

**Stillwater Town Board  
Agenda Meeting  
May 7, 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  
Joe Lanaro, Engineer for the Town

**Absent:** Councilman Ken Petronis

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 Councilwoman Whitman and seconded by Councilman Baker to adopt the Minutes of the April 2, 2009 Agenda Meeting of the Stillwater Town Board. **Motion carried.**

**Special Presentation**

Randy Savage of American Energy Care, Inc gave a brief presentation on a completed Energy Audit Report that was completed on the Community Center.

Mr. Savage answered questions for the Town Board and residents in regard to energy savings, rebates, incentives, recommendations made to yield annual energy savings, going out to bid, cost of audit, prevailing wages and if local vendors would be used.

Attorney Cutler gave a brief update on the lawsuit filed against the EPA to provide the Town & Village with safe drinking water during the dredging of the Hudson River.

Discussion was held on the dredging, the water filters that have been put in place, testing and the change in the lawsuit from requesting an injunction on the dredging to requesting monies for a permanent source of water.

**Reports (Town Board & Dept Heads)**

**Supervisor Connelly**

**Birthday & Anniversary:** First and foremost I would like to wish Dorothy McClements a 100<sup>th</sup> birthday today and congratulate her on being the oldest Town Resident. I will be stopping at her birthday party Saturday to give her a Special Proclamation from the town at her birthday party Even know he is not here I would like to wish councilman Ken Petronis and his wife Rosie a Happy 54<sup>th</sup> anniversary

**Multi Use Trail:** I would like to thank the Highway Department for the nice job cleaning up the area that will be the parking for the Multi Use Trail on Campbell Road. It may now be used for parking for anyone that wishes to use the trail.

**Community Center:** We have been asked by the SACC board to remove the Gazebo in front of the center as it has become damaged and is turning into a late night hangout for kids and there have been several complaints from residents. The Highway Department has been asked to help remove it as soon as they can.

**Town & Village Joint Mtg:** The water and sewer meeting with the Town and Village was very informational and Mr. Basil explained that the village will be looking to make upgrades on both systems very soon. On Monday I met with the Mayor and was told that the fine they were given will be reduced to a 5 figure amount, and he also stated that he was told the village will not be getting any Stimulus Money. I plan on meeting asking the water committees of the village and town to set a time for another meeting to see if this changes the villages decisions to move

forward with both projects as this will cost them about 8 million dollars and none coming from stimulus.

Lastly the new carbon activated filters are up and running and I have been told that the DOH says we will be at PCB levels around 10 ppt. The testing will start daily and be cut back to once every other week. I have heard that the dredging may start as early as May 14<sup>th</sup> if everything is ready.

Local Laws: Supervisor Connelly stated that he will be requesting a couple of local laws for traffic infractions that mirror state laws and if the ticket is written under the Town law the Town would keep the monies.

### **Councilwoman Bruno**

Library: Councilwoman Bruno reported on the updates being made to the Stillwater Library such as; the walkway, siding, back deck landscaping and sign being donated by the woodworkers.

Clean Up Day: Councilwoman Bruno reported that May 30<sup>th</sup> will be the first scheduled Clean up Day.

Police Dept: Councilwoman Bruno reported that Jason Morrell completed his Academy training and reported on a new NYS mandate regarding fingerprints which Chief Latham is working on different funding sources for this.

Highway: Councilwoman Bruno requested several quotes for health insurance for when they start the highway contract negotiations.

### **Councilman Baker**

Parks & Recreation: Councilman Baker suggested that a special use permit for Town parks be put together in the case that someone wants to hold an event (Birthday party, ball practice, etc.) in the park.

Discussion was held on having to obtain a permit and if a fee should be charged. The consensus of the Board was having a permit would solve a lot of issues and there should be no fee charged.

Community Center: Councilman Baker reported that the annual Duck Derby would be May 16, 2009.

Town Sign: Councilman Baker reported that the new sign is up but there is a problem with where it's at.

### **Councilwoman Whitman**

2008 Audit: Councilwoman Whitman reported that the 2008 audit was completed the week of the 27<sup>th</sup> and thanked the bookkeeper for having everything ready and prepared for the auditors.

Revenue: Councilwoman Whitman stated that she had concerns with the B fund due to revenues being down with sales tax being down.

Star Enhancement: Councilwoman Whitman reported that the Star Program is continuing but the rebate check in the fall will be discontinued.

Revolutionary Heights: Councilwoman Whitman inquired about the full benefit assessment regarding water district 4 ext 1.

Engineer Lanaro stated that 1 unit per lot was created and they would pay full benefit assessment.

### **Supt of Highways (Mark Minick)**

Resolutions: Supt Minick requested a resolution to declare certain highway equipment as surplus.

Mowing: Supt Minick reported that the playgrounds and cemeteries have all been mowed once and they have been doing road side ditching.

LFTC: Supt Minick reported that the sewer line on Farley Road is moving along.

Saratoga Glen: Supt Minick reported that the island in Clubhouse Court is not complete and that it needs to be graded and reseeded.

Highway Specs: Supt Minick commented that he would like the highway specs for road dedication updated and ready for the next meeting.

### **Town Engineer (Joe Lanaro)**

Engineer Lanaro submitted a report to the Board and briefly went over the report. (Copy on file in the Town Clerks Office)

### **Town Clerk (Sue Cunningham)**

Monthly Report: Sue Cunningham, Town Clerk reported that she already submitted her report to the Board Members.

Resolutions: Sue Cunningham, Town Clerk commented on last minutes resolutions and the procedure that was put in place was not being followed. She also wanted it noted that last minute resolution not being on the agenda was of no fault of hers.

**Town Attorney** (James Trainor)

Cold Springs Road: Attorney Trainor gave a brief update on Cold Springs Road and that they would have to proceed with eminent domain proceedings.

Water District #4 Lawsuit: Attorney Trainor stated that there was no update to report.

Supervisor Connelly stated that there would be an additional resolution on top of what was handed to them prior to the meeting, Resolution #74 regarding the demolition of 12 High Street. Councilwoman Bruno requested better organization and communication regarding resolutions. She stated that she does not like voting on something that she has not had a chance to review prior to a meeting.

### **Public Input**

Resident I inquired about Resolution #52, #66, #67 and asked the Supervisor to summarize Resolutions #71, #72, #73, #74 which were not on the agenda. Resident I also inquired about the shared service grant; wood chips from the storm clean up, asbestos removal at the Community Center and the Gazebo on the Community Center lawn.

Supervisor Connelly stated that on the recommendation of the Attorney the Board was going to consider tabling Resolution #52, Resolution #66 was being considered on the recommendation of other Board members and from public input, Resolution #67 was for parking on the north end of Blockhouse Park and then proceeded to go over Resolutions #71, #72, #73, #74.

Supervisor Connelly stated that the money has just come in for the shared service grant and would be used to the cost of the study and the City Mechanicville is the lead agency in this matter. As for the Gazebo they are asking for the Highway to help in removing the gazebo and that it is in need of repair.

Resident II commented on the energy audit of the Community Center, what collateral would be put up for the loan, and if Town money would be used if the loan was defaulted on. A discussion was held on repayment of the loan, interest, how it would be paid back and why the director of the Community Center did not present the Town Board with information prior to the meeting rather than putting them on the spot.

Resident III inquired about the Town hiring a labor law attorney, Resolution #69 and the energy audit.

Councilwoman Bruno stated that hiring an Attorney will be part of labor negotiations with the Highway dept.

Engineer Lanaro stated that they are working with Creighton Manning Engineering to complete the project.

Resident IV commented on the loan for the energy audit and submitted an additional petition for sewer on top of County Rd 75.

Resident V commented on lot sizes and removal of trailers in Saratoga Hill Park.

Resident I inquired if the Community center debt has been paid off.

Supervisor Connelly stated that they were still waiting for reimbursement of \$4,000, owes approximately 7,000 and still has around \$3,000 of the loan to spend.

### **Agenda Items**

Resolution # 50 –Accepting a Proposal Regarding Contract Documents for Town Court Renovations.

Resolution # 51 –Modifying the Fee Schedule for Building, Planning and Development Applications. *(with attachment)*

Resolution # 52 – Brownfield Opportunity Areas Program lead Applicant

Resolution # 53 –Honoring Lt. Col. Mark Cepiel on his Promotion

Resolution # 66 – Authorizing the Supervisor to execute a retainer agreement for Engaging Labor Law Attorneys.

Resolution # 67 – Authorizing the Supervisor to sign an Indemnification for Blockhouse Parking.

Resolution # 68 – Approving the Re-Zoning Application of Empire Warehousing, Corp. conditioned upon the applicant complying with all Town Planning Board recommendations

Resolution # 69 –Approving a Supplemental Consultant Agreement with Creighton Manning Engineering, LLP Regarding the Cold Spring Road Improvement Project

Resolution # 70 –Authorizing Condemnation of Properties for Cold Springs Road Corridor Improvement Project

Resolution # 71: Authorizing the Supervisor to execute the Environmental Easement regarding the Boilerhouse/Brownfield project.

Resolution #72: Approving the Energy Audit and authorize the Implementation of Recommendations for the Stillwater Area Community Center.

Resolution #73: Setting a public hearing to establish zoning changes regarding width of building lots.

Resolution #74: Authorizing the Highway Superintendent to utilize highway department resources to demolish the abandoned residence at 12 High St. as it was deemed to be an unsafe structure.

**Resolution #52 & #71**

**Motion** by Councilman Baker and Councilwoman Whitman to table Resolutions #52 and #71.

Roll call vote was taken as follows on Resolution #52 & #71:

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

**Motion carried.** Resolution #52 & #71 were tabled unanimously. (Copies attached and made part of the minutes).

**Resolution #72**

**Motion** by Councilwoman Bruno and seconded by Councilwoman Whitman to table Resolution #72.

Roll call vote was taken as follows on Resolution #52 & #71:

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

**Motion carried.** Resolution #72 was tabled unanimously. (Copy attached and made part of the minutes).

**Resolution #50, #51, #53, #66, #67, #68, #69, #70, #73, & #74**

**Motion** by Councilwoman Whitman and seconded by Councilman Baker to adopt Resolution #50, #51, #53, #66, #67, #68, #69, #70, #73, & #74.

Roll call vote was taken as follows on Resolution #52 & #71:

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

**Motion carried.** Resolution #50, #51, #53, #66, #67, #68, #69, #70, #73, & #74 were adopted unanimously. (Copies attached and made part of the minutes).

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

General	#196--#232	\$16,874.20
Highway	#178--#223	\$32,002.58
Town Outside	#46--#54	\$16,567.09
Water & Sewer	#24--#29	\$3,936.68
Capital Projects	#31--#36	\$132,268.81
(CSR, Boilerhouse, & GEIS)		

**Motion carried.**

**Motion** by Councilman Baker and seconded by Councilwoman Whitman to adjourn the Agenda meeting and enter into executive session for litigation matters at 9:40 PM.

Respectfully submitted by

Sue Cunningham  
Stillwater Town Clerk