

**Stillwater Town Board
Agenda Meeting
April 2, 2009 7:00 PM
Stillwater Town Hall**

Present: Councilman Artie Baker
Councilman Ken Petronis
Councilwoman Lisa Bruno
Councilwoman Virginia Whitman
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
Ray Abbey, Bldg Inspector/Code Enforcement

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

Sue Cunningham, Town Clerk took the roll call.

Adoption of Minutes: Motion by Councilman Baker and seconded by Councilwoman Bruno to adopt the minutes of the March 5, 2009 Agenda meeting of the Stillwater Town Board. **Motion carried.** (1 abstention-Petronis)

Communications: There were no communications to report

Reports Town Board Members & Dept. Heads.

Supervisor Connelly

Police: Police department now has a plate reader. Chief Latham had gone out after a grant for this and we now have it installed on one of the police cars.

Esplanade: Esplanade Project is moving ahead, The Town Board will have any comments from the Planning Board by our next meeting and then we will have to make a decision on the zoning change for the project from Industrial to Mixed Use.

AMD: AMD closing with the Luther Forest Tec Park should be within the next 2 weeks; at that point they will be able to start clearing the land for the construction to start in mid summer.

EPA: There has been nothing new on the EPA and PCB's other then the lawsuit that was filed will be heard May 8th in Utica.

I received several calls from people on Wrights Loop that the DOH came in and took water samples of their private wells and are having them tested. I am glad to see that the DOH is looking out for the residents that do not have Village water and use private wells. I have asked one of the residents to call me when he gets the results.

Councilman Baker

Community Center: Councilman Baker reported that the Community Center has received a grant through Senator Roy McDonald for \$5,000 to purchase T ball equipment.

Cambridge Court: Councilman Baker commented on a problem in regard to 23 Cambridge Court and stated that he would like to be informed when the situation is addressed.

Parks & Recreation: Councilman Baker requested when the new highway employee for parks is freed up that he repaint the lines of the basketball court in Riverside Park.

Councilman Baker stated that he would be cleaning up the Multi Use Trail on Saturday so people could start walking the trail.

Resolutions:

Parks & Rec: Councilman Baker requested a resolution authorizing the Highway Dept to build a pavilion up in the Glen Hollow Park. The cost would only be for materials.

Sewer-Viall Ave: Councilman Baker requested a resolution to proceed with the updating of the map, plan & report for sewer on top of Viall Ave. Councilman Baker asked Mr. Belmonte, a resident of Viall Ave, to circulate a petition to other residents in the area to make sure that is what the other residents want.

A discussion was held on the number of signatures, applying for stimulus money for the project and the pump station.

Joe Lanaro went over the revisions of the map, plan & report and what needs to be done.

Councilman Petronis

Highway: Councilman Petronis reported that the new tractor for Parks & Recreation has come in. Councilman Petronis reported that the sweeper has broken down.

Councilman Petronis commented on the highway union contract in regard to when they will start negotiations.

A discussion was held on whether they should have special representation for the negotiations.

Police: Councilman Petronis reported that the plate reader for the police has been installed, they have been using it and it is working well.

Councilman Bruno

Historians Office: Councilman Bruno stated that she has managed obtain a member item for \$10,000 to go towards climate control in the Historian's Office.

Assessment: Councilwoman Bruno inquired about an assessment issue that was brought to her attention.

Attorney Trainor stated that this was part of litigation and requested executive session to discuss the matter.

Councilman Whitman

Political Parties: Councilman Whitman commented on a topic that was brought up by a resident involving political parties of the Town Board and stated that political parties was not a topic of conversation at Town Board meetings.

Resolutions:

Blockhouse parking: Councilwoman Whitman commented additional parking for the Blockhouse Park.

A discussion was held in regard to payment being made to the food pantry and because of the economic times the owner of the property requested that the Board make an offer.

It was decided to make an offer of \$300 for the additional parking.

Day at the Races: Councilwoman Whitman stated that a date of August 23, 2009 has been confirmed and this there was no cost to the taxpayers for this event.

Town Signs: Councilwoman Whitman commented that due to the economic times it has been decided to only order one new sign this instead of the original plan of three. The sign would be installed at the top of Viall Ave.

Sales Tax: Councilwoman Whitman reported that sales tax is down 6 1/2% which will affect Town Outside and the Highway Dept. and was unsure of the mortgage tax.

Ethics Committee: Councilwoman Whitman reported that the ethics committee has met and appointed James Bell as the Chairperson.

Property Maintenance: Councilwoman Whitman inquired about property maintenance in particular to Brown's Beach.

A discussion was held on this and it was noted that the code enforcement officer has sent letters to the owners regarding this matter.

Capital Projects: Councilwoman Whitman stated that she sat in on the capital projects meeting and requested that the Supervisor set up a meeting joint meeting between the Town & Village Board Members to openly discuss matters of concern.

Supervisor Connelly stated that he would try to set something up.

Attorney for the Town (James P. Trainor)

CSR: Attorney Trainor reported that the closing for the Cold Springs Road Project were progressing.

Litigation: Attorney Trainor requested executive session to discussion litigation matters.

Councilwoman Bruno inquired if there was anything to report on water district #4.

Attorney Trainor stated that the litigation is still pending in three courts and that there was no decision to make yet.

Attorney for the Town (Joe Lanaro)

Engineer Lanaro submitted an Engineer report for the Board to review and gave a brief overview of the report. (A copy of the report can be viewed in the Town Clerks office).

Councilman Baker inquired about the Shared Municipal Service Grant.

Engineer Lanaro stated that the State has signed all contracts so they are authorized to proceed.

Councilwoman Whitman inquired about the methane gas issue in Turning Point.

Engineer Lanaro stated that protocol is being followed.

Supt of Highways (Mark Minick)

Resolutions: Supt Minick requested the following resolutions:

1. Supt Minick requested a resolution to proceed to have Overhead Doors replace the doors at the Highway garage.

Councilman Bruno requested to see the three quotes received.

2. Supt Minick requested a resolution to update the Highway Specs.
3. Supt Minick requested a resolution to place out to bid to pick up the brush on the State roads.

Brush Clean-up: Supt Minick reported that the Highway Dept has already gone through the Town once and picked up brush and the FEMA money allows them to go through twice. They are starting the second round and should be done within two weeks of the brush clean up. He commented that the State is only picking up what they feel fell on right of way.

CSR: Supt Minick reported that the sewer project should be starting anytime and that sections of the road will be closed during construction.

County Rd 76: Supt Minick stated that the County will be doing reconstruction on County Rd 76 from the Corner of County Rd 75 & County Rd 76 to Route 9P.

Town Clerk (Sue Cunningham)

Sue Cunningham, Town Clerk had nothing at this time.

Public Input

Resident I commented on the proposed Town & Village joint meeting, the Boilerhouse meeting being the same night as an Emergency Management, the Supervisor's five year tax plan in regard to how much taxes went up, Community Center budget and the methane gas issue in Turning Point and the wood & wood chips on George Thompson Rd.

Supervisor Connelly explained that the meeting date for the Boilerhouse closeout was decided by DEC, stated that the taxes went up approximately 6% in the A fund & 20 % in Highway, and informed her of the developer and builders of Turning Point.

Sup't Minick stated that the wood will be used at the highway garage for heating and the wood chips would go to a state approved site.

Resident II cautioned the Town Board when entering into negotiations with the Highway Union contract. He stated that the union has professionals negotiating and if the Town decided to hire a professional to negotiate it pay off at a later date.

Resident III commented on a letter Councilwoman Bruno gave him from the Attorney Generals Office not proving the Town Board was in compliance regarding Code Enforcement residency and complained of trailers that needed to be moved out of Saratoga Hills or expired building permits in Saratoga Hills.

Resident IV inquired why some of the Town roads were not marked down the center, why they didn't put the proposed pavilion out to bid if the Highway Dept was so busy, what can be done with the Boilerhouse property and why other department weren't required to read their own reports.

Supt Minick stated that less traveled roads weren't marked and heavy traveled roads were marked.

Supervisor Connelly stated that the cost of the pavilion would be less expensive if the Highway Dept built the pavilion.

A discussion was held in regard to the Boilerhouse property, what they have considered putting there and the Brownfield grant.

Resident V commented on Water Dist #4 and the Hydro Plant.

Attorney Trainor stated that there are two issues before the courts and they just have to let the issues run its course through litigation.

Action items (Resolutions #49)

Resolution #49: Scheduling a public hearing on April 16, 2009 at 7:00 Pm for Empire Warehousing Corp. regarding the Esplanade Project.

Motion by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #49.

A roll call vote was taken on Resolution #49 as follows:

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

Motion carried. Resolution #49 was adopted unanimously. (Copy attached and made part of the minutes).

Motion by Councilman Baker and seconded by Councilwoman Bruno to amend Resolution #34 of 2009, passed on March 5, 2009, to change the term dates from September 30, 2013 to December 31, 2013 to coincide with an approximate five (5) year term. **Motion carried.**

Audited claims

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

General	#158--#176	\$5,072.57
Highway	#146--#158	\$4,137.74
Town Outside	#37--#39	\$1,611.72
Water & Sewer	#18	\$198.50
Capital Projects		

Motion carried.

Motion by Councilman Baker and seconded by Councilman Petronis to adjourn the regular meeting and enter into executive session for litigation matters at 8:35pm. **Motion carried.**

Motion by Councilman Baker and seconded by Councilwoman Whitman to resume the regular meeting at 9:10 PM. **Motion carried.**

Motion by Councilman Petronis and seconded by Councilman Baker to adjourn the Stillwater Town Board meeting at 9:10 PM. **Motion carried.**

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk