

Stillwater Town Board
Agenda Meeting/Public Hearing
Retirement Incentives & Extending Term Limits
August 5, 2010 **7:00 PM**
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 Trainor, Attorney for the Town
 Joe Lanaro, Engineer for the Town

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

Sue Cunningham, Town Clerk took the roll call.

7:00 PM Public Hearing (*Retirement Incentive Part A*)

Supervisor Kinowski called the Public Hearing to order and opened the floor to the public.

Art F. spoke against the Town paying an employee to retire early.

Supervisor Kinowski explained that the Town would save money in the long run. The Town Board has yet to determine how to create a saving over a two year period.

With everyone having the opportunity to speak Supervisor Kinowski declared the public hearing adjourned at 7:10 PM.

7:10 PM Public Hearing (*Retirement Incentive Part B*)

Supervisor Kinowski called the Public Hearing to order and opened the floor to the public.

There was no comment from the public.

With everyone having the opportunity to speak Supervisor Kinowski declared the public hearing adjourned at 7:11 PM.

7:11 PM Public Hearing (*Supervisor—2 to 4 year Term*)

Supervisor Kinowski called the Public Hearing to order and opened the floor to the public.

John V. commented on a proposed Local Law of 1997 and spoke against changing the term from 2 years to 4 years for the Supervisor.

Art F. spoke against changing the term from 2 years to 4 years for the Supervisor because of past Supervisors.

Supervisor Kinowski stated that Supervisors of past took privileges beyond scope of duties. He stated that the Supervisor is one vote of a Board of five instead of one individual acting on his won.

Mike C. spoke in favor of the Supervisor's position changing from a two year term to a four year term. He commented that government has become more complicated over that last several years. Having to run for office every two years detracts against being able to do his job.

John Basile, Village Trustee, spoke in favor of the Supervisor's position changing from a two year term to a four year term. He commented that where he lived prior to Stillwater the Supervisors position was a four term and you can't always be sure of the person elected to the position.

Marty D. inquired if the Town Board was also going to look into setting term limits for all Town Board members.

Supervisor Kinowski stated that they will be discussing term limits later this evening.

With everyone having the opportunity to speak Supervisor Kinowski declared the public hearing adjourned at 7:27 PM.

7:27 PM Public Hearing (Tax Collector—2 to 4 Year Term)

Supervisor Kinowski called the Public Hearing to order and opened the floor to the public.

John V spoke against changing the term from 2 years to 4 years for the Tax Collector and commented on how the past Tax Collector resigned prior to term of office was up.

With everyone having the opportunity to speak Supervisor Kinowski declared the public hearing adjourned at 7:28 PM.

Agenda Meeting

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

Adoption of Minutes: Motion by Councilwoman Whitman and seconded by Councilman Petronis to adopt the minutes of the July 1, 2010 agenda meeting. **Motion carried.**

Communications:

Supervisor Kinowski stated that he received several communications.

1. Stewarts Shop PDD thanked the Board for moving the PDD amendment forward quickly.
2. Riverside residents are grateful for the repairs made to the Riverside Park playground.

Reports (Town Board & Department Heads)

Councilman Baker

Community Center: Councilman Baker reported that the ice machine in the kitchen is working, generator was repaired, playground equipment was removed & relocated to the park on Major Dickenson Ave., an outside water faucet has been installed and they are looking at creating an additional sixteen parking spaces where the playground equipment was removed.

Councilman Baker reported that the floor in the after school program room has been installed and also requested to have the gym floors sealed this fall.

Discussion on the maintenance of all town buildings was held.

Riverside Park: Councilman Baker stated that repairs have been made to the Riverside Park and dog signs have been installed.

Riverfront Park: Councilman Baker stated that he would like the Boards approval to pay six highway men time and a half next Friday and Saturday to do some clearing along the Riverfront Park.

Discussion was held and the consensus was to discuss it further next week at the capital projects meeting and bring it back to the next Town Board meeting.

Councilman Petronis

Veterans: Councilman Petronis reported that he represented the Town Board at a ceremony held at the American Legion honoring Vietnam Veterans. He stated that approximately two hundred people were present for the ceremony.

Councilwoman Whitman

Landfill: Councilwoman Whitman gave a follow-up report on the spring clean-up.

Water Meters: Councilwoman Whitman inquired as to how many new water meters were left to install.

It was mentioned that approximately 150 to 180 water meters were left to install.

Office of the Aging: Councilwoman Whitman reported that the office of the Aging is currently working on a location within the Town to prepare meals on wheels for Town residents.

Retirement: Councilwoman Whitman inquired if the Highways Supt has past employment records' dating back to the early 70's to help clear up some discrepancies for those seeking early retirement.

Code of Ethics: Councilwoman Whitman reported that the Chairperson of the Town Ethics Committee would like to make changes to the town Ethics Law. She also reported that Sara Kipp has resigned from the committee and would like to recommend Gail Lyng to replace her on the committee.

Fall Clean-up: Councilwoman Whitman stated that she would be contacting County Waste to set up the next clean-up date.

Councilwoman Bruno

Community Center: Councilwoman Bruno requested that they hold payments to the Community Center until they submit a budget. She feels the budget they submitted was of a projection than budget.

Further discussion was held on the Community Center's budget, grants Board of Directors, Etc. the consensus of the Town Board was for the Supervisor, Councilman Baker and Councilwoman Bruno to meet with the Board President to go over concerns of the Town Board.

Supt of Highways (Mark Minick)

Supt Minick reported that the Highways Dept has been paving and repairing ditches and drainages.

Blizzard Road: Supt Minick reported that Blizzard Road would be closed to traffic in order to repair the knoll and change the grading of the road on the north end. He stated that residents have been notified of the closure and signs would be posted.

CSR Contract II: Supt Minick stated that tomorrow was the last day for LFTC to resolve issues. If the issues are not resolved they would have to go rebid which would extend the work not being done until next year.

Engineer (Joe Lanaro)

Elmore Robinson Road: Engineer Lanaro stated that they would need a Resolution regarding SEQRA for the Cold Springs Road and Elmore Robinson Road Water Transmission Main.

Special presentation: Route 67 Corridor

Chris Rounds of the Chazen Companies gave a brief presentation on the rezoning of Route 67, vision of expanding commercial, existing zoning, proposed infrastructure improvements, Comprehensive Plan recommendations, proposed zoning and the next steps the Town will need to take.

Supervisor Kinowski welcomed comments from residents along Route 67.

David S. questioned the purposed of the rezoning.

Supervisor Kinowski stated that this would allow how the landowner used their land.

A resident commented that it would look like Route 146 in Clifton Park down the road.

Supervisor Kinowski stated that this route is a major corridor coming into Stillwater with Inter Modal and AMD coming. The only way to attract businesses is with infrastructure and rezoning which would make it easier for a business to locate here. Supervisor Kinowski stated that he would rather see small businesses that blend in with the community develop which would lower taxes. Stillwater will be a bedroom community for all other towns that have business and some residents won't be able to afford their property taxes.

Further discussion was held what it would look like in ten years, the right way to develop the area, public hearings that need to be held, taking public input into consideration, and controlling what goes in.

Agenda Items (Resolution #64 --#66)

Resolution #64: Declaring the Town's Intent to Serve as Lead Agency for the Purpose of Performing SEQRA Review Planned Comprehensive Plan Amendment and Rezoning and Circulating the Amendment and Rezoning To Town and County Planning Board for Recommendation

Introduced by: _____ Supervisor _____

WHEREAS, The Town of Stillwater Town Board envisions Route 67 as the principal entrance to the Town and its business center. Route 67 connects the Town to US Interstate I-87 and commercial areas located in Malta.

WHEREAS, The Town desires to improve its tax base by encouraging commercial and industrial development along Route 67 where adequate infrastructure is available or in place. The Town

desires to retain existing business and attract new business by providing areas for new commercial and industrial development and providing limited/complementary service related uses.

WHEREAS, The Town recognizes the importance of protecting its historic and agricultural resources and desires that any new development be sensitive to these resources; and

WHEREAS, the Town Board has prepared an amendment to its Comprehensive Plan articulating these goals; and

WHEREAS, the Town Board has also prepared a map amendment to the Town's zoning ordinance consistent with the Comprehensive Plan Amendment expanding the Industrial and Business Park zoning designations as well as identifying limited areas for B-1 designation and associated map adjustments; and

WHEREAS, the proposed action has been determined to be an Unlisted action pursuant to the New York State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617.4 and desires to conduct a coordinated review for unlisted actions; and

WHEREAS, a Full Environmental Assessment Form (EAF) has been prepared evaluating the proposed amendment and rezoning; and

WHEREAS, the Town of Stillwater Town Board desires to be SEQRA Lead Agency for the purpose of conducting the environmental Review;

Now, therefore be it

RESOLVED the Town of Stillwater Town Board hereby declares its intent to act as lead agency for the purpose of conducting the SEQRA review of the planned Comprehensive Plan amendments and proposed rezoning; and be it further

RESOLVED that the Town Board authorizes the Comprehensive Plan Amendment together with the EAF be circulated to Involved Agencies informing said agencies of the Town's desire to act as Lead Agency; and be it further

RESOLVED that the Town Board also authorizes the Circulation of the Comprehensive Plan Amendment and Proposed Rezoning to the Town of Stillwater Planning Board and the Saratoga County Planning Board for review and recommendation; and be it further

RESOLVED the Town Board authorizes the Town Supervisor to take any necessary actions to effect this resolution.

Motion by Councilman Petronis and seconded by Councilwoman Whitman to adopt Resolution #64.

Roll call vote was taken as follows on Resolution #64:

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

Motion Carried. Resolution #64 was adopted unanimously.

Resolution #65: Awarding the Bid for a Small Roller for the Highway Department

WHEREAS, competitive bids were solicited and opened at the July 15, 2010, Town Board Meeting for the Town Highway Department's purchase of a Small Roller; and

WHEREAS, the General Municipal Law requires that the bid be awarded to the lowest most responsible bidder;

Now, therefore, be it

RESOLVED, that the contract for the Town's purchase of a Small Roller is hereby awarded to Milton CAT at the bid price of \$32,412.00; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to enter into an agreement with Milton CAT for the stated equipment and at the stated price and to disburse the needed funds as appropriate.

Motion by Councilman Petronis and seconded by Councilwoman Whitman to adopt Resolution #65.

Roll call vote was taken as follows on Resolution #65:

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

Motion Carried. Resolution #65 was adopted unanimously.

Resolution #66: Approving the Adoption of the Stewardship Plan for the Historic Saratoga – Washington on the Hudson Partnership

Introduced by: _____ Supervisor _____

WHEREAS, the Partnership received copies of the Draft Stewardship Plan for the Historic Saratoga Washington on the Hudson Partnership on May 3, 2010 and the plan is available at <http://upperhudsonpartnership.org> for review and comment; and

WHEREAS, the Partnership noticed and held public hearings on the received Draft Stewardship Plan for the Historic Saratoga Washington on the Hudson Partnership on May 20, 2010 in the Village of Fort Edward, Washington County and May 24, 2010 in the Village of Schuylerville, Saratoga County, and a presentation of the Plan was made and comments received at these public meetings; and

WHEREAS, the Partnership, at the meeting on June 28, 2010, since it is the only involve agency, declared itself lead agency for the Stewardship Plan for the Historic Saratoga Washington on the Hudson Partnership, and conducted a review for the purposes of SEQRA; and

WHEREAS, the Partnership, at the meeting on June 28, 2010, received copies of the Environmental Assessment Long Form on June 28, 2010, and made the fining of a Negative Declaration under SEQRA for the Stewardship Plan for the Historic Saratoga Washington on the Hudson Partnership; and

WHEREAS, the Partnership received the Final Draft of the Stewardship Plan for the Historic Saratoga Washington on the Hudson Partnership and the Executive Summary on June 28, 2010 and selected to post the documents online for review and comment for a two week period at <http://upperhudsonpartnership.org>; and

WHEREAS the Partnership, at the meeting on June 28, 2010, moved to send the Final Draft of the Stewardship Plan for the Historic Saratoga Washington on the Hudson Partnership to the communities within Partnership Area for individual approval;

Now, therefore, be it

RESOLVED, that the Town of Stillwater, as a participating municipality in the Historic Saratoga Washington on the Hudson Partnership, approves the adoption of the Stewardship Plan by the Historic Saratoga Washington on the Hudson Partnership

Motion by Councilman Petronis and seconded by Councilwoman Whitman to adopt Resolution #66.

Roll call vote was taken as follows on Resolution #66:

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

Motion Carried. Resolution #66 was adopted unanimously.

Term Limits

Supervisor Kinowski brought back term limits for Board Members for discussion. He stated that they would have a resolution for the next meeting authorizing a public hearing to be held on September 16th. He stated that this can not be brought up to be placed on the ballot in the November election. It is something where the Town board would need to hold a public hearing on and adopt it as a Local Law.

Councilman Baker stated that he was not in favor of this.

Councilwoman Whitman stated that she supported term limits.

Councilman Petronis stated that they already have term limits every four years. The people have the right to vote someone out of office every four years.

Public Input

Art F. inquired if there was an access road off of Wrights Loop to the Riverfront Park.

Councilman Petronis stated that there was no access off of Wrights Loop to the park.

Resident on Backwind Dr commented on a zoning issue they have encountered while trying to obtain a building permit.

Supervisor Kinowski explained that their parcel of property shows that it is in a PDD but it is not in a PDD. He stated that if they take the delineation of the property and the PDD it would resolve the issue. He stated that he would work with the Building Inspector/Zoning Officer to resolve this issue for the resident.

Charles C. inquired if term limits was going to be left up to the Board to decide and taken out of the voters hands. He stated that the voter should make the decision and not the Town Board.

Mr. Cowin also commented on an article in the paper regarding the water not fit to drink.

Wanted to know why they had to pay for water they couldn't drink and thought bottled water should be supplied to the residents.

Supervisor Kinowski stated that he was just given the article this evening regarding water and he would have answers for the residents at the next meeting.

Further discussion was held on the water situation.

Jacqueline M. inquired about the phases of the Glen Hollow Park.

Councilman Baker stated that they should have plans for the park by the Sept. 2nd meeting.

Mike C. questioned if the type of Structure on Route 67 could be controlled by building permits and commented on the 4 day 10 hour week of the Highway Dept.

Supervisor Kinowski stated that the structure of buildings would be predicated through the zoning portion and that the Town Board would be looking at several options of the 4 day work week during the budget process.

Audited Claims

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

General	#318- #339	\$9,037.73
Highway	#325- #366	\$33,005.60
Town Outside	#108- #117	\$7,361.11
Water & Sewer	#57	\$250.00
Capital Projects (CSR)	#45- #48	\$38,096.05

Motion carried.

Motion by Councilman Petronis and seconded by Councilwoman Bruno to adjourn into executive session for litigation purposes at 9:00 PM. **Motion carried.**

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk