

**Stillwater Town Board
May 4, 2017 7:00 PM
Stillwater Town Hall**

Present: Councilman Artie Baker
Councilwoman Lisa Bruno
Councilwoman Ellen Vomacka
Supervisor Ed Kinowski

Also Present: Sue Cunningham, Town Clerk
Joe Lanaro, Engineer for the Town
James Trainor, Attorney for the Town

Absent: Councilman Ken Petronis
Mark Minick, Supt of Highways

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 Councilman Petronis and seconded by Councilwoman Vomacka to adopt the minutes of March 23, 2017 and April 6, 2017. **Motion carried.**

Agenda Items Resolution #24 - #26

Resolution # 24 Appoint an Alternate Member
to the Planning Board

Introduced by: Supervisor

WHEREAS, a vacancy exists for an alternate Member on the Planning Board; and

WHEREAS, the Chairman of the Planning Board has interviewed several candidates and had made recommendations to the Town Board;

Now, therefore, be it

RESOLVED, that the Town Board hereby appoints Mary Beth Reilly as an alternate Member of the Planning Board for a term beginning May 4, 2017;

Motion by Councilwoman Bruno and seconded by Councilwoman Vomacka to adopt Resolution No. 24 of 2017.

A roll call vote was taken on Resolution No. 24 of 2017 as follows:

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

Motion carried. Resolution No. 24 of 2017 was adopted unanimously.

Resolution #25 Authorize Cutler, Trainor & Cutler, LLP
to Sign Stipulation and Consent Order for Settlement
re: Doyle Tax Assessment Matter

Introduced by: Supervisor

WHEREAS, James Doyle commenced an Article 7 real property tax protest for 13 parcels within the Town of Stillwater for the 2016 assessment on those properties; and

WHEREAS, the parties have reached a proposed settlement regarding 8 of the 13 parcels in question; and

WHEREAS, the action for the remaining 5 parcels shall continue; and

WHEREAS, the settlement for 6 of those 8 parcels would be as follows:

<u>Property</u>	<u>S/B/L</u>	<u>Agreed-Upon</u>
<u>New</u>		
<u>Assessment</u>		
29 Newland Road	S/B/L: 244.53-2-2	
Original Assessment - \$7,000	Requested assessment - \$3,000	\$7,000
31 Newland Road	S/B/L: 244.53-2-2	
Original Assessment - \$7,000	Requested assessment - \$2,000	\$7,000
33 Newland Road	S/B/L: 244.53-2-3	
Original Assessment - \$7,000	Requested assessment - \$1,000	\$7,000
23 Newland Road	S/B/L: 244.53-2-5	
Original Assessment - \$245,000	Requested assessment -\$162,762	
\$245,000		
6 Hayner Road	S/B/L: 244.54-1-11	
Original Assessment -\$7,000	Requested assessment - \$3,000	\$7,000
17 Newland Road	S/B/L: 244.54-1-23	
Original Assessment - \$220,000	Requested assessment - \$116022	
\$220,000		

WHEREAS, as a result of the settlement on these 6 parcels, \$205,216 of requested assessment reductions will remain on the tax roll and net the Town \$4,514 of taxes each year; and

WHEREAS, 2 parcels will receive a reduction in the assessed value as follows:

4 Duell Road	S/B/L: 244.54-1-7	Difference In
Assessment:		
Original Assessment: \$7,000.00		
Reduced Assessment: \$500.00		\$6,500
Duell Road	S/B/L: 244.54-1-33	
Original Assessment: \$7,000.00		
Reduced Assessment: \$2,000.00		\$5,000
		Total: \$11,500

WHEREAS, as a result of the settlement on these 2 parcels, \$11,500 of assessment reductions will be deducted from the tax roll and the Town will net \$253 less in taxes each year;

Now, therefore, be it

RESOLVED, that the Town Board finds it is in the best interest of the Town to accept the proposed settlement of the assessment on the 8 parcels of property; and be it further

RESOLVED, that the law firm of Cutler, Trainor & Cutler, LLP, as attorneys for the Town of Stillwater, have authorization and authority to sign a stipulation incorporating the proposed settlement.

Motion by Councilwoman Bruno and seconded by Councilwoman Vomacka to adopt Resolution No. 25 of 2017.

A roll call vote was taken on Resolution No. 25 of 2017 as follows:

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

Motion carried. Resolution No. 25 of 2017 was adopted unanimously.

Resolution #26 Expenses Incurred for the Demolition of 3 Dorchester Drive

Introduced by: Supervisor

WHEREAS, the Town Board previously authorized the demolition of 3 Dorchester Drive on January 19, 2017 by adopting Resolution No. 7 of 2017; and

WHEREAS, the demolition was completed by the Highway Department on February 2, 2017; and

WHEREAS, Local Law 6 of 2004 and Section 69-11 of the Stillwater Town Code permit the expenses to be added to the property's tax bill 30 days after its billed to the owner and remains unpaid; and

WHEREAS, multiple grounds exist in both State Law and the common law to pursue the payment of the Town's demolition expenses through legal proceedings as well;

Now, therefore, be it

RESOLVED, that the Town Board hereby approves the attached invoices for expenses related to the demolition of 3 Dorchester Drive in the amounts of \$15,016 to the Town Highway Department, \$5,099.25 for the Town as reimbursement of legal expenses through March 30, 2017; and be it further

RESOLVED, That the Town Board hereby directs the Attorneys for the Town to invoice and demand payment from owners, lienholders and other legal interest holders of 3 Dorchester Drive for the total demolition related expenses of \$20,115.25 through March 30, 2017; and be it further

RESOLVED, that if the invoiced demolition expenses for 3 Dorchester Drive remain unpaid after 30 days, the Town Assessor shall transmit the account of this unpaid expense to the Treasurer of Saratoga County, who shall assess the total amount of unpaid expenses against the land and cause the unpaid expenses to be levied and collected in the

same manner as provided in Article 15 of the NYS Town Law for the levy and collection of a special and valorem levy; and be it further

RESOLVED, that the Attorneys for the Town are hereby authorized to commence appropriate legal actions against the owners, lienholders and other legal interest holders of 3 Dorchester Drive for recovery of all of the Town's costs related to its demolition and cost recovery if the aforementioned invoice for total expenses through March 30, 2017 remains unpaid for more than 30 days.

Motion by Councilwoman Bruno and seconded by Councilwoman Vomacka to adopt Resolution No. 26 of 2017.

A roll call vote was taken on Resolution No. 26 of 2017 as follows:

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

Motion carried. Resolution No. 26 of 2017 was adopted unanimously.

Audited Claims

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

General	\$8,991.18
Town Outside	\$7,125.95
Highway	\$63,310.95
Water & Sewer	\$8,590.86
Capital Projects	\$29,780.98

Motion carried.

Motion by Councilman Baker and seconded by Councilman Petronis to adjourn the Town Board meeting at 7:20pm. **Motion carried.**

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk