

**Stillwater Town Board
Agenda Meeting/Business Meeting
October 7, 2010 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
Mark Minick, Supt of Highways
James Trainor, Attorney for the Town
Joe Lanaro, Engineer for the Town**

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 Councilwoman Whitman and seconded by Councilman Petronis to adopt the minutes of the September 2, 2010 meeting of the Stillwater Town Board.
Motion carried.

Communications: Town Clerk Sue Cunningham noted for the record that 4 communications were received at the last meeting regarding term limits and that all four were against term limits. Members of the Board have received copies of all communications received.

Reports

Councilwoman Whitman

Emergency management: Councilwoman Whitman reported that the Emergency Management Committee is looking for members.

Landfill: Councilwoman Whitman reported that the last clean up for the year will be on Saturday, November 6th.

Property Maintenance: Councilwoman Whitman comment on some vacant lots which are an eye sore.

Supervisor Kinowski stated that the Building Dept will look into the situation, sends a letter to the owner giving them a thirty-day notice to clean up the property and if necessary take legal action. He stated that he reviews all property maintenance reports monthly from the Building Dept. and will visit the owner if necessary to see if he can help in any way. If the property is foreclosed then they have to contact the bank.

2011 Budget: Councilwoman Whitman stated that she does not support the increase in the budget and hopes that the workshops are successful.

Agenda Items (Resolutions 86 & #89--#92)

Resolution #86 LEAD APPLICATION RESOLUTION

Introduced by: Supervisor Kinowski

Brownfield Opportunity Areas Name: Riverside BOA

Resolution authorizing the items listed below pursuant to §970-r of the General Municipal Law.

WHEREAS, the Town of Stillwater Town Board herein called the “Applicant”, after thorough consideration, has hereby determined that certain work, as described in its application and attachments, herein called the “Project”, is desirable; and

WHEREAS, §970-r of the General Municipal Law authorizes State assistance to eligible parties for Brownfield Opportunity Areas Program grants by means of a State Assistance Contract (SAC) and the Applicant deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED BY the Town of Stillwater Town Board,

1. That Edward Kinowski, Supervisor, is the representative authorized to act in behalf of all applicants in all matters related to State assistance under §970-r of the General Municipal Law for the Project. The representative is also authorized to sign and submit the application, execute the SAC, request SAC advances and reimbursements, redistribute SAC reimbursements as appropriate, submit Project documentation, and otherwise act for all applicants in all matters related to the Project and to State assistance;
2. That the Applicant agrees that it will complete the Project;
3. That the Applicant agrees that it will fund its portion of the Applicant's 10% share of the Project; and
4. That this Authorization take effect immediately.

CERTIFICATE OF RECORDING OFFICER

That the attached Resolution is a true and correct copy of the Resolution, as regularly adopted at a legally convened meeting of the Town of Stillwater Town Board, duly held on the 16th day of September 2010; and further that such Resolution has been fully recorded in the _____ [title of record book] in my office.

In witness thereof, I have hereunto set my hand this _____ day of September 2010.

Signature of Recording Officer
If the Applicant has an Official Seal,
Impress here.

Title of Recording Officer

A motion by Councilman Petronis, seconded by Councilwoman Whitman, to TABLE Resolution No. 86.

A roll call vote to TABLE was taken on Resolution No. 86 as follows:

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

Resolution No. 86 was unanimously TABLED at a meeting of the Town Board of the Town of Stillwater duly conducted on September 16, 2010.

Motion by Councilman Petronis and seconded by Councilwoman Whitman to reintroduce Resolution No. 86 of 2010 was made on October 7, 2010.

A roll call vote was taken to reintroduce Resolution No. 86 of 2010 as follows:

| | |
|----------------------|-----|
| Supervisor Kinowski | Yes |
| Councilman Baker | Yes |
| Councilman Petronis | Yes |
| Councilwoman Whitman | Yes |
| Councilwoman Bruno | Yes |

Motion carried.

Motion by Councilwoman Whitman and seconded by Councilman Baker to adopt Resolution #86.

A roll call vote was taken on Resolution No. 86 of 2010 as follows:

| | |
|----------------------|-----|
| Supervisor Kinowski | Yes |
| Councilman Baker | Yes |
| Councilman Petronis | Yes |
| Councilwoman Whitman | Yes |
| Councilwoman Bruno | Yes |

Motion carried. Resolution #86 was adopted unanimously.

**Resolution #89 Authorizing Professional Services in Connection with
 Glen Hollow Town Park**

Introduced by: Supervisor

WHEREAS, the attached proposal of The Chazen Companies for construction administration services in connection Glen Hollow Town Park is annexed hereto and made a part hereof; and

WHEREAS, these services are needed in order to assist the Town with the initial construction work for park improvements;

Now, therefore, be it

RESOLVED, that the Town Board hereby authorizes Chazen to perform the described construction administration services in an estimated amount of \$4,800.00.

Motion by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution #89.

A roll call vote was taken on Resolution #89 of 2010 as follows:

| | |
|----------------------|-----|
| Supervisor Kinowski | Yes |
| Councilman Baker | Yes |
| Councilman Petronis | Yes |
| Councilwoman Whitman | Yes |
| Councilwoman Bruno | Yes |

Motion carried. Resolution #89 was adopted unanimously.

**Resolution #90 Authorizing Professional Services in Connection with
 Water Supply Infrastructure Improvements along
 George Thompson Road, McDermott Road and
 County Route 75**

Introduced by: Supervisor

WHEREAS, the attached proposal of The Chazen Companies for professional services in connection water supply infrastructure improvements along George Thompson Road, McDermott Road and County Route 75 is annexed hereto and made a part hereof; and

WHEREAS, these services are needed in order to advance necessary work items prior to snowfall so that design of the improvements can move forward during the winter months;

Now, therefore, be it

RESOLVED, that the Town Board hereby authorizes Chazen to perform the described professional services in an estimated amount of \$84,450.00.

Motion by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #90.

A roll call vote was taken on Resolution #90 of 2010 as follows:

| | |
|----------------------|-----|
| Supervisor Kinowski | Yes |
| Councilman Baker | Yes |
| Councilman Petronis | Yes |
| Councilwoman Whitman | Yes |
| Councilwoman Bruno | Yes |

Motion carried. Resolution #90 was adopted unanimously.

Resolution #91 Authorizing the Supervisor to Apply for a Grant Regarding Campbell Park Trailhead

Introduced by: Supervisor

WHEREAS, the Town of Stillwater is applying to the New York State Office of Parks, Recreation and Historic Preservation for a grant under the Recreational Trails Program for a trail project to be located at Campbell Park Trailhead and extension of the Stillwater Historic Multi-Use Trail, a site located within the territorial jurisdiction of this Board;

Now, therefore, be it

RESOLVED, that Edward Kinowski, as Supervisor of the Town of Stillwater is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of the Recreational Trails Program, in an amount not to exceed \$200,000.00, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Stillwater for Campbell Park Trailhead and extension of the Stillwater Historic Multi-Use Trail, and, if appropriate, a conservation easement to the deed of the assisted property.

Motion by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #91.

Discussion: Councilwoman Whitman inquired as to what the grant will be used for and if can be used for prior work done.

Supervisor Kinowski stated that he found that there is still \$100.000 to be received and the Town Board can change the intent of the application in order to receive the previous grant.

Further discussion was held the previous debt, design of the trail, extension of the trail and grant funding.

A roll call vote was taken on Resolution #91 of 2010 as follows:

| | |
|----------------------|-----|
| Supervisor Kinowski | Yes |
| Councilman Baker | Yes |
| Councilman Petronis | Yes |
| Councilwoman Whitman | Yes |
| Councilwoman Bruno | Yes |

Motion carried. Resolution #91 was adopted unanimously.

**Resolution #92 Declaring Highway Equipment Surplus and
 Authorize the Highway Superintendent
 to Conduct an Auction for Surplus Equipment**

Introduced by: Highway Superintendent

WHEREAS, the Highway Superintendant has declared that the equipment listed in the attachment hereto has no further useful life to the Town Highway Department and therefore declares it to be “surplus;” and

WHEREAS, the General Municipal Law allows surplus town equipment to be sold to the highest bidder at auction;

Now, therefore, be it

RESOLVED, that the highway equipment listed in the attachment is hereby determined to be surplus equipment; and be it further

RESOLVED, that the Highway Superintendent is authorized to conduct an auction for the sale of the surplus equipment to the highest bidder.

Motion by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #92.

A roll call vote was taken on Resolution #92 of 2010 as follows:

| | |
|----------------------|-----|
| Supervisor Kinowski | Yes |
| Councilman Baker | Yes |
| Councilman Petronis | Yes |
| Councilwoman Whitman | Yes |
| Councilwoman Bruno | Yes |

Motion carried. Resolution #92 was adopted unanimously.

Resolution #93 Scheduling Public Hearing for the 2011 Budget

Introduced by: _____ Supervisor _____

WHEREAS, Supervisor Kinowski has recommended that a Public Hearing be set for taking public input on the proposed 2011 Budget;

Now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for November 4, 2010, at 7:00 p.m. at Town Hall 66 East Street, Stillwater, New York, to receive comments from the public regarding the proposed 2011 Budget; and be it further

RESOLVED, that Town Clerk is hereby directed to publish appropriate notice of the public hearing.

Motion by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #93.

A roll call vote was taken on Resolution #93 of 2010 as follows:

| | |
|----------------------|-----|
| Supervisor Kinowski | Yes |
| Councilman Baker | Yes |
| Councilman Petronis | Yes |
| Councilwoman Whitman | Yes |
| Councilwoman Bruno | Yes |

Motion carried. Resolution #93 was adopted unanimously.

Budget Message

Supervisor Kinowski explained his approach to preparing the budget. He started by asking Department Heads what they wanted, involved redistribution of sales tax and that this is only a working budget in which three workshops will be scheduled to start chiseling away to bring down the tax increase. He also commented on the presentation of the budget which will now show all cash on hand, all unallocated and unappropriated fund balances.

Councilwoman Bruno stated that she likes the way the budget was prepared and feels that if the Town Board works together as a team they can come up with an acceptable budget.

Public Input

Syd T. stated that Social Security is fixed income with no pay increase and people on SS can not afford the increase proposed in the budget.

Jim C inquired on the status of the Doughty Landfill, the lawsuit with Mechanicville School Dist. and the Boilerhouse expense to the taxpayer.

Attorney Trainor stated that the Doughty Landfill is still open with DEC but there has been no movement and there is no resolve with MSD but it is moving forward.

Supervisor Kinowski stated that he is still researching this and needs more time before he can answer questions regarding this matter.

Terry S questioned the Campbell Rd Trailhead in regard to parking & design and the Omnibus Loan.

Engineer Lanaro stated that there is no official design yet. They just need to prepare a concept plan to get the grant and after funding is approved they will do a final concept plan.

Supervisor Kinowski stated that he is looking at what money was received, how the money was applied and if it was applied correctly.

Art F. inquired where the Brownfields were and commented on the term limits.

Supervisor Kinowski stated that the current Brownfield was the old smokestack on Best Ave.

Supervisor Kinowski stated in regard to term limits they still need a fair way of resolving their vote and more input from the public was needed in order to do that.

Tom M commented on term limits as to where a petition can be obtain & how to go about doing a resident referendum.

Attorney Trainor stated that there is a provision in the Town law under Municipal Home Rule section #36 & 37.

Supervisor Kinowski stated that he would obtain the information needed and see that the resident receives it.

Discussion was held on how to best survey the Town residents on their views of term limits for the Supervisor and Council Members.

Art G inquired why department heads did not come to the Board meetings to give reports or answer questions from the public and if the Community Center requested money from the Town to pay for their oil bill.

Supervisor Kinowski he will ask department heads about coming to the meetings and they will discuss at budget time appropriating money for the Community Centers oil bill.

Supervisor Kinowski stated that the new Community Center Director will be attending the 1st Town Board meeting in November.

Supervisor Kinowski stated that the water ban has been lifted for Water District #3 & #4 and on October 13th the City of Mechanicville will be having a meeting at the Senior Center to discuss the water situation.

Audited Claims

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

| | | |
|------------------|------------|-------------|
| General | #391--#428 | \$20,248.04 |
| Highway | #421--#452 | \$11,363.49 |
| Town Outside | #139--#145 | \$7,226.44 |
| Water & Sewer | #66--#76 | \$7,509.67 |
| Capital Projects | #63--#65 | \$6,172.47 |

Motion carried.

Motion by Councilman Baker and seconded by Councilman Petronis to adjourn into executive session for litigation purposes at 8:45 PM. **Motion carried.**

(Noted: The Town Board will not act on any further business or resume the business meeting this evening).

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk