

**Stillwater Town Board
Business Meeting
August 15, 2013 7:00 PM
Stillwater Town Hall**

Present: **Councilman Artie Baker
Councilman Ken Petronis
Councilwoman Lisa Bruno
Supervisor Ed Kinowski**

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

Absent: **Councilwoman Virginia Whitman
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 Bruno to adopt the minutes of July 18, 2013. **Motion carried.**

Agenda Items **(Resolution #83 - #89)**

Resolution #83 Accept a Proposal to Make Repairs at the Blockhouse

Introduced by: Supervisor

WHEREAS, a need for repairs of the retaining wall, drainage and brick walkway around the flag poles at the Blockhouse has been identified;

WHEREAS, the scope of the project brought it under the thresholds contained in General Municipal Law §103 for competitive bidding;

Now, therefore, be it

RESOLVED, that the Town Board hereby finds that Riverside Yard Care has submitted the lowest most responsible proposal for repairs at the Blockhouse in the amount of \$4,460.00; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to accept the proposal of Riverside Yard Care for repairs at the Blockhouse as outlined in the attachment hereto at a cost not to exceed \$4,460.00.

Motion by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #83 of 2013.

A roll call vote was taken on Resolution #83 of 2013 as follows:

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

Motion carried. Resolution #83 of 2013 was adopted unanimously.

**Resolution #84 Appoint a Professional Service Contractor as the
Acting Director of the Department of Building,
Planning and Development**

Introduced by: _____ Supervisor _____

WHEREAS, the Town of Stillwater is reorganizing the Department of Building, Planning and Development and finds it necessary to hire an independent contractor; and

WHEREAS, said contractor will replace the late Mr. Richard R. Butler as the Acting Director of the Department of Building, Planning and Development effective immediately; and

WHEREAS, said contractor, will be a licensed professional with the necessary skills and abilities to perform the duties as the Acting Director;

Now, therefore, be it

RESOLVED, that the Supervisor is authorized to enter into a contract with Paul K. Male, to serve as the Acting Director of the Department of Building, Planning and Development, and shall be paid an annual retainer of \$50,000.00 payable monthly for personal services rendered to the Town Board, Planning Board and Zoning Board of Appeals, respectively; and be it further

RESOLVED, additional professional services, as directed by the Town Board, shall be payable to Mr. Male on an hourly basis at the rate of \$100 per hour.

Motion by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #84 of 2013.

A roll call vote was taken on Resolution #84 of 2013 as follows:

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

Motion carried. Resolution #84 of 2013 was adopted unanimously.

**Resolution #85 Setting a Public Hearing to Consider a Zoning Map Update for
the Route 67 West Business District**

Introduced by: _____ Supervisor _____

WHEREAS, The Chazen Companies has recommended an update of the Town’s Zoning Map; and

WHEREAS, the Town Board wishes to conduct a public hearing to consider comments from residents regarding the proposed updates to the Town’s Zoning Map;

Now therefore be it,

RESOLVED, that a public hearing is hereby scheduled for 7:00 p.m. September 19, 2013 at Stillwater Town Hall, 881 Hudson Road, Stillwater, New York 12170 to consider updates to the Town’s Zoning Map; and be it further

RESOLVED, that pursuant to the authority vested in the Town Board by virtue of the New York State Constitution and the Municipal Home Rule Law, the Town Board hereby exercises the authority to supersede New York State Town Law Sections 264 and 265 requiring ten (10) days prior publication of the Public Hearing and shortening the period

to five (5) days prior to the hearing pursuant to Municipal Home Rule Law Section 20; and be it further

RESOLVED, that the Town Clerk is directed to immediately post and publish the attached Notice of Public Hearing in the Schenectady Gazette or the Mechanicville Express preferably ten (10) days prior to September 19, 2013 but no later than five (5) days prior to September 19, 2013 and to obtain Affidavits of Publication therefore; and be it further

RESOLVED, that the Town Clerk and Town Supervisor shall complete and file in the Office of the Town Clerk the attached Affidavits of Posting/Publication, respectively, not later than September 19, 2013; and be it further

RESOLVED, that The Chazen Companies are hereby directed to immediately refer the proposed Zoning Map Updates to the Town and County Planning Boards pursuant to the Town’s Zoning Code and Section 239-m of the General Municipal Law, respectively, for comments prior to September 19, 2013; and be it further

RESOLVED, that although it is anticipated that the adoption of the Zoning Map Update may be deemed a Type II action under 6 NYCRR §617.5(17), The Chazen Companies are to ensure compliance with the State Environmental Quality Review Act (“SEQRA”).

Motion by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #85 of 2013.

A roll call vote was taken on Resolution #85 of 2013 as follows:

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

Motion carried. Resolution #85 of 2013 was adopted unanimously.

**Resolution #86 Awarding the Bid for Construction of Tennis Courts
 At Glen Hollow Park**

Introduced by: Supervisor

WHEREAS, competitive bids were solicited and opened on August 1, 2013 for the Glen Hollow Tennis Court project; and

WHEREAS, six (6) bids were submitted and the General Municipal Law requires that the bid be awarded to the lowest most responsible bidder;

Now, therefore, be it

RESOLVED, that the contract for the Town’s Glen Hollow Tennis Court project is hereby awarded to the lowest most responsible bidder, Callanan Industries, Inc., at the bid price of \$71,970.00 pursuant to the attached bid; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to enter into an agreement with Callanan Industries, Inc. for the stated price and to disburse the needed funds as appropriate.

Motion by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #86 of 2013.

A roll call vote was taken on Resolution #86 of 2013 as follows:

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

Motion carried. Resolution #86 of 2013 was adopted unanimously.

**Resolution #87 Approve The Chazen Companies
Engagement Agreement Regarding
Mobile Home Park Inventory/Mapping Services**

Introduced by: Supervisor

WHEREAS, The Chazen Companies has submitted an Engagement Agreement relating to detailed survey work regarding Mobile Home Park Inventory/Mapping Services;

Now therefore, be it,

RESOLVED, that the Supervisor is authorized to sign an Engagement Agreement (Engagement Agreement #21 attached) for additional surveying services with The Chazen Companies relating to detailed survey work regarding Mobile Home Park Inventory/Mapping Services in the amount of \$3,000.00.

Motion by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #87 of 2013.

A roll call vote was taken on Resolution #87 of 2013 as follows:

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

Motion carried. Resolution #87 of 2013 was adopted unanimously.

**Resolution #88 Approve The Chazen Companies
Engagement Agreement Regarding
Riverfront Park**

Introduced by: Supervisor

WHEREAS, The Chazen Companies has submitted an Engagement Agreement relating to detailed survey work regarding Riverfront Park;

Now therefore, be it,

RESOLVED, that the Supervisor is authorized to sign an Engagement Agreement (Engagement Agreement #22 attached) for additional surveying services with The Chazen Companies relating to detailed survey work regarding Riverfront Park in the amount of \$12,310.00.

Motion by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #88 of 2013.

A roll call vote was taken on Resolution #88 of 2013 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilman Petronis	YES

Councilwoman Whitman	ABSENT
Councilwoman Bruno	YES

Motion carried. Resolution #88 of 2013 was adopted unanimously.

**Resolution #89 Appoint the Position of Secretary
To the Planning and Zoning Department**

Introduced by: Supervisor

WHEREAS, Deborah Osborn has been recommended to be appointed as the secretary to the Planning and Zoning Department; and

WHEREAS, it has been recommended that the Secretary to the Planning and Zoning Department be paid at the same hourly rate as before; now, therefore be it

RESOLVED, that Deborah Osborn is hereby appointed as the Secretary to the Planning and Zoning Department at the same hourly rate as before, effective immediately, 2013.

Motion by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #89 of 2013.

A roll call vote was taken on Resolution #89 of 2013 as follows:

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

Motion carried. Resolution #89 of 2013 was adopted unanimously.

Supervisor Kinowski

Cell Phone Reimbursement: Supervisor Kinowski stated that he would like to reimburse his secretary for minutes used on her cell phone used for town business.

Motion by Councilwoman Bruno and seconded by Councilman Baker to reimburse the supervisor’s secretary for a portion of her cell phone by monthly voucher. **Motion carried.**

Browns Beach: Supervisor Kinowski pointed out displays set up regarding Browns Beach. He spoke on the Town obtaining Browns Beach, cost, grants, and development agreement.

Councilman Petronis

911 Ceremony: Councilman Petronis reported that there will be a 911 ceremony held at the Blockhouse on 9/11/2013 at 6:30 pm. In the case of rain the ceremony will be held at the Community Center.

Public Input

John V commented on the Building Inspector position advertised, inquired about removing the present building inspector and if he was not removed he was going to contact the Attorney General’s Office.
Discussion was held.

Coke C commented on the advertisement for a building inspector.
Supervisor Kinowski explained the reasoning behind hiring a director instead of a building inspector.
Discussion held on the dept, job titles, future changes & mandates, resumes received and savings going with a new director who has engineering experience and is trained for code enforcement.

Art F. commented on the planned drawings and renovations for Browns Beach and felt the Town moved to quickly on this.
Supervisor Kinowski stated that the drawings were for the grant they were applying for and that they don't have to follow those plans.
Further discussion was held on possibilities for Browns Beach.

John V commented on the present Engineer not living in Town which makes him not able to be the Town Engineer.
Supervisor Kinowski explained that he is not the Town Engineer but Engineer for the Town.
Note: John V became disruptive, would not sit back down and kept talking over the Supervisor.
Supervisor Kinowski threatened to have him remove from the meeting or have the police called to have him removed. At this time the Supervisor closed the public portion of the meeting.

Audited Claims

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

General	#301--#322	\$11,361.44
Town Outside	#136--#149	\$12,826.10
Highway	#317--#338	\$15,285.37
Water	#48	\$860.51
Capital Projects	#25--#30	\$34,375.53

Motion carried.

Motion by Councilman Baker and seconded by Councilman Petronis to adjourn the Town Board meeting at 7:50 pm. **Motion carried.**

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk