

**Stillwater Town Board
Agenda Meeting
May 2, 2013 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
 James Trainor, Attorney for the Town
 Joe Lanaro, Engineer for the Town

Absent: 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.

Motion by Councilman Petronis and seconded by Councilwoman Whitman to adjourn into executive session to discuss personnel and contracts. **Motion carried.**
Motion by Councilman Petronis and seconded by Councilwoman to resume the regular schedule meeting. **Motion carried.**

Adoption of Minutes: **Motion** by Councilwoman Whitman and seconded by Councilwoman Bruno to adopt the minutes of March April 4, 2013. **Motion carried.**

Bid Opening

<u>Excavator:</u>	Milton Cat	\$97,254.00
	Nortrak	\$107,970.00
<u>Fuel Bids:</u>	John Ray & Sons	\$3.125 Diesel
		\$3.245 Heating
	GA Bove & Sons	\$3.2043 Diesel
		\$3.1240 Octane
		\$3.1775 Heating

Reports (Town Board & Dept. Heads)

Councilwoman Whitman
Resolutions: Councilwoman Whitman requested resolutions for summer concerts and for Code of Ethics.

Councilman Baker
Community Center: Councilman Baker reported that the community Center garden will proceed soon.
Councilman Baker requested the use of the Town credit card to purchase 5 sheets of plywood to fix the community center float.

Supervisor Kinowski
New Town Hall: Supervisor Kinowski gave a brief update on the status of the new Town Hall.
Parking Lot: A brief discussion was held on sealcoating, stripping the parking lot and handicap parking areas.
Motion by Councilman Baker and seconded by Councilwoman Bruno authoring Councilman Baker to obtain 3 quotes for sealcoating and stripping of parking lot and to hire the lowest quote. **Motion carried.**

Town Hall sign of building: A discussion was held on the condition of the sign on the present Town Hall. The consensus of the Town Board was to have Councilman Baker take the sign to One Day Signs for reconditioning.

Town Hall Moving: Supervisor Kinowski reported that the Town Hall would be open on Monday, May 13th & Tuesday, May 14th for business but will be closed from Wednesday, May 15th thru Sunday, May 19th for moving of the Town offices to the new Town Hall.

Personnel Manual: Supervisor Kinowski stated that even though they adopted the updated personnel manual there are still a couple of areas that need to be amended.

Capital Projects: The date for the next capital projects meeting will be on May 10th from 8 a.m. to noon.

Executive session: Supervisor Kinowski requested an executive session at the end of the meeting to discuss personnel and contract issues.

Global Foundries: Supervisor Kinowski reported on the upcoming opening of the park fields in the Tech Park.

Town Attorney

Van Ness Road: Attorney Trainor gave a brief update on the finalization of 4 parcels regarding easements.

Water Consolidation: Attorney Trainor stated that he would be coordinating the timeframe and accurate of public notices with the Town Clerk regarding the proposed water consolidation project.

Agenda Items

(Resolutions #35--#38)

Resolution #35 Accepting Proposed Joint Consolidation Agreement and Commencing Consolidation Proceeding

Introduced by: Supervisor

WHEREAS, General Municipal Law (“GML”) Article 17-A permits towns to consolidate water districts in accordance with a prescribed procedure; and

WHEREAS, after numerous discussions and meetings over the last four (4) years, including four (4) well-attended public workshops, a Proposed Joint Consolidation Agreement (“Agreement”) has been developed by the Town’s Capital Projects Committee in consultation with the engineers and the attorneys for the Town, a copy of which Agreement is attached hereto and on file at the Town Clerk’s Office;

Now, therefore, be it

RESOLVED, that the Town Board hereby commences the Proceeding under GML §751(2)(a) to consolidate Town Water Districts # 1, 3, 4 and 4 Extension 1 into Town Water District #6; and be it further

RESOLVED, that the Town Board hereby endorses the attached Proposed Joint Consolidation Agreement and finds that it meets the requirements of GML §752; and be it further

RESOLVED, that pursuant to GML §753, the Town Clerk is directed to, no later than five (5) business days after this Resolution No. 35 of 2013 is adopted, (1) display a copy of the Agreement, with its attachments, in her office and make it readily accessible to the public for inspection; (2) post the Agreement on the Town’s website; (3) publish a descriptive summary of the Agreement as well as a reference to the place where a copy of the Agreement can be examined at least once each week for four successive weeks in the Town’s official newspaper (*The Mechanicville Express*) or other newspaper of general circulation within the Town; and be it further

RESOLVED, that a Public Hearing be noticed and held in conformity with GML §754.

Motion by Councilwoman Bruno and seconded by Councilman Baker to adopt Resolution #35 of 2013.

A roll call vote was taken on Resolution #35 of 2013 as follows:

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

Motion carried. Resolution #35 of 2013 was adopted unanimously.

**Resolution #36 Authorizing Circulation of
Notice of Intent to Serve as SEQRA Lead Agency**

Introduced by: Supervisor

WHEREAS, The Town of Stillwater is proposing a consolidation of existing and contiguous Town Water Districts #1, 3, 4 and 4 Extension 1 into a new Town Water District #6; and

WHEREAS, the consolidated water district will be supplied water via transmission line to be installed which connects the existing Saratoga County Water Authority (“SCWA”) system along Cordero Boulevard to the existing Town infrastructure within the current Water District #3 and Water District #4; and

WHEREAS, the water districts to be consolidated are generally located East of George Thompson Road, North of NYS Route 67, West of US Route 4 and South of Saratoga County Route 76; 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.

Now, therefore, be it

RESOLVED, that pursuant to the applicable standards of SEQRA 6 NYCRR Part 617.6, the Town Board of the Town of Stillwater concludes that it is the appropriate agency to serve as Lead Agency for the coordinated environmental review of the proposed Unlisted Action; and be it further

RESOLVED, that the Town Board hereby declares its intent to be Lead Agency for the coordinated SEQRA evaluation; and be it further

RESOLVED, that the Town Board hereby authorizes the circulation of the Lead Agency Agreement to the other Involved and Interested Agencies, indicating the Town Board’s intention to serve as Lead Agency, including circulating the Part 1 of the Full Environmental Assessment Form (EAF).

Motion by Councilwoman Bruno and seconded by Councilman Baker to adopt Resolution #36 of 2013.

A roll call vote was taken on Resolution #36 of 2013 as follows:

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

Motion carried. Resolution #36 of 2013 was adopted unanimously.

**Resolution #37 Setting A Public Hearing
Regarding the Proposed Joint Consolidation Agreement
For Water District #6**

Introduced by: Supervisor

WHEREAS, Section 754 of the NYS General Municipal Law (“GML”) requires that a Public Hearing be held to consider consolidation of Town Water Districts # 1, 3, 4 and 4 Extension 1 into new Town Water District # 6 and generally located East of George Thompson Road, North of NYS Route 67, West of US Route 4 and South of Saratoga County Route 76; and

WHEREAS, the purpose of the hearing will be to inform the public, to determine and consider the benefits of consolidating, to review the public purpose to be served, and to assess the impact of the consolidation on the environment and the residents prior to the consolidation of these Districts; and

WHEREAS, the Proposed Joint Consolidation Agreement is available for public inspection at the Town Clerk’s Office during regular business hours and will be available on the Town website within 5 business days;

Now, therefore, be it

RESOLVED, that a Public Hearing pursuant to GML §754 be scheduled for June 20, 2013 at 7:00 p.m. at the (new) Stillwater Town Hall, 881 Hudson Avenue, Stillwater, NY 12170, to inform the public, determine and consider the benefits of consolidating Town Water Districts # 1, 3, 4 and 4 Extension 1 into new Water District # 6, to review the public purpose to be served, and to assess the impact of the consolidation on the environment and the residents prior to consolidation of those Districts; and be it further

RESOLVED, that any interested person will be given a reasonable opportunity to be heard on any aspect of the proposed consolidation to give oral or written statements and to submit other documents concerning the proposed consolidation that evening; and be it further

RESOLVED, that the Town Clerk is directed to publish Notice of the Public Hearing containing a descriptive summary of the Proposed Joint Consolidation Agreement and indicating that a copy of such Agreement is available for examination in the Town Clerk’s Office in Town Hall; and be it further

RESOLVED, that the aforesaid Notice of Public Hearing is to be published at least 10 days, but not more than 20 days, before the date the Public Hearing is to be held and is to be published in a newspaper having general circulation within the Town and in the effected Districts.

Motion by Councilwoman Bruno and seconded by Councilman Baker to adopt Resolution #37 of 2013.

A roll call vote was taken on Resolution #37 of 2013 as follows:

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

Motion carried. Resolution #37 of 2013 was adopted unanimously.

Resolution #38 Appointing an Interim Town Justice

Introduced by: Supervisor

WHEREAS, Town Justice, Michael Zurlo, offered his resignation to the Town on April 11, 2013 in order to pursue running for a County position; and

WHEREAS, the Town desires to fill the vacant position with an interim Town Justice namely, Edward Richardson, Esq., residing at Route 4, Stillwater, New York 12170;

Now, therefore, be it

RESOLVED, that the Town Board appoints Edward Richardson, Esq. as interim Town Justice to fill the position vacated by Town Justice Michael Zurlo through December 31, 2013 or until a replacement is seated.

Motion by Councilwoman Bruno and seconded by Councilman Baker to adopt Resolution #38 of 2013.

A roll call vote was taken on Resolution #38 of 2013 as follows:

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

Motion carried. Resolution #38 of 2013 was adopted unanimously.

Public Input

Coke C inquired as to when the road closure would be on Route 4 near the iron bridge. Supervisor Kinowski stated the road closure was planned for the weekends of June 8th and June 15th.

Art F questioned Resolution #35, Resolution #36, and Resolution #38. Supervisor Kinowski explained that Resolution #35 would combine water districts 1,3,4, 4 ext 1 and the new proposed water district all into one district with no new debt. Attorney Trainor stated that SEQR stood for State Environmental Quality Report. Supervisor Kinowski stated that to appoint someone to temporarily fill the position of judge now has to be an attorney because there are no training classes until October.

Audited Claims

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

General	#171--#182	\$8,581.55
Town Outside	#78--#83	\$2,430.16
Highway	#177--#200	\$42,980.38
Water & Sewer	#24--#30	\$4,969.91
Capital Projects		

Motion carried.

Motion by Councilman Petronis and seconded by Councilman Baker to adjourn into executive session to discuss contract negotiations and personnel. **Motion carried.** (Note: The Town Board will not resume the regular meeting).

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk