

**Stillwater Town Board**  
**Business Meeting & Public Hearing**  
*Esplanade Project--rezoning*  
**April 16, 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**  
                      **Ray Abbey, Bldg Inspector/Code Enforcement**  
                      **James Trainor, Attorney for the Town**  
                      **Joe Lanaro, Engineer for the Town**

**7:00 PM      Public Hearing**

***Purpose:***      ***The purpose of the Public Hearing is to afford the public the opportunity to comment on the proposed application that has been submitted to the Stillwater Town Board to consider redesignating a portion of property along Route 4, SBL #262-1-10, from Industrial Zone to a Mixed Use Zone.***

Supervisor Connelly called the public hearing to order.

Sue Cunningham, Town Clerk took the roll call.

Sue Cunningham stated for the record that proper notification of the public hearing was published.

Ken Green of Logistics One spoke on behalf of the applicant Empire Warehousing Corp. He commented that an application has been submitted to the Town Board to consider redesignating a portion of property along Route 4 from Industrial Zone to a Mixed Use Zone.

**Public Input**

Mike C. inquired as to the status of the moving the bus company.

Mr. Green stated that the City is ready to auction the property off and they are prepared to bid.

Terry S. questioned whether the site has been tested for contamination.

Mr. Green stated that they have an archeologist investigating from the beginning for artifacts and have completed Phase I & II of that study. He also proceeded to say that Phase I of an environmental study has been which they received a clean bill and did not to address the issue further.

A discussion was held on the process of an environmental study.

Art G. inquired as to the area which will be rezoned.

Supervisor Connelly stated up to the powerhouse.

Councilwoman Whitman questioned if any of the Route 4 Corridor Study was used for the traffic study.

Discussion on the traffic study and impact was held.

Attorney Trainor inquired if the drive-thru language was still in the plans.

Mr. Green stated that the drive thru was for a bank only, anything beyond that they would have to seek a special use permit.

Art F. inquired if anything would be done with the road conditions coming into the project.

Mr. Green stated that there are no road improvements required for the project but they are looking into make pedestrian improvements.

Jim C inquired as to the number of dwellings with no road improvements being done. Mr. Green stated that Route 4 is a State road, they are the ones who maintain the road and the condition of the State road has nothing to do with the project.

Discussion continued on the road conditions, improvements and traffic.

Councilman Petronis commented that Best Ave across from the project needs widening and inquired if this was something that they can help with.

Mr. Green inquired if an Engineers report had been done on this and suggested that maybe they could put a team together and look at the situation.

Attorney Trainor inquired if they were looking for a zoning change prior to going before the Planning Board for Site Plan or were they looking to do things simultaneously before both Boards.

Mr. Green stated that they are still getting SEQRA approval from the City of Mechanicville and should have this by April 27<sup>th</sup> or 28<sup>th</sup>. He also stated they would appreciate any accommodations that Stillwater was to offer.

Supervisor Connelly inquired if the City of Mechanicville could supply enough water & sewer.

Mr. Green stated that a City wide water study has been done but he has not received a copy yet but feels there will be sufficient water. He also stated that with the sewer they would have to relocate sewer lines and upgrade the pumping station.

With everyone having the opportunity to comment on the proposed zoning change Supervisor Connelly declared the public hearing closed at 7:30 PM.

**Motion** by Councilwoman Whitman and seconded by Councilwoman Bruno to resume the regular business meeting of the Stillwater Town Board. **Motion carried.**

**Adoption of Minutes: Motion** by Councilman Baker and seconded by Councilman Petronis to adopt the minutes of March 19, 2009 Business Meeting of the Stillwater Town Board.

#### **Reports (Town Board)**

##### **Councilwoman Whitman**

**Jib Dr.:** Councilwoman Whitman inquired if the Town Board should act on the Planning Board recommendations.

Attorney Trainor clarified the Boards options but ultimately he recommended that the Town Board wait to see if the applicant amend its application or appeals the decision.

**Ethics Board:** Councilwoman Whitman stated that a Town Board member needs to be appointed a liaison needs to be appointed between the Ethics Board and Town Board.

**Motion** by Councilman Baker and seconded by Councilwoman Bruno to appoint Councilwoman Whitman to act as liaison between the two Boards and Supervisor Connelly as alternate. **Motion carried.**

**Community Center:** Councilwoman Whitman inquired about the Landlord's Release and Consent for Stillwater Area Community Center Resolution that was approved in February. Supervisor Connelly 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.

**Weatherization program:** Councilwoman Whitman commented on the weatherization program through the County if any resident was interested in looking into the program to see if they were eligible.

##### **Councilwoman Bruno**

**Highway Contract:** Councilwoman Bruno requested that the supervisor contact the Town Insurance negotiator to obtain three quotes on health insurance for when they begin the Highway Contract negotiations.

##### **Engineer Lanaro**

Engineer Lanaro stated that he recently attended a YMCA function in which Attorney Trainor was recognized.

### **Supervisor Connelly**

Supervisor Connelly went over the additional Resolutions before the Board this evening that were not on the agenda.

Resolution #62: Declaration of Covenants, Conditions & Restrictions

Resolution #63: Authorizing the Highway Supt to grade & stone 5 Campbell Rd

Resolution #64: Authorizing the Supervisor to disburse \$3,000 to the Community Center for Family Day

Resolution #65: Authorizing the Supervisor to spend \$70 to purchase two plaques for recognition of the Stillwater Fire Dept.

Resolution #59: This resolution should read not to exceed \$7,500

Councilwoman Whitman stated that Resolution #58 should not read that the Highway Dept will install the new sign.

### **Public Input**

Resident I commented on the rules & regulations for the trailer park and how the park is not up to code in regard to the lots being marked, sewer, and road improvements. He stated that he has applied for Section 8 Housing and with out the park being up to code he will not be able to receive the assistance.

Supervisor Connelly stated that they will issue a letter to the owner of the park requesting the roads be improved.

Resident II questioned Resolution #59 as to whether they could get volunteers to build the pavilion, Resolution #60 as to where the Sewer Dist #5 is located and Resolution #61 and the amount for the additional parking.

Attorney Trainor stated that having volunteers build the pavilion could lead to an insurance issue.

Councilman Baker stated that Sewer Dist. #5 is on top of Viall Ave.

Supervisor Connelly stated that initially they talked about \$300 but in speaking with the owner \$400 is requested and the money will go to the food pantry.

Resident III questioned Resolution #61 as to whether it is appropriate spending, liability insurance and signage, Resolution #63 in regard to mowing instead of a parking lot, and whether the Supervisor could remain objective on Community Center issues when his wife is on the Board and why he was doing the interviews for the summer positions at the Community Center. Supervisor Connelly stated in regard to Resolution #61 they are covered with insurance and they have signage that will be put in place when the Blockhouse opens.

Councilman Baker stated that signage of no overnight parking and park at own risk-not responsible for stolen items will be put up at the Campbell Rd parking area.

Supervisor Connelly stated that he would excuse himself from voting on anything at the Community Center which would affect his wife.

Resident IV inquired if the Town Board has given any more consideration to putting a team together and hiring a labor negotiator when negotiating the Highway Contract this year.

Supervisor Connelly stated that they are looking into hiring a labor negotiator when it comes time to negotiating the new Highway Contract. He also commented that the Town Board should address the issue of bringing businesses to the Town in order to help the Homeowners who bare the brunt of the taxes.

Councilwoman Bruno commented that the negotiations should be a more open process once the negotiations are finished. The contract will be available for inspection prior to the Town Board voting on the contract.

A discussion was held on businesses, SEDC, AMD and the Multi Modal railway.

Resident V commented on Sewer District #5 and submitted a petition in support of the sewer district.

Resident VI inquired if the Town Board cleared things through CSEA prior to the Highway Dept building a pavilion in the Glen Hollow Park.

Supervisor Connelly stated that Supt Minick has no problem with having the Highway Dept build the pavilion.

Councilman Petronis stated that the Highway Dept has never refused doing extra work.

Resident III inquired about the park on Route 4 near the Battlefield, the reassessment of A. Mackey and when the Town & Village joint workshop would be. Councilman Baker stated that they are pursuing a roadway to be built in the Town Park. Attorney Trainor stated that the reassessment of A. Mackey is still in litigation. Supervisor Connelly stated that a proposed date of April 30<sup>th</sup> has been discussed but there is no definite date set yet.

Resident II questioned the status of Water Dist #4. Attorney Trainor stated that no decision has been made. Supervisor Connelly commented that Revolutionary Heights will be on in the fall which will bring down the debt for Dist. #4.

Resident VII commented on Water District #4 being created to improve services for more housing and asked why the developer wasn't charged for the improvements. Engineer Lanaro stated that Water District #4 was not formed for Revolutionary Heights and that Water District #4 ext #1 was formed for Revolutionary Heights. A discussion was held on the debt fee.

John Curtis, Highway Employee commented that Revolutionary Heights was originally going through the Village but the hydraulics couldn't support the extra service and that is why an extension off of Water District #4 was formed.

Resident VIII commented on the Community Center budget, the new gym, their rent, the number of police patrols in the Town and the weatherization program. Councilman Baker stated that the rent was based on the interest of the BOND, if the interest goes down the payment goes down.

**Agenda Items** (Resolutions #54 thru #65)

Resolution #54: allocating Funds for the Spring Town-Wide Clean up.

Resolution #55: Appointing a Custodian for the Town-Wide Clean up days.

Resolution #56: Authorizing the replacement of overhead doors at the Highway garage.

Resolution #57: Authorizing a disbursement for Town day at the races.

Resolution #58: Authorizing the purchase of a Town sign for Viall Ave and a decal for Route 4.

Resolution #59: Authorizing the Highway Department to build a Pavilion at the Glen Hollow Park.

Resolution #60: Authorizing Chazen Companies to update the map, plan & Report for Sewer District 5.

Resolution #61: Authorizing the Superintendent to enter into an agreement for additional parking for Blockhouse Park.

Resolution #62: Authorizing the Supervisor to sign the Declaration of Covenants, Conditions and Restrictions as modified by AMD.

Resolution #63: Authorizing the Supt of Highways to grade and stone the park at 5 Campbell Rd.

Resolution #64: Authorizing the Supervisor to distribute \$3,000 to the Stillwater Area Community Center for Family Day.

Resolution #65: Authorizing the Supervisor to purchase two plaques for recognition of Stillwater Fire Dept.

**Motion** by Councilman Petronis and seconded by Councilman Baker to adopt Resolutions #54 thru #65.

**Discussion:**

Resolution #54: Councilman Petronis commented on an amount being in the Resolution when you don't know what the fee will be until after the fact.

It was decided to take the amount out of the Resolution.

A roll call vote was taken on Resolutions #54 thru #65 as follows:

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

**Motion carried.** Resolutions #54 thru #65 were adopted unanimously. (Copies attached and made part of the minutes).

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

**Motion** by Councilman Baker and seconded by Councilwoman Bruno to adjourn the Stillwater Town Board Business meeting at 8:45 PM. **Motion carried.**

Respectfully submitted by

Sue Cunningham  
Stillwater Town Clerk