

**Stillwater Town Board  
Business Meeting  
April 19, 2007 6:00 PM  
Stillwater Town Hall**

**Present:** Councilman Artie Baker\*\*  
Councilman Ken Petronis  
Councilwoman Joan Ronda  
Councilwoman Jo Ann Winchell  
Supervisor J. Gregory Connors

**Also Present:** Sue Cunningham, Town Clerk  
Mark Minick, Supt of Highways  
Robert Beebe, Attorney for the Town  
Joe Lanaro, Engineer for the Town

Supervisor Connors called the meeting to order.

**Motion** by Councilwoman Ronda and seconded by Councilman Baker to adjourn into executive session. **Motion carried.** (Personnel & Contractual)

**Motion** by Councilwoman Ronda and seconded by Councilman Petronis to resume the regular Town Board Business Meeting. **Motion carried.**

\*\*7:00 PM: Councilman Baker had to leave at this time.

**Approval of Minutes: Motion** by Councilman Petronis and seconded by Supervisor Connors to approve the minutes of the March 15, 2007 Business Meeting of the Stillwater Town Board. **Motion carried.**

**Special Presentation:** Chris Round, The Chazen Companies (GEIS Update)  
Chris Rounds gave a brief status of the GEIS. He stated that part of the project include: estimate the amount of growth over the next ten years, evaluate traffic impacts, water & sewer needs, recreational facilities and open space preservation plan. They have completed the build out growth projections and converted the growth projection into traffic generations. The technical team will meet tomorrow to do the traffic analysis. Approximately about 50% of the recreational needs assessment and waste water studies has been completed.

Councilwoman Winchell inquired who the Town Tech Team was.

Chris Rounds stated that Mark Minick, Alex Mackey, David Connors, and John Girard were on the Tech Team.

Councilwoman stated that she thought he was going to present them with a document stating existing conditions in the Town. She questioned whether the process has changed to where the documents would make recommendations.

Chris Rounds stated that all the studies are part of a generic environmental impact statement.

Councilwoman Winchell stated that she has been waiting for the time that a portion of the Comprehensive Plan where they would be establishing committees. She stated that she has an interest in about ten of the committees and waiting for the opportunity to get involved with them. She was wondering if she was coming into it too late, now.

Chris Rounds stated that it was his understanding that the GEIS is separate from the initiatives of the Town Plan recommendations.

Supervisor Connors inquired if there was a time line associated with the GEIS.

Chris Rounds went over the expected time line would be 12 to 18 months. They hope to have the technical studies completed with 3 to 5 months, prepare a draft GEIS, submit the draft to the Town Board, hold a public hearing and take comments to produce a final copy and then adopt.

**Proposed Local Laws:** Supervisor Connors stated that there would be a public hearing on May 10, 2007 to introduce and receive public comment on a proposed Local Law to Establish Grievance Day.

Supervisor Connors stated that on May 3, 2007 there would be a public hearing to introduce and receive public comment on a proposed Local Law to be known as "The Town of Stillwater Social Host Responsibility Act". He stated that it is also his intention on the May 10<sup>th</sup> date to have a Special Meeting of the Town Board to adopt the Social Host Responsibility Act.

## **Public Input**

Resident I stated that she has been a resident of Stillwater for over fifty years, served the Town of Stillwater for over twenty years as Stillwater Youth Commissioner Program Director. She stated that there are so many good people on the Town Board that do a wonderful job, have the people of Stillwater interests at heart and considers several of them as friends.

She questioned the Supervisor why in 2006 Judge Cavotta and Judge Campbell former court clerk not charged with criminal charges when she was being paid by the Town Police and caught working the same hours at the Stillwater School. According to the article in the paper she was double dipping in the Town of Stillwater. Isn't that against the law? She asked who advised to have the charges dismissed against the former court clerk and put it to a vote to the Town Board. She asked if there should have been an outside police investigation by the State Police or FBI into this so that the people of Stillwater could have all the facts in the case and other cases that involved the former court clerk. One of the Town Police Officer gave all the information to him and he dismissed the charges. Also the theft and firing of the former court clerk by Judge Cavotta and Judge Campbell for requesting to paid for hours that she did not work, is it true that he kept her on as an employee of the Town after being aware of all this. She wanted to know if this was legal, ethical or even spare the people of Stillwater not to know the whole truth. She wanted to know why they would hire a person that was fired by the justice court and caught for theft of services by the Town Police to work for the Town of Stillwater.

Supervisor Connors stated that on the issue of the former Town court clerk's employment with the justice court she was at that time employed by the Police Dept. The recommendation to the Town Board by the Justices was that she be terminated. It was the unanimous decision of the Town Board that she was. She was terminated from her position from the Justice Court, at the time she was terminated she owed the Town approximately 104 hours for which she was paid. He authorized her to work in the Town at no compensation until such time the hours were paid back and within 2 to 3 weeks the hours were paid. She continued with her employment with the police. The Town Police reported to the Town Board and his Office that there was an investigation again regarding times when she employed by the School District when in fact she was punched in as a Town employee. The police investigation was undertaking, the recommendation of the police department was made to the District Attorney, the District Attorney then said it would be up to the Town Board as to what the Town Board was prepared to do. In executive session the Town Board met with those recommendations, they considered three options: (1) Do nothing; (2) prefer criminal charges against the person who had now quit her position with the police dept. and (3) not prefer criminal charges but to insist that she pay back the Town of Stillwater the several hundred dollars of salary in which she was paid that was determines that she didn't work. It was the unanimous decision of the Town Board at that time that she be given the opportunity to pay the \$200 plus back, in the event that she didn't pay the money back in a reasonable amount of time criminal charges would be preferred. She paid the Town back consistent with the unanimous resolution of the Town Board, the case was disposed of and it was finished.

Resident I asked when he asked her to work for the Town to pay off the hours why he would hire someone he knows that did all these things.

Supervisor Connors stated the first of all he didn't know first hand that she did all these things. There were allegations made that she did.

Resident I stated that with these allegations would you hire anyone that came in with a resume with that on it?

Supervisor Connors stated that the facts are that it was his decision that she was working in a department where there were no funds, she was not going to be dealing with any cash, there was a very accurate record of her time served with the department in which she was working in. at the conclusion of her working off the 104 hours she was dismissed and continued her employment with the Police Dept. he spoke with the Chief of Police, they had a number of discussion with the Police Commission regarding her continued employment with the Police Dept., and the Police Chief reported to them that her employment within the department was exemplary.

He said that it was not anyone individuals decision, it was everybody's decision on the matter.

Resident II stated that for the last four months she has commented on the misleading information on the web site regarding zoning and went over the information that was incorrect. She inquired about implementing the short term goals in regard to the Comprehensive Plan and requested an

update on the status. (She submitted a copy of a summarized list of short term action items of the Comprehensive Plan for the record)

Supervisor Connors requested that she submit a copy to Chris Rounds so that they can cover this at the next meeting.

Resident II inquired about a transfer & purchase development district and stated that with the GEIS going on that this was the perfect time to set up sending and receiving districts.

A discussion was held on this topic.

Supervisor Connors stated that there was a very aggressive effort going on within the County and the Saratoga County Land Preservation Committee.

Resident II commented on the Agriculture Law District conflict. In the Building, Planning & Development fee schedule for agriculture construction there is a \$100 fee. She stated that this doesn't go along with agriculture district law and could end up being a conflict.

Resident II stated that she received some information back regarding Brown's Beach. She commented on the square footage and the SEQR.

Resident II inquired about the posting of the Director of Building, Planning & Development and the qualifications. She pointed out a technicality in the qualifications and thought this could create a conflict. She also had comparisons to similar job description from other towns which requested Masters Degree, Bachelor with training or equivalent of training & education.

Supervisor Connors stated that her concerns should be addressed to the Saratoga County Office of Personnel and that the Town didn't print the notice.

Resident II stated that she talked to them and was informed that the job description comes from the town and the county reviews it.

Councilwoman Winchell stated that she spoke to the County Office of Personnel. She stated that she received a copy of the notice last week and the criteria was not the same as the notice when the test was administered in 2005. She said the new posting is extremely restrictive and being as that if they couldn't get a good sampling of people in 2005 she was wondering how well they would do this year being so restrictive. She inquired as to whom from our local Town government created the restrictive criteria for the test to be administered on June 2<sup>nd</sup>.

Supervisor Connors stated that about nine people took the test in 2005 and no one passed the test and that time.

A further discussion was held on the testing, qualifications, and who had input on the creation of the job description.

Resident III inquired as to why Resolution #108 was being rescinded.

Supervisor Connors stated that this was a matter before the Planning Board for a major subdivision. Town policy is that an escrow needs to be established to help defray Town cost as to engineering and legal fees. The applicant has withdrawn his application so he is entitled to receive that money back.

Resident IV inquired as to who is ultimately the personnel manager for the Town of Stillwater.

Supervisor Connors stated that he doesn't believe the Town has a personnel manager they do call the Supervisor the appointing officer.

Resident IV asked who would be the one to correct the technicality of the job description for the Director of Building, Planning & Development.

Supervisor Connors stated that the Saratoga County Dept of Personnel is in charge of scheduling exams, posting exams, and printing notices. He said that as far as the Town of Stillwater they didn't do anything different this time for this examination than they did last time the examination was given in 2005.

Supervisor Connors stated that he would contact the County Department of Personnel and inquire about the concerns brought before the Board tonight.

Councilwoman wanted it on record that the posting for the June 2, 2007 test does not mirror the test that was posted for the exam in 2005.

Resident IV inquired about the personnel issue regarding the former court clerk and if she was ever paid unemployment.

Supervisor Connors stated he believed that a request was made by the former employee for unemployment, he declined it, sent it back and to his knowledge she never received unemployment as a result from any administrated thing that the Town Board did or didn't do

Resident V commented on complaints made to the Director of the Building Dept. in regard to comments made by the Director. He complained about lot 27 on Pine Lane and the demolition which has created a safety issue.

Supervisor Connors stated that he would speak to the park owner.

Resident V questioned if Judge Cavotta retired.

Supervisor Connors stated that Judge Cavotta retired from the Village Court.

Resident V commented on being charged for copies for minutes from 2004.

Sue Cunningham, Town Clerk stated that they were copying fees. She stated that if extra copies of minutes are left over she doesn't charge but when they have to pull them from the book and make copies a copying fee is charged.

Supervisor Connors stated that the policy is twenty-five cents a page for all documents that are public record in the Town Clerk's Office.

Resident V commented on his driveway being on Town property, he shouldn't have to shovel out his driveway, if something happened to him while shoveling it could result in a lawsuit against the Town and when he does shovel he should be paid for doing the Highways job.

Resident VI inquired about the GEIS and if the technical team all worked for the Town.

Supervisor Connors stated that they did work for the Town.

Resident VI commented on the fee charged by Saratoga Water Works and asked if there was any idea of what Mechanicville will charge.

Supervisor Connors stated that they were still in negotiations.

Resident VI inquired as to how many drinking laws were on the Town books.

Supervisor Connors stated that in the Town of Stillwater there was no local law on the books that addresses underage drinking or substance abuse.

Resident VI inquired about bathrooms at the Blockhouse.

Councilwoman Winchell stated that there is a problem with getting water & sewer to the Blockhouse. They do have plans set and the building will look like a miniature Neilson House.

Resident VII commented on the application filing date of the test for the position of Director of Building, Planning and Development. She asked if it was going to be acted on immediately in order to be clarified.

Supervisor Connors stated that he would call them in the morning.

#### **Agenda Items** (Resolutions # 98--#112)

*Resolution #98: Authorize the Supervisor to execute the renewal of the omnibus Bond anticipation Note for a period of one year.*

*Resolution #99: Re-Appointing George Walko to the Board of Assessment Review Board.*

*Resolution #100: Authorizing the Supervisor to execute the attached Consultation Agreement with Endman Anthony and Associates for the design and construction of the Cold Springs Road Improvement Project for the Luther Forest Technology Campus.*

*Resolution #101: Authorizing the Director of Fiscal Management to attend the 7<sup>th</sup> Annual Town Finance & Management School.*

*Resolution #102: Authorizing the Supervisor to execute the finding that the proposed amendment to the Comprehensive Plan will have no significant adverse impact on the environment.*

*Resolution #103: Amending the Town of Stillwater Comprehensive Plan to include a list of all Town roads and a plan to upgrade all Town roads to meet the Town's current road specifications.*

*Resolution #104: Declaring the 1985 Chevrolet Blazer to be surplus property and put out to bid with a minimum bid of \$500.*

*Resolution #105: Appointing Richard Gildersleeve as an Alternate Police Officer for the Town of Stillwater.*

*Resolution #106: Authoring the Supervisor to execute the Saratoga County STOP-DWI Agreement.*

*Resolution #107: Rescind Resolution #195 of 2006-establishing an escrow account.*

*Resolution #108: Rescind Resolution #121 of 2006-increasing an escrow account.*

*Resolution #109: Authorizing the Superintendent to attend the New York State Highway Superintendent Conference at Ithaca College.*

*Resolution #110: Authoring the Director of Building, Planning & Development to attend the Local Government Planning & Zoning Workshop at Hudson Valley Community College.*

*Resolution #111: Authoring the Attorney for the Town to prepare a map, plan & report for the creation of a special ambulance district.*

*Resolution #112: Authorizing the Supervisor to enter into a contract with the Chazen Co. to survey the Town's Multi-Use-Trail from Halfway House Rd to Railroad Ave.*

**Motion** by Councilwoman Ronda and seconded by Councilman Petronis to all Resolution in a block.

A roll call vote was taken by the Town Clerk as Follows:

Councilman Baker	Absent
Councilman Petronis	Yes
Councilwoman Ronda	Yes
Councilwoman Winchell	Yes
Supervisor Connors	Yes

**Motion carried.** Resolution #98--#112 will be adopted as a block.

**Motion** by Councilwoman Ronda and seconded by Councilman Petronis to adopt Resolutions #98 thru #112.

Discussion: Resolution #103

Councilwoman Winchell asked if this included all Town Roads.

A brief discussion was held.

Superintendent Minick stated that the wording is suppose to say all Town roads.

A roll call was taken by the Town Clerk as follows:

Councilman Baker	Absent
Councilman Petronis	Yes
Councilwoman Ronda	Yes
Councilwoman Winchell	Yes
Supervisor Connors	Yes

**Motion carried.** Resolutions #98 thru #112 were adopted unanimously. (Copies attached and made part of the minutes).

#### **Audited Claims**

**Motion** by Councilwoman Ronda and seconded by Supervisor Connors to pay the audited claims.

General	#176-#208	\$12,479.75
Highway	#176-#196	\$6,119.33
Town Outside	#29-#30	\$1,951.53
Water & Sewer	#27-#30	\$44,952.36
Capital Projects	#27	\$4,763.74
(Water Dist 3 & 4)		

The Town Clerk questioned the whereabouts of a voucher submitted during executive session. (Note: Voucher could not be located)

A roll call vote was taken by the Town Clerk as follows:

Councilman Baker	Absent
Councilman Petronis	Abstained (he had not seen them)
Councilwoman Ronda	Yes
Councilwoman Winchell	Yes
Supervisor Connors	Yes

**Motion carried.**

**Motion** by Councilman Petronis and seconded by Councilwoman Ronda to adjourn the Business meeting at 8:55 PM. **Motion carried.**

Respectfully submitted by

Sue Cunningham  
Stillwater Town Clerk

