

**Stillwater Town Board  
Agenda Meeting  
April 3, 2008 7:00 PM  
Stillwater Town Hall**

**Present:**      **Councilman Artie Baker**  
                 **Councilman Ken Petronis**  
                 **Councilwoman Lisa Bruno**                      **\*Arrived at 7:05 PM\***  
                 **Councilwoman Virginia Whitman**  
                 **Supervisor Shawn Connelly**

**Also Present:** **Sue Cunningham, Town Clerk**  
                 **Mark Minick, Supt of Highways**  
                 **James Trainor, Attorney for the Town**                      **\*Arrived at 7:05 PM\***  
                 **Joe Lanaro, Engineer for the Town**                      **\*Arrived at 7:05 PM\***

Supervisor Connelly called the Agenda 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 Whitman to adopt the minutes of the March 6, 2008 Agenda meeting. **Motion carried.**

**Communications:** None

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

**Supervisor Connelly**

**Cold Springs Rd Corridor:** There were two public workshops held last week, one on Tuesday and another on Thursday to update residents on the construction of Cold Springs Road as well as Robinson Road, Fitch Road and Farley Road. They centered on the purchasing of easements for the construction of the new road as well as the sanitary sewer that will go along Cold Springs Road. The Town is hoping to be able to put this out to bid for a June 2008 start time, with a one year time table weather permitting.

**98 Tornado:** The 10 Year anniversary of the Tornado picnic in Turning Stone Park will be held on Saturday May 31<sup>st</sup> from 12 to 3 PM. We plan showing a video of news footage taken after the tornado as well as some pictures that were taken by residents. I am also hoping read a special proclamation to honor an officer that was killed during clean up. Free hot dogs, chips and refreshments will also be cooked and served by myself as well as the Mayor and Supervisor from the city of Mechanicville.

**Luther Forest Tech Park:** The Town Board will be putting together a committee to make recommendations back to the board on Host Benefits for the AMD project. This board will look at the needs of the community, as well as Major Projects the town has already been looking into funding for.

**Saratoga National Historical Park:** Lastly the Saratoga National Historical Park is having guided bird walks on April 12<sup>th</sup> at 7pm and May 10<sup>th</sup> at 7: am for anyone interested. They will leave from the flag pole in the parking lot. Appropriate shoes are suggested as well as your own binoculars. They also suggest you bring water and insect repellent.

**Councilman Baker**

**Parks & Recreation:** Councilman Baker reported that he is in the process of acquiring quotes for new signage for the Saratoga Glen Hollow Park.

Councilman Baker reported that he has been looking into playground equipment and construction of a basketball court for the Saratoga Glen Hollow Park. He stated that he has received a cost of approximately \$35,000.

**Resolutions:** Councilman Baker requested a resolution authorizing the Highway Dept to install a culvert at the Riverfront Park.

**Community Center:** Councilman Baker reported that the President & Vice president of the Community Center Board have attended an Emergency Management class.

Councilman Baker reported that all recommendations from the Town Board have been addressed except the hiring of a consultant which is due to be hired at their next meeting on April 10<sup>th</sup>.

Councilman Baker reported that the Community Center received \$7,000 from Stewarts through the holiday matching fund, eighty chairs were donated from Tommy Salvatore, the Easter

breakfast was a success and the repair of the thermostat & boiler for the old gym has been completed.

### **Councilman Petronis**

Canine Control: Councilman Petronis stated that in speaking with the Canine Control officer the board might want to consider raising the court fines for unlicensed dogs. He also suggested that the Board consider changing the title of Canine Control to Animal Control.

A discussion was held in regard to increasing fines and animal control vs canine control.

Parks & Recreation: Councilman Petronis questioned the ad put in the paper for lawn care bid. He stated that he didn't believe the ad was detailed enough.

Supervisor Connelly stated that this would be discussed in executive session under contracts.

Town Hall: Councilman Petronis reported that he would be contacting someone in regard to putting a pitch roof on the Town Hall.

### **Councilwoman Bruno**

Landfill: Councilwoman Bruno reported that she has purchased new clean-up signs and that the first clean-up would be May 24<sup>th</sup>.

Historian's Office: Councilwoman Bruno reported that the Historians are working on a Veterans display and are still looking for photos of residents who served in the armed service.

Library: Councilwoman Bruno stated that the library is selling Great Escape tickets at 19.99 as a fund raiser.

Resolution: Councilwoman Bruno requested a resolution to hire Jake Urkevich as the custodian for clean up day.

Councilman Petronis brought up for discussion on how to address out of town people from coming to clean up day.

Discussion evolved around showing proof of residency.

### **Councilwoman Whitman**

Personnel Manual: Councilwoman Whitman that the committee has met and they are hoping to have the manual completed by May to present to the Town Board.

Browns Beach: Councilwoman Whitman inquired if the Town Could request that the owners of Browns Beach clean up the area.

A discussion was held on how this is done. The Board concluded that the Code Enforcement Officer would send a letter to the owners in regards to cleaning up the area if they don't do anything than the Town would clean up the area and put the cost on the owner's tax bill.

Emergency Management: Councilwoman Whitman stated that she attended a meeting and that they are doing an excellent job.

Sons of American Legion: Councilwoman Whitman suggested that the Town Board send a letter of recognition to the Sons of the American Legion for all the dedicated volunteer work they do.

Clothing Bin: Councilwoman Whitman reported that she was approached by a member of the Hudson-Mohawk Firemen Association in regard to putting a small clothing bin in the lower parking lot.

A discussion was held on whether to permit the clothing bin to be installed. The Board decided to have a resolution for the next meeting to allow the clothing bin for the summer months.

Highway: Councilwoman Whitman met with the Highway & Water Committee and now has a better understanding of the Cold Springs Rd Corridor Project and the new water meters.

Signs: Councilwoman Whitman stated that she is looking into the cost of new entrance signs. A brief discussion was held in regard to the cost.

Supervisor Connelly stated that some of the Emergency Management Committee members, Malta Ridge, Saratoga Springs and AMD met to start coordinating procedures that need to be in place incase of spills or other emergencies.

Councilman Petronis brought up for discussion property maintenance and nude sunbathing. Attorney Trainor will look into these subjects.

### **Supt of Highways (Mark Minick)**

Supt Minick reported that the Highway Dept is in the process of sweeping the roads, cutting dead trees along the sides of the road and installing the new water meters.

PNL: Supt Minick submitted a packet of information to Attorney Trainor.

Resolution: Supt Minick requested a resolution for authorization to attend Highway School in June.

Cold Springs Rd: Supt Minick reported that they have had several meetings, the sewer portion is becoming a very hot topic, they are trying to secure easements, will be receiving bids and the target date is set for June.

Water: Supt Minick stated that he would like to set up a system where notification of increases in water billing is sent out.

Malta: Supt Minick stated that he met with the Malta Highway Supt in regard to shared services grant money. He commented that there is talk of moving Malta Highway Dept that is next to the Malta-Stillwater Town line. It was discussed that perhaps they do one big building where the Town of Stillwater and Malta would be back to back and they could put in for a shared grant. Discussion was held on whether this was worth looking at.

Trucks: Supt Minick stated that he budgeted last year for two new pick up trucks to replace 2 of the highway pick ups. He went over the cost of the trucks, plows, radios and lights. He said that the actual cost of just the trucks would be \$28,916.25.

Councilwoman Whitman asked if two of the trucks they are driving now are being moved down to replace the old trucks and the new ones would replace those ones.

Supt Minick stated that is how they have always done it.

A discussion was held on the purchase of the new trucks and surplus of the old trucks.

#### **Attorney for the Town** (James P Trainor)

Bond Council: Attorney Trainor distributed material to the Board members in regard to new Bond council.

Attorney Trainor informed that the following week he would be on reserve duty and it may take a little longer to get back to any Board members who try to contact him.

#### **Engineer for the Town** (Joe Lanaro)

Engineer Lanaro submitted an Engineer report for the Board to review and gave a brief overview of the report. (A copy of the report can be viewed in the Town Clerks office).

Councilman Petronis inquired if the water line has reached the other side of Route 423.

A discussion was held on this and how much further up it would go.

Supt Minick inquired about the extra sampling that needs to be done in regard to the Brownfield. Engineer Lanaro stated that they are just asking for confirmation samples after the fact.

#### **Town Clerk** (Sue Cunningham)

Sue Cunningham, Town Clerk reported that she submitted her monthly report to the Board.

#### **Public Input**

Resident I inquired about the money appropriated in the budget for parks, how much was appropriated to the Saratoga Glen Hollow Park, whether the steep sides of the park were stable and commented that if the park wasn't done right it would be a waste of tax payer's money.

A discussion ensued on the cost, design and signage.

Councilman Petronis stated that before anything was done grading and drainage would be done.

Resident II questioned the cost of benches and garbage cans for the .9mile multi use trail.

Supervisor Connelly stated that he was unsure of the cost but would check on this.

Resident III stated that the cost per garbage can was \$900, benches are \$1300 and light poles are \$3500.

Resident III questioned Resolution #58 and what a Multi-Modal Agreement was.

Supervisor Connelly stated that the original agreement for the trail needs to be amended because they can't go past the railroad tracks. In order to receive the rest of the funding they need to amend the mileage.

Resident III inquired about the water rate increase.

Supt Minick reported that the increase was fifty cents this time and an additional fifty cent increase for the next two billings.

A discussion was held on the increase and the O&M cost.

Resident III commented on the bridge on the trail which is behind his house and asked if a buffer could be put up to hide the bridge which he considers an eyesore.

A discussion was held.

Supervisor Connelly stated in regard to a question that Resident IV asked regarding credit card fees and if the Town Court loses any money from accepting credit cards for fines.

Resident IV questioned the use of trucks borrowed from out of town residents for clean up day. Supervisor Connelly stated that the resident should come with the owner of the truck or the person should possibly have a letter from the resident.

Resident IV commented on the sump pumps, fines the village resident could face and if a court cost was added to the fine.

Supervisor Connelly stated that he was not sure.

Resident IV inquired about Resolution #56 and whether this was just for a transportation line or hook up line.

Engineer Lanaro stated that this was the intent to look at extending a transmission line from the County System at the AMD property and run down into the Town.

A discussion was held on the infrastructure, cost, and funding sources.

Resident IV questioned the PNL tax assessment.

Attorney Trainor stated that the ultimate issue is the evaluation of property which requires a certify appraiser to give an appraisal.

Resident V inquired about the status of the codification and if copies were available.

Attorney Trainor is reviewing the document and than will make his recommendations to the Board.

Shawn stated that copies will be available at cost.

Resident V questioned how the sewer was being funded on Cold Springs Road and why they can't get funding for sewer on the top of Viall Ave.

Supervisor Connelly stated that this is all funded through the NYS Multi-Modal Program.

Supt Minick stated that the funding was secured through the LFTC.

A discussion was held on funding and sewer for Viall Ave.

Resident II commented on how County Waste used to send out letters in regard to the Town wide cleanup.

Councilwoman Bruno stated that in speaking with County Waste she was told that they would not be sending out letters notifying residents.

Resident VI questioned whether the Highway Dept was flushing hydrants because of his water being brown.

Supt Minick stated that the village would be flushing hydrants on the 14<sup>th</sup> & 15<sup>th</sup> and than the Town would announce when they would be flushing hydrants. He stated that once the Village flushed the hydrants it should flush out the brown coloring.

Resident VI commented on water being pumped out from a house on the corner of Kellogg and Center St. where the water sits on the road and in the winter it freezes up which becomes dangerous.

Supt Minick stated that to solve this problem is in a gray area. If you have the resident stop pumping the water from the home you have to give them an alternate way to pump the water. Further discussion was held.

Resident VII asked if another public hearing would be held on the codification.

Attorney Trainor stated that there would be a public hearing.

Resident VII commented on the canine control and patrolling hillside.

A discussion was held and it was stated that the canine control officer doesn't go out and patrol for dogs running loose. If a dog is running loose than they need to call him.

#### **Agenda Items** (Resolutions #56 -- #62)

*Resolution #56: Authorizing the preparation of the Map, Plan & Report for the connection to the Saratoga County Water Authority Water System.*

*Resolution # 57: Authorizing the Highway Superintendent to purchase two trucks off State Contract.*

*Resolution #58: Authorizing the Supervisor to enter into an agreement with the NYS Dept of Transportation for a Multi-Modal Agreement, PIN ME2267.30A, Multi-Use Trail.*

*Resolution #59: Amending Resolution #20 of 2008 regarding a proposal by Creighton Manning Engineering regarding the Cold Springs Rd Corridor Improvement Project.*

*Resolution #60: Legal Services for the Cold Springs Rd Reconstruction Project.*

*Resolution #61: Finding that the Cold Springs Road Corridor Reconstruction Project will not have a significant environmental impact.*

*Resolution #62: Authorizing the Disbursement for Town Day at the Races.*

*Resolution #63: Authorizing a public hearing for April 30<sup>th</sup> regarding eminent domain proceedings.*

Supt Minick stated that Resolution #61 was premature and requested that someone pull Resolution #61 to be tabled.

Councilwoman Bruno requested Resolution #60 be pulled for discussion.

Councilwoman Whitman requested that Resolution #60 be pulled for discussion.

**Motion** by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolutions #56, #58, #59, #62, & #63.

A roll call vote was taken as follows on Resolutions # 56, #58, #59, #62, & #63.

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

**Motion carried.** Resolutions # 56, #58, #59, #62, & #63 were adopted unanimously. (Copies attached and made part of the minutes)

**Resolution #60** (Legal Services for Cold Springs Road Reconstruction Project)

Discussion:

Councilwoman Bruno stated that her concern was that she hasn't seen anything in writing that the Town was going to be protected and not become liable for the legal fees.

Councilman Baker questioned if the legal services were included the same as the Engineers.

Engineer Lanaro stated that it was his understanding that the Multi-Modal programming, the funding mechanism for the Cold Springs Rd Corridor Project reimburses 80% of the design cost, 95% of the construction project of the entire project. There is a memorandum of understanding between the Town and the County that indicated that the County was going to pick up those uncovered portions that were not fundable through the Multi-Modal Program.

Councilwoman Bruno stated that she would like visual confirmation.

**Motion** by Councilman Petronis and seconded by Councilman Baker to adopt Resolution #60.

A roll call vote was taken as follow on Resolution #60:

Councilman Baker	Yes
Councilman Petronis	Yes
Councilwoman Bruno	No
Councilwoman Whitman	Yes
Supervisor Connelly	Yes

**Motion carried.** Resolution #60 was adopted by a 4 to 1 vote. (Copy attached and made part of the minutes).

**Resolution #57** (Purchase of two Highway vehicles).

**Motion** by Councilman Petronis and seconded by Supervisor Connelly to adopt Resolution #57.

Discussion:

Councilwoman Whitman stated that she pulled this resolution because she believes in fiscal conservative spending and with the economic climate throughout the State and Town she can't agree with spending \$60,000 for two new trucks. She stated that just because money is in the budget she has made it obvious she is not for spending every cent that is in the budget.

Councilman Petronis stated that they put that money in the budget, it was discussed last year and the money was put there to keep the fleet updated. A lot of miles are put on the vehicles and they have lost one of the vehicles that are to be replaced.

Further discussion was held on the replacement of the two trucks, how the trucks are passed down and the use of the trucks.

A roll call vote was taken as follows on Resolution #57;

Councilman Baker	No
Councilman Petronis	Yes
Councilwoman Bruno	Abstain
Councilwoman Whitman	No
Supervisor Connelly	Yes

**Motion defeated.** Resolution #57 was defeated by lack of majority vote. (Copy attached and made part of the minutes).

**Resolution #61** (Findings that the Cold Springs Rd Corridor Reconstruction Project will not have a significant environmental impact)

**Motion** by Councilman Baker and seconded by Councilwoman Whitman to table Resolution #61.

A roll call vote was taken as follows on Resolution #61:

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

**Motion carried.** Resolution # 61 was tabled unanimously. (Copy attached and made part of the minutes).

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

General	#171-#192	\$8,385.47
Highway	#154-#167	\$8,483.30
Town Outside	#43-#46	\$10,248.34
Water & Sewer	#	\$85.50
Capital Projects	#	\$1,305.00
(Cold Springs Rd)		

**Motion carried.**

**Motion** by Councilwoman Whitman and seconded by Councilman Baker to adjourn into executive session at 8:30 PM. **Motion carried.** (Contractual)

**Motion** by Councilwoman Whitman and seconded by Councilwoman Bruno to return to the agenda meeting. **Motion carried.**

**Motion** by Councilman Baker and seconded by Councilwoman Whitman to adjourn the agenda meeting of the Stillwater Town Board at 8:58 PM. **Motion carried.**

Respectfully submitted by

Sue Cunningham  
Stillwater Town Clerk