

**Stillwater Town Board**  
**Agenda Meeting**  
**June 3, 2010            7:00PM**  
**Stillwater Town Hall**

**Present:**            **Councilman Artie Baker**  
                         **Councilman Ken Petronis**  
                         **Councilwoman Lisa Bruno**  
                         **Councilwoman Virginia Whitman**  
                         **Supervisor Ed Kinowski**

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

Supervisor Kinowski 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 Councilwoman Whitman and seconded by Councilman Baker to adopt the minutes of the May 6, 2010 Agenda Meeting of the Stillwater Town Board. **Motion carried.**

**Presentation:** Supt Minick introduced Edward Denehy PE, a retired NYS DOT employee of 36 years. Mr. Denehy gave a brief presentation of asset management, pavement management and pavement preservation.

Supt Minick gave a brief presentation regarding crack sealing and his maintenance program for the Town of Stillwater.

Supervisor Kinowski inquired if an analysis was ever done on the cost effectiveness of the Town hiring people, equipment maintenance etc. versus contracting some work out.

Discussion was held on traffic analysis of Town roads, shared services & joint projects, GEIS pertaining to traffic study, funding & prioritizing and Section 284.

Supervisor Kinowski gave the public an opportunity to comment on the presentation.

Terry S. commented on timeframe of work and preventive maintenance as to whether the Supt of Highway had a written plan.

Supt Minick stated that he evaluates what roads need to be done as he travels the roads.

Steve N. stated that the Town Board should consider Supt. Minick' professional judgment and not interfere with his budget. It could cost the taxpayer more down the road. He requested that the Town Board at budget time explain the distribution of sales tax monies if Highway budget is cut for infrastructure.

Art F. commented on the percentage of sales tax monies that go the Highways versus the rest of the budget and stated that the Town Board should consider Supt Minick' common sense.

Alex M. commented on the Supt of Highway being an elected official for many years. The residents must be happy with his work and feels the Town Board should not interfere with his budget.

Supervisor Kinowski stated that analysis has never been done on the budget and the roads are in great shape. His intention is to properly identify where the sales tax goes and properly set tax rate and distribute fairly.

Jim C. inquired how the Town could receive federal reimbursement for highway projects.

Mr. Denehy stated that the project has to be a federally approved highway.

Councilwoman Bruno stated that they are looking for a written plan from the Supt of Highways, which they have never seen. It was the duty of the Town Board to know where the funds will be spent so they can make the proper determination of how sales tax revenue should be distributed.

Supervisor Kinowski gave a brief presentation of the overall Saratoga County Development from 1899 to 2004 especially centering on Stillwater.

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

**Councilwoman Whitman**

Emergency Management: Councilwoman Whitman reported that they are looking for new members to join the Emergency Management committee.

Property Maintenance: Councilwoman Whitman inquired to the status of the property maintenance law the Town was considering.

Attorney Trainor stated that a law was never done, they looked at specific property as needed.

Jib Drive: Councilwoman Whitman inquired if the Planning Board passed a negative DEC in 2008 regarding Jib Drive.

Supervisor Kinowski stated that the Town Board acted on this when adopted the Local Law.

Clean-up: Councilwoman Whitman gave a brief report on the total cost of the spring clean-up.

Signage: Councilwoman Whitman reported that the new Town Complex sign on the river side across from Champlain Ave was being donated by GA Bove & Sons.

**Councilwoman Bruno**

Police: Councilwoman Bruno reported that there have been many car break-ins through the Village and Gurba Drive.

Supervisor Kinowski also stated that there has been vandalism in the Town parks. He asked residents to be vigilant and report anything suspicious.

**Councilman Baker**

Parks: Councilman Baker submitted proposals on playground equipment for Glen Hollow Park to the Town Board members.

Family Day: Councilman Baker reminded everyone that Saturday was Family Day.

**Supervisor Kinowski**

Off Road Vehicles: Supervisor Kinowski requested that the Attorney look into material that was submitted by a resident regarding off road vehicles.

Route 67: Supervisor Kinowski requested a Resolution for the next meeting to authorize the Chazen Co. to prepare a proposal for rezoning lands on the east side of Route 67. He feels that the Town needs to start looking for business development or the Town will be in dire straits. A brief discussion was held on the area and the proposal.

Water line: Supervisor Kinowski requested a Resolution for the next meeting authoring Chazen Co to prepare a proposal for their professional services to oversee a water transmission line from CSR down Elmore Robinson Rd.

Police: Supervisor Kinowski stated he met with Chief Latham and the resident from the last meeting regarding a situation that happened on the Saratoga Lake last summer. He reported that the issue has been clarified.

Mitchell Rd/Trail Access: Supervisor Kinowski reported that a petition has been submitted in regard to opening an access to the Multi Use Trail off of Mitchell Rd.

The consensus of the Town Board was to research if a right away exits and to consider the request.

Brown Beach: Supervisor Kinowski stated that he met with the owners of Brown Beach to discuss how they can help each other. Topics that were discussed were making it accessible to the public, benefits to the owner, possibility of the Town owning. The consensus of both parties was to look for ideas on how they can help each other. He asked the Town Board members if they have any ideas to let him know.

**Action Items (Resolution #41--#43)**

**Resolution #41 Authorizing the Filing of Declaration of Restrictive Covenants Regarding Cold Springs Road Improvement Corridor Contract No. 2**

Introduced by: Supervisor

WHEREAS, the ACOE Permit issued for Cold Springs Road Improvement Corridor Contract No. 2 requires certain wetland mitigation measures be taken in support of the project by June 13, 2010; and

WHEREAS, the Permit requires the filing of a Declaration of Restrictive Covenants over a portion of the former Murley property on Halfway House Road to compensate for wetland affects elsewhere in the Project area;

Now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign the attached Declaration of Restrictive Covenants regarding the Cold Springs Road Improvement Corridor Contract No. 2 Project Area which shall then be filed at the Saratoga County Clerk’s Office to restrict future use of the property to wetland mitigation.

**Motion** by Councilman Petronis and seconded by Councilwoman Whitman to adopt Resolution # 41.

A roll call vote was taken on Resolution #41 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilman Petronis	YES
Councilwoman Whitman	YES
Councilwoman Bruno	YES

**Motion carried unanimously.**

**Resolution #42      Accepting a Proposal by Fiscal Advisors & Marketing, Inc.**

Introduced by: Supervisor

WHEREAS, the Town Supervisor desires to seek the advice of Fiscal Advisors & Marketing, Inc. with regard to financial planning for the Town, specifically related to 2010 Bonds and as outlined in the attachment hereto;

Now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to accept the proposal of Fiscal Advisors & Marketing, Inc. for financial planning as outlined in the attachment hereto at a cost not to exceed \$8,000.00.

**Motion** by Councilwoman Whitman and seconded by Councilman Baker to adopt Resolution #42.

A roll call vote was taken on Resolution #42 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilman Petronis	YES
Councilwoman Whitman	YES
Councilwoman Bruno	YES

**Motion carried unanimously.**

A discussion was held on whether to amend Resolution #36 and #37 or do the amended portion as a new resolution. On the advice of the Attorney a new Resolutions was done as follows in regard to Resolution #36. There consensus of the Town Board was to wait on doing a Resolution amending a portion of Resolution #37 until the business meeting to consider budget restraints and what the grant allows.

**Resolution #43      Authorize the Highway Superintendent to Conduct an Auction for Surplus Equipment**

Introduced by: Supervisor

WHEREAS, by Resolution No. 36 of 2010 the Town Board determined the highway equipment identified in the attachment as surplus; and

WHEREAS, the General Municipal Law allows surplus town equipment to be sold to the highest bidder at auction;

Now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Highway Superintendent to conduct an auction for sale to the highest bidder of surplus equipment listed in the attachment hereto.

**Motion** by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution #43.

A roll call vote was taken on Resolution #43 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilman Petronis	YES
Councilwoman Whitman	YES
Councilwoman Bruno	YES

**Motion carried unanimously.**

**Public Input**

Marty D. inquired about the recent notification on the water alert. Supervisor Kinowski said that 1235 calls were made and approximately 237 calls were misrouted. He stated that one of the two filters was down and that the State would be coming to help analyze and fix the problem.

Art F. commented on the water and inquired about the appraiser the Town would be hiring for the tax certiorari. Attorney Trainor stated that the appraiser would incorporate comparative values in the appraisal but not sure what properties they would be using.

John V questioned the legality of dead end streets and cul de sacs. He also commented on code violations in regard to the roads not being paved in Saratoga Hills. Supervisor Kinowski requested that the resident put his complaint in writing.

Charles C. commented on the water problem and notification. He inquired whether the Village was going to supply bottle water to the residents. A discussion was held on whether emergency backup, what procedures the Village has in place and whether they can tap into the City of Mechanicville for Water Dist. #1 when the need arises.

Art G inquired about seal crack procedures, if the pavilion was finished in Glen Hollow Park and if all the water meters were put in yet. Supervisor Kinowski stated that the pavilion was finished but the park was not. Supt Minick explained the process of seal coating and stated that 500 water meters were not in yet.

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

General	#235-#260	\$52,684.03
Highway	#226-#257	\$142,843.03
Town Outside	#83-#89	\$6,257.97
Water & Sewer	#39-#43	\$45,5081.67
Capital Projects (CSR)	#39	\$7,610.00

**Motion carried.**

**Motion** by Councilman Petronis and seconded by Councilwoman Whitman to adjourn the Agenda Meeting of the Stillwater Town Board and enter into executive session for litigation matters at 9:55 PM. **Motion carried.** (Noted: The Town Board would not be acting on any business or going back into the agenda meeting this evening).

Respectfully Submitted by  
  
Sue Cunningham  
Stillwater Town Clerk

