held on litigation and public involvement.

Resident IV inquired about the Boilerhouse meeting being held at the Town Hall.
Supervisor Connelly stated that it was a final closeout meeting
Discussion was held on the final cost and what can be done with the property.

Resident V inquired if their was training available for the ethics committee, networking at the Community Center, FEMA reimbursement, Resolution #36 & #37.

Supervisor Connelly stated that the resolution regarding networking at the Community Center was tabled at the last meeting.

Councilwoman Whitman gave a brief explanation of the 2009 tax increase.

Supt. Minick stated that FEMA pays only for overtime of the men, equipment use and and that the Multi Use Trail would be included in the clean up.

Supervisor Connelly stated that the Resolution #36 was just appointing the Town as Lead Agency so they can move forward and Resolution #37 would not involve Town money it would be funded by an escrow.

Resident IV inquired how the use of equipment was calculated for FEMA.

Supt Minick stated that it was by man hours.

Discussion was held on the equipment & its use.

Resident VI commented on Water District #4 and how eventually it could supply water to the Village of Stillwater. He stated that there have been problems with the Village for several years back.

Discussion on the problems of retaining water from the Village, measurements to repair the problems and Mechanicville not being able to supply water to Water District #1 was held.

Resident VI commented on the personnel policy and why CSEA would be involved when it referred to nonunion employees.

Supervisor Connelly stated that CSEA stated that it is part of collective bargaining contract and they should have been involved. They felt some of the words in the policy referred to the Highway Dept and that would be considered collective bargaining. If the policy was not meant for the Highway or Police Dept than references of those Departments should not have made towards those Departments.

Discussion was held on the policy.

Agenda Items: (Resolutions #34 thru #37)

Resolution # 34: Reappointing Francis Zagorski as the Chairperson of the Board of Assessment Review for the Town of Stillwater for a term of fives years running from January 1, 2009 to December 31, 2013.

Resolution #35: Authorizing the Supervisor to sign the Declaration of Covenants, Conditions and Restrictions acknowledging that LFTCEDC and/or AMD have satisfied the PDD requirements.

Resolution #36: Proposing connection to the Saratoga County Water Authority & consolidation of Water Districts 1, 3, & 4.

Resolution #37: Establishing an Escrow fund for Esplanade Zone Change/Site Plan Review.

Motion by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolutions #34 thru #37.

Roll call was taken as follows on Resolutions #34 thru #37:

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

Motion carried. Resolutions #34 thru #37 were adopted unanimously. (Copies attached and made part of the minutes).

Audited Claims:

Motion by Councilman Baker and seconded by Councilwoman Whitman to pay the audited claims

General	#115--#133	\$8,667.05
Highway	#106--#124	\$89,753.98
Town Outside	#26--#32	\$5,948.79
Water & Sewer	#11--#14	\$375.05
Capital Projects	#19--#21	\$30,046.08

Motion carried.

Motion by Councilman Baker and seconded by Councilwoman Bruno to adjourn the Agenda Meeting and go into executive session to discuss active litigation.

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk