

**Stillwater Town Board  
Business Meeting  
August 18, 2011 7:00 PM  
Stillwater Town Hall**

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

**Also Present:**       **Sue Cunningham, Town Clerk  
Mark Minick, Supt of Highways  
James Trainor, Attorney for the Town  
Sean Doty, Engineer for the Town**

**Absent:**               **Councilwoman Lisa Bruno**

**7:00 PM       Hearing---Unsafe Buildings**

Supervisor Kinowski called the hearing to order.  
Note: A stenographer was on hand for this portion of the minutes.

The consensus of the Town Board was to open the regular business meeting prior to acting on any Resolution pertaining to the Hearing.

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

Sue Cunningham, Town Clerk took the roll call.

**Resolution #50:   **Ordering the Demolition of the Ligiecki Property****

Introduced by: Supervisor \_\_\_\_\_

WHEREAS, the Town Code Enforcement Officer has inspected the Ligiecki property located at 42 Route 423, Stillwater, New York (SBL: 220.-1-84) and has found it to be dangerous or unsafe to the general public and in need of immediate repair and/or demolition; and

WHEREAS, Local Law No. 6 of 2004 (Chapter 69 of the Town Code) requires that certain procedures be undertaken to ensure that the building(s) is either made safe for the public or demolished and removed;

Now therefore, the Town Board makes the following findings:

1. The Town Board accepts the inspection report of the Town Code Enforcement Officer as the Town's findings and recommendations in regard to the properties repair and/or demolition/removal;
2. The Notice as required by Local Law No. 6 of 2004 has been served on the property owners and anyone else having a vested or contingent interest in the property and also has been filed in the same manner as a *lis pendens* at the Saratoga County Clerk's Office;
3. The Town Clerk has appropriately posted Notice of the hearing in the Town's official newspaper and on the Town's bulletin board;
4. The Town's Code Enforcement Officer has appropriately posted Notice of the hearing at the property;
5. A hearing was held before the Town Board at its regularly scheduled meeting on August 18, 2011 at 7:00 p.m. wherein a stenographer

transcribed the proceeding, testimony was given and documentary evidence was received;

6. The testimony and evidence presented at the aforementioned hearing clearly and convincingly prove that:
  - (a) The property was dangerous and unsafe to the general public because of building collapse;
  - (b) The property was open at entry points, making it accessible to and an object of attraction to minors and trespassers because of the collapsed building and it was not occupied;
  - (c) The property was a place of rodent infestation because tall grass and weeds, and the collapsed building;
  - (d) The property could have become a place to harbor illegal activities because of overgrowth of weeds and was not occupied;
  - (e) The property presented other dangers to the health, safety, morals and general welfare of the public because it may have contained hazardous materials; and
  - (f) The property was unfit for the purposes for which it may lawfully be used, including human habitation, because the building had collapsed.
7. The Town Board thereby concludes that the buildings on the property could not be feasibly or safely repaired.

Now, therefore, it is hereby

ORDERED, that the property owners and each person having a vested or contingent interest in the property vacate and demolish the residence on the property located at 42 Route 423, Stillwater, New York (SBL: 220.-1-84) and completely remove the demolition debris from the property within thirty (30) days of the date of this Resolution; and be it further

ORDERED, that all expenses incurred by the Town in connection with these proceedings be charged to and collected from the owners of the premises in accordance with Local Law No. 6 of 2004; and be it further

ORDERED, that in the event of the failure, refusal or neglect of the persons notified to comply with this Resolution within said thirty (30) day period, the Town Board shall provide for the demolition either by Town employees or by contract and assess and collect costs thereof, against the property and its owners as provided in Local Law 6 of 2004

**Motion** by Councilman Petronis and seconded by Councilwoman Whitman to adopt Resolution #50 of 2011.

Discussion: A brief discussion was cost associated with proceedings and reimbursement of cost.

A roll call vote was taken on Resolution #50 of 2011 as follows:

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

**Motion carried.** Resolution #50 of 2011 was unanimously adopted





**Resolution #54 Approve Chazen’s Engagement Letters**

Introduced by: Supervisor

WHEREAS, The Chazen Companies have submitted proposed Engagement Agreements at the Supervisor’s request;

Now therefore, be it,

RESOLVED, that the Supervisor is authorized to sign two (2) Engagement Agreements with The Chazen Companies as follows:

1. Finish the expansion of the Route 67 Overlay Zone (\$7,500); and
2. Continuation of water line project (\$36,720).

**Motion** by Councilman Petronis and seconded by Councilman Baker to adopt Resolution # 54.

A roll call vote was taken on Resolution #54 of 2011 as follows:

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

**Motion carried.** Resolution #54 of 2011 was unanimously adopted.

**Public Input**

Marty D inquired on Town grants and their ranking. Supervisor Kinowski went over the factors involved in scoring of grants. Engineer Doty explained the scoring system and stated that the Town falls under the threshold.

Art F inquired about the proposed waterline, the condemned property and the old rail yard. Supervisor Kinowski explained what the town has done to date regarding water and the condemned property and went over what the build out of the rail yard will mean to the area.

Coke C questioned the system the Town uses when a meeting is cancelled. Supervisor Kinowski stated that the last meeting was cancelled at 3 pm the day before so there was no time to inform the media.

**Audited Claims**

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

General	#250--#266	\$5,214.01
Town Outside	#197--#214	\$22,924.78
Highway	#306--#324	\$19,187.81
Capital Projects	#30	\$360.00
Water	#46	\$787.29

**Motion carried.**

**Supervisor Kinowski**

**Trail Study:** Supervisor Kinowski reported that the trail committee met and went over the bids for the trail study and they would like to recommend the LA Group for the study.

**Motion** by Councilman Baker and seconded by Councilwoman Whitman to award the bid to the LA Group for the Trail Study. **Motion carried.**

**Motion** by Councilman Baker and seconded by Councilman Petronis to adjourn into executive session for litigation purposes at 8:35 PM. **Motion carried.**

Respectfully submitted by

Sue Cunningham  
Stillwater Town Clerk