

**Stillwater Town Board
Business Meeting
October 20, 2011 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.

Adoption of Minutes: Motion by Councilwoman Whitman and seconded by Councilman Baker to adopt the minutes of September 15, 2011. **Motion carried.**

Communications

Councilwoman Whitman reported that the Town Wide Clean-Up is Saturday, October 22nd.

Councilwoman Bruno reported on a Halloween activity the library is holding and Ladies Night Out is being held on Friday, October 28th at the Stillwater Parish Center.

Councilman Petronis requested a resolution recognizing a Highway employee who is retiring.

Supervisor Kinowski reported that the Emergency Management Committee will be holding an exercise program on Saturday, October 22nd, a budget workshop will be held on October 25th at 6:30 pm and there will be a meeting on deferred comp on Monday, October 24th at 2:30 Pm for Town employees.

Agenda Items Resolutions #59--#67

**Resolution #59 Authorizing the Supervisor to Sign and Submit a Grant
Application for Local Waterfront Revitalization Program**

Introduced by: _____ Supervisor _____

WHEREAS, the Town has prepared a 2011 Consolidated Funding Application for the Local Waterfront Revitalization Program (LWRP) in regards to the Stillwater Strategic Plan for the Hudson River Waterfront; and,

WHEREAS, the Town of Stillwater has identified waterfront revitalization as a vital planning goal in its Comprehensive Plan, U.S. Route 4 Corridor Plan, Farmland & Green Infrastructure Plan, and Town-wide Generic Environmental Impact Statement and the LWRP grant addresses this goal; and,

WHEREAS, the Town of Stillwater acknowledges the amount of local share funding required to fulfill the grant as written, and having resources for that funding in unreserved and unallocated fund balances, along with the ability to further solicit monies to decrease the local share;

Now, therefore, be it

RESOLVED, that the Supervisor be authorized to sign and submit the grant application for the 2011 Consolidated Funding Application for the Local Waterfront Revitalization Program Program (LWRP), the amount of local share not to exceed \$25,000.00.

Motion by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution #59 of 2011.

Discussion: Supervisor Kinowski stated that the money for this would come out of the 2012 Capital Projects B-fund. The projection of cost has not been decided and will be resolved at the next capital projects meeting.

The consensus was to put a cap of \$25,000 matching for a total of a \$50,000 grant.

Motion by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #59 which will include “the amount of local share not to exceed \$25,000.00”.

A roll call vote was taken on Resolution #59 of 2011 as follows:

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

Motion carried. Resolution #59 of 2011 was unanimously adopted.

**Resolution #60 Authorizing the Supervisor to
Sign and Submit a Grant Application for
Office of Parks, Recreation & Historic Preservation Parks Program**

Introduced by: Supervisor

WHEREAS, the Town has prepared a 2011 Consolidated Funding Application for the Office of Parks, Recreation & Historic Preservation (OPRHP) Parks Program in regards to the Glen Hollow Park improvements; and,

WHEREAS, the Town of Stillwater has identified Glen Hollow Park as a priority recreational facility in its Comprehensive Plan, Farmland & Green Infrastructure Plan, and Town-wide Generic Environmental Impact Statement (GEIS) Recreational Needs Assessment and the Consolidated Funding Application OPRHP Parks Program grant addresses this goal; and,

WHEREAS, the Town of Stillwater acknowledges the amount of local share funding required to fulfill the grant as written, and having resources for that funding in unreserved and unallocated fund balances, along with the ability to further solicit monies to decrease the local share;

Now, therefore, be it

RESOLVED, that the Supervisor be authorized to sign and submit the grant application for the 2011 Consolidated Funding Application for the OPRHP Parks Program (LWRP) , the amount of local share not to exceed \$30,000.00..

Motion by Councilman Baker and seconded by Councilwoman Whitman to adopt Resolution #60 of 2011.

Discussion: Supervisor Kinowski stated that the money for this would come out of the 2012 Capital Projects B-fund. The consensus was to include in the Resolution a cap of local share would be \$30,000.

Motion by Councilman Petronis and seconded by Councilwoman Whitman to adopt Resolution #60 which will include a “local share of \$30,000”.

A roll call vote was taken on Resolution #60 of 2011 as follows:

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

Motion carried. Resolution #60 of 2011 was unanimously adopted.

**Resolution #61 Authorizing the Supervisor
To Sign Amendment to CSEA Agreement**

Introduced by: _____ Supervisor _____

WHEREAS, the Supervisor has suggested amendments to the Health Insurance portion of the employment contract for the period of January 1, 2010 – December 31, 2012, and more clearly identified in the attachment hereto; and

WHEREAS, the CSEA Local 1000 AFSCME, AFL-CIO Town of Stillwater Highway Department Unit 8470 Saratoga County Local 846 has accepted said amendments;

Now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign the Amendment to Agreement between the Town of Stillwater and CSEA Local 1000 AFSCME, AFL-CIO Town of Stillwater Highway Department Unit 8470 Saratoga County Local 846 attached hereto.

Motion by Councilwoman Whitman and seconded by Councilwoman Bruno to adopt Resolution #61 of 2011.

A roll call vote was taken on Resolution #61 of 2011 as follows:

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

Motion carried. Resolution #61 of 2011 was unanimously adopted. **Motion carried.**

**Resolution #62 Authorizing the Supervisor to Sign and Submit Application for
Grant Funding Through the Environmental Protection Fund
Local Waterfront Revitalization Program**

Introduced by: _____ Supervisor _____

WHEREAS, The Town Board desires to increase the quality of life for residents and create a positive image of the commercial district and encourage consumers, visitors and investors to live, work, shop, play and develop sustainable businesses in the community;

WHEREAS, The Stillwater Town Board shall designate Supervisor Edward Kinowski as lead contact person and authorize the Supervisor to submit an application through the NYS Consolidated Funding Application for funding through the Environmental Protection Fund Local Waterfront Revitalization Program and to do so by the October 31, 2011 application due date. The resolution shall authorize the Supervisor to execute all financial and/or administrative processes relating to the grant program;

WHEREAS, the project to be funded focuses on the preparation of hamlet revitalization program. Over the last 5 years the Town of Stillwater has created a strong foundation for this type of study including:

- The Stillwater Comprehensive Plan which serves as a foundation document for an inventory of all local resources and services as well as identifying general goals for the entire community;
- Village of Stillwater Zoning Code;
- Stillwater US Route 4 Corridor Plan, which produced a set of design guidelines for development in the corridor and a series of vehicular, pedestrian, bicycle and public transportation improvements;
- Farmland Protection and Green Infrastructure Plan, which inventoried open space resources and recommended specific actions to protect open space resources; and
- Town of Stillwater DGEIS, which examined the impacts of future growth on local resources.

The community needs to now focus on revitalization of the business districts and residential neighborhoods. These areas have a physical relationship with the waterfront and there are numerous potential opportunities that would create synergy with the waterfront. The commerce areas need to develop an economic development vision that is consistent with and complimentary to the regional economic development strategy endorsed by the Historic Saratoga-Washington on the Hudson Partnership and outlined in the Stewardship Plan completed in 2010.

WHEREAS, the funding request will depend on detailed cost estimates but will not exceed \$75,000;

WHEREAS, The Local Share is 50 percent which will be provided by the Town of Stillwater;

WHEREAS, The Town Board also authorizes hiring the LA Group of Saratoga Springs to provide professional services to complete the grant application at an hourly cost plus reimbursable expenses not-to-exceed \$3,000;

Motion by Councilwoman Whitman and seconded by Councilman Baker to adopt Resolution #62 of 2011.

Discussion: Supervisor Kinowski stated that he would like to incorporate this Resolution with resolution #59.

A discussion was also held in how & why the LA Group became involved in submitting this grant.

A roll call vote was taken on Resolution #62 of 2011 as follows:

Supervisor Kinowski	NO
Councilman Baker	NO
Councilman Petronis	NO
Councilwoman Whitman	NO
Councilwoman Bruno	NO

Motion defeated, Resolution #62 of 2011 was unanimously DENIED.

**Resolution #63 Authorizing the Chazen Companies
To Draft a Consolidated Funding Application for
NYS Route 67 Projects**

Introduced by: _____ Supervisor _____

WHEREAS, it has been recommended that a Consolidated Funding Application be submitted for funds for a series of projects along NYS Route 67; and

WHEREAS, The Chazen Companies has submitted the attached proposal for its services

in completing the Application for the Town;

Now, therefore, be it

RESOLVED, that The Chazen Companies is hereby authorized and directed to complete the Consolidated Funding Application for funds for a series of projects along NYS Route 67 in an amount not to exceed \$5,000.00; and be it further

RESOLVED that upon approval of said request the Supervisor is authorized to enter into and execute the attached Engagement Agreement with Chazen and also a state assistance contract for such financial assistance to the Town of Stillwater.

Motion by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution #63 of 2011.

Discussion: Supervisor Kinowski explained multiple ways to submit this application. The more it benefits the municipality and other municipalities the better funding and scoring.

A roll call vote was taken on Resolution #63 of 2011 as follows:

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

Motion carried. Resolution #63 of 2011 was unanimously adopted.

Resolution #64 Install Drywells at the Glen Hollow Park

Introduced by: _____ Supervisor _____

WHEREAS, it has come to the attention of the Town by SRE Equipment, LLC that flooding can occur at the Glen Hollow Park Pavilion area due to there being no place for rain water to be dispersed; and

WHEREAS, the Supervisor has received a quote for labor and materials from SRE Equipment, LLC, which falls under the threshold requirement for public bidding for services under the General Municipal Law;

Now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to engage SRE Equipment, LLC to install 2 dry wells in accordance with the attached specifications in an amount not to exceed \$6,400; and be it further,

RESOLVED, that the Town Supervisor is hereby authorized to sign a contract or other necessary documents to effectuate the transaction.

Motion by Councilwoman Whitman and seconded by Councilwoman Bruno to adopt Resolution #64 of 2011.

Discussion: Supervisor Kinowski explained the drainage problem and they can use unused monies that was allotted for the grading.

A roll call vote was taken on Resolution #64 of 2011 as follows:

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

Motion carried. Resolution #64 of 2011 was unanimously adopted.

Resolution #65

**Amending the Town's
Employee Personnel Manual Regarding
Health Insurance Premium Payment Agreements**

Introduced by: Supervisor

WHEREAS, the Supervisor wishes to amend the Town's Employee Personnel Manual to equalize the health insurance premium payments paid by the Town Hall employees; and

WHEREAS, the Supervisor has identified such changes in the attachment hereto;

Now, therefore, be it

RESOLVED, that the Town Board hereby amends the Employee Personnel Manual regarding the Health Insurance Premium Payment Agreements as identified in the attachment hereto; and be it further;

RESOLVED, that the amendment to the Employee Personnel Manual shall become effective immediately upon the adoption of this resolution.

Motion by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution #65 of 2011.

Discussion: A brief discussion was held when this would become effective.

A roll call vote was taken on Resolution #65 of 2011 as follows:

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

Motion carried. Resolution #65 of 2011 was unanimously adopted.

Resolution #66 **Authorizing the Supervisor to Sign an
Amendment to the Castle Cliff Sewer District Agreement
With the Village of Stillwater**

Introduced by: _____ Supervisor _____

WHEREAS, the Village of Stillwater and the Town currently have an agreement regarding the Castle Cliff Sewer District; and

WHEREAS, the parties now wish to amend the agreement to provide some flexibility for the future.

Now, therefore, be it

RESOLVED, the Supervisor is hereby authorized to sign an amendment to the Castle Cliff Sewer District with the Village.

Motion by Councilwoman Whitman and seconded by Councilwoman Bruno to adopt Resolution #66 of 2011.

Motion by Councilwoman Bruno and seconded by Councilwoman Whitman to TABLE Resolution #66 of 2011.

A roll call vote was taken on Resolution No. 66 of 2011 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES

problem that is located over by the pavilion, Resolution #67 unappointing someone from a position they were appointed to and the results for Van Ness Hill have not been reviewed yet.

Fran B spoke on Americans for Prosperity and the unconstitutionality of Regional Greenhouse Gas Initiative (A program that would require all power producing plants that emit CO2 to purchase carbon allowance permits in quarterly auctions) and why it should be repealed and what taxpayers can do to help in the effort. It is a form of taxation without representation.

Audited Claims

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

General	#313-#322	\$1874.91
Town Outside	#262-#267	\$824.77
Highway	#382	\$42.48

Motion carried.

Motion by Councilman Petronis and seconded by Councilman Baker to adjourn the regular meeting and enter into executive session at 8:15 PM contractual matters. **Motion carried.**

Motion by Councilman Petronis and seconded by Councilwoman Bruno to enter back into the regular meeting at 8:45 PM. **Motion carried.**

The Town Board concurred they were not ready to vote on this yet but were inclined to after further information was obtained.

Motion by Councilwoman Bruno and seconded by Councilman Petronis to adjourn the Business meeting and enter back into executive session for litigation matters at 8:50 PM. **Motion carried.**

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk.