

**Stillwater Town Board**  
**Agenda Meeting/Public Hearing**  
*Amendment to Animal Law & Cross Connection Local Law*  
**November 18, 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.

**7:00 PM            Public Hearing            (*Amendment to Animal Local Law*)**

Supervisor Kinowski called the public hearing to order.

**Public Input**

Art G inquired what the amendment was.

Supervisor Kinowski gave a brief overview of the amendment to Animal Control Local Law.

With everyone having the opportunity to comment Supervisor Kinowski declared the public hearing adjourned at 7:05 PM.

**7:05 PM            Public Hearing            (*Proposed Cross Connection Control Local Law*)**

Supervisor Kinowski called the public hearing to order.

Engineer Lanaro gave a brief overview of the proposed Local Law which regulates protection on individual water connections.

John V inquired if this would affect the park and penalties.

Supervisor Kinowski stated that the park receives its water from the Village.

Engineer Lanaro and Attorney Trainor explained the penalty process.

Coke C inquired if the resident would be responsible to put a back flow regulator in place, how it would be tested and who was responsible to test the regulator.

Supt Minick said that at this time it would have to be bench tested or a certified person to test the regulator and this is being mandated by the Health Dept.

Carl M inquired about the ways of checking the valves and regulators.

Supervisor Kinowski stated that this is just a start and that it was a learning process as they go along.

Art F questioned the passing of this law.

Supervisor Kinowski stated that it was state mandated.

John C., Highway Employee stated that the main purpose of imposing this law was not necessary residential. He stated that there are to categories, high risk and low risk. They need the Towns backing to enforce the high risk which consists mainly of businesses.

With everyone having the opportunity to comment Supervisor Kinowski adjourned the public hearing.

**Communications**

CSR: Supervisor Kinowski spoke on the Cold Springs Road project II. He stated that the Town would receive the grant directly. The project would be administered by the Chazen Engineer.

**Agenda Items                    (Resolutions #100--#110)**

**Resolution #100            Adopting the Budget for 2011**

Introduced by: \_\_\_\_\_ Supervisor \_\_\_\_\_

WHEREAS, during the month of October several workshops were held with regard to the proposed budget; and

WHEREAS, the Town Board proposed its Preliminary Budget at a Public Hearing that was conducted on November 4, 2010, where the Budget was reviewed and comments from the public were received;

Now, therefore, be it

RESOLVED, that the final 2011 Budget, a copy of which is on file at both the Supervisor’s office and the Town Clerk’s office, is hereby approved, as amended.

**Motion** by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution # 100.

A roll call vote was taken on Resolution #100 of 2010 as follows:

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

**Motion carried.** Resolution #100 of 2010 was unanimously adopted.

**Resolution #101                    Authorizing The Chazen Companies to  
Complete Additional Work in Support of the Town’s Pre-Eligibility Request to  
USDA Rural Development Funding Assistance for the Sewer District No. 5**

Introduced by: \_\_\_\_\_ Supervisor \_\_\_\_\_

WHEREAS, the Town Board previously submitted a “Pre-Eligibility Request” to the USDA Rural Development for funding of a new wastewater collection system for the proposed Sewer District No. 5.

WHEREAS, The Town received correspondence from the USDA Rural Development dated October 28, 2010 indicating that since the initial submission made by the Town, Rural Development has implemented a number of processing changes as a result of an the availability of ARRA monies prompting an unprecedented number of pre-eligibility requests and subsequent exhaustion of ARRA funds.

WHEREAS, The USDA Rural Development now processes via an “Initial Application” that enables the USDA Rural Development to prioritize funding requests.

WHEREAS, The USDA Rural Development has implemented these changes and will only require specific information to those applicants that previously submitted a pre-eligibility request.

WHEREAS, The Chazen Companies has proposed to provide the additional project information and analysis outlined in the USDA Rural Development correspondence dated October 28, 2010 at a cost not to exceed \$2,500 per the proposal attached hereto;

Now, therefore, be it

RESOLVED, that The Chazen Companies are hereby authorized to provide additional project information and analysis requested by the USDA Rural Development at a cost not to exceed \$2,500.00.

**Motion** by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #101.

A roll call vote was taken on Resolution #101 as follows:

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

**Motion carried.** Resolution #101 was unanimously adopted.

**Resolution #102                      Authorizing The Chazen Companies to  
Complete Additional Work in Support of the Town’s Pre-Eligibility Request to  
USDA Rural Development Funding Assistance for the  
Saratoga County Water Authority Connection**

Introduced by: \_\_\_\_\_ Supervisor \_\_\_\_\_

WHEREAS, the Town Board previously submitted a “Pre-Eligibility Request” to the USDA Rural Development for funding of a new water distribution system that would connect to the Saratoga County Water Authority system.

WHEREAS, The Town received correspondence from the USDA RD dated November 1, 2010 indicating that since the initial submission made by the Town, Rural Development has implemented a number of processing changes as a result of an the availability of ARRA monies prompting an unprecedented number of pre-eligibility requests and subsequent exhaustion of ARRA funds.

WHEREAS, The USDA Rural Development now processes via an “Initial Application” that enables the USDA Rural Development to prioritize funding requests.

WHEREAS, The USDA Rural Development has implemented these changes and will only require specific information to those applicants that previously submitted a pre-eligibility request.

WHEREAS, The Chazen Companies has proposed to provide the additional project information and analysis outlined in the USDA Rural Development correspondence dated November 1, 2010 at a cost not to exceed \$2,500 per the proposal attached hereto;

Now, therefore, be it

RESOLVED, that The Chazen Companies are hereby authorized to provide additional project information and analysis requested by the USDA Rural Development at a cost not to exceed \$2,500.00.

**Motion** by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution # 102.

A roll call vote was taken on Resolution #102 of 2010 as follows:

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

**Motion carried.** Resolution #102 was unanimously adopted.

**Resolution #103****Amending Resolution # 97 of 2010 Regarding  
Change in Health Insurance Plans**

Introduced by: Supervisor

WHEREAS, Resolution No. 97 of 2010 regarding changes to health insurance was passed by unanimous vote on November 4, 2010; and

WHEREAS, an amendment is needed to clarify those individuals who are eligible for the health insurance plans; and

WHEREAS, the MVP EPO 20 Plan has been abolished by the carrier and the parties wish to enter into an Agreement which replaces the MVP Plan with the CDPHP EPO 25 Plan for current active members and CDPHP HMO 25 for retired members under age 65;

Now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign the attached Memorandum of Agreement with CSEA on behalf of the Town to replace the MVP EPO 20 health insurance plan with the CDPHP EPO 25 Plan for current active members and CDPHP HMO 25 Plan for retired members under age 65.

**Motion** by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #103.

A roll call vote was taken on Resolution #103 as follows:

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

**Motion carried.** Resolution #103 of 2010 was unanimously adopted.

**Resolution #104****Appointing a Member to the Board of Assessment Review**

Introduced by: Supervisor

WHEREAS, by virtue of the resignation of Wilma Mosley from the Board of Assessment Review, a vacancy on the Stillwater Board of Assessment and Review exists; and

WHEREAS, the Town Board has recommended that James Flynn be appointed to the Board of Assessment Review to fill the vacated position of Wilma Mosley; and

WHEREAS, the appointment of Mr. Flynn shall become effective as of September 30, 2010 and shall be for a term of five (5) years through September 30, 2015;

Now, therefore, be it

RESOLVED, that the Town Board hereby appoints James Flynn as a member of the Board of Assessment Review to fill the vacancy left by the resignation of Wilma Mosley, effective January 1, 2011.

**Motion** by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #104.

A roll call vote was taken on Resolution #104 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilman Petronis	YES

Councilwoman Whitman	YES
Councilwoman Bruno	YES

**Motion carried.** Resolution #104 of 2010 was unanimously adopted.

**Resolution #105                      Accepting the Dedication of  
Sewer Infrastructure, Right-of-Way and/or  
Easements From PNL Stillwater, LLC  
Regarding Sewer District No. 4**

Introduced by: Supervisor

WHEREAS the Town previously acquired a sewer easement over the lands of Benson containing what is commonly known as the Hillside Sewer System and related equipment; and

WHEREAS, in order to convey the sewer system to the Saratoga County Sewer District No. 1 it is necessary to acquire a Deed of Dedication from PNL Stillwater, LLC;

Now, therefore, be it

RESOLVED that the Town Board as commissioners of Sewer District No. 4 hereby authorizes the Supervisor to accept a Deed of Dedication and accompanying documents regarding sewer infrastructure from PNL Stillwater, LLC for a portion of the Hillside Sewer System for Sewer District No. 4;

And be it further

RESOLVED that the Town Board hereby authorizes the Supervisor to accept the dedication of any necessary rights of way and/or easements from PNL Stillwater, LLC or others to operate or convey the dedicated sewer infrastructure;

And be it further

RESOLVED that the acceptance of this dedication of infrastructure and property rights shall be subject to the approval of, and conditions required by, the Town Supervisor and Highway Superintendent as well as the Engineers and Attorneys for the Town as they may deem appropriate to both operate the system and/or convey the system and property rights to the Saratoga County Sewer District No. 1;

And be it further

RESOLVED, that the Supervisor is authorized to sign and the attorneys and engineers for the Town are directed to prepare and file all necessary documents to effectuate these transfers.

**Motion** by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #105.

A roll call vote was taken on Resolution #105 as follows:

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

**Motion carried.** Resolution #105 of 2010 was unanimously adopted.

**Resolution #106                      Accepting the Dedication of  
Sewer Infrastructure, Rights-of-Way/Easements From  
Camelot Associates Corporation for  
Sewer District No. 3**

Introduced by: Supervisor

WHEREAS Camelot Associates Corporation has undertaken to develop the Revolutionary Heights Subdivision and related sewer infrastructure as part of Sewer District No. 3; and

WHEREAS, in order to convey the sewer system to the Saratoga County Sewer District No. 1 it is necessary to acquire a Deed of Dedication for the sewer infrastructure and related rights-of-way/easements from Camelot Associates Corporation;

Now, therefore, be it

RESOLVED that the Town Board as commissioners of Sewer District No. 3 hereby authorizes the Supervisor to accept the dedication of the permanent rights-of-way and easements for the sewer easement through the Camelot Associates Corporation property;

And be it further

RESOLVED that the Town Board hereby accepts the Deed of Dedication from Camelot Associates Corporation for ownership of the infrastructure running through the sewer easement on their property;

And be it further

RESOLVED that the acceptance of this dedication of infrastructure and property rights shall be subject to the approval of, and conditions required by, the Town Supervisor and Highway Superintendent as well as the Engineers and Attorneys for the Town as they may deem appropriate to both operate the system and/or convey the system and property rights to the Saratoga County Sewer District No. 1;

And be it further

RESOLVED, that the Supervisor is authorized to sign and the attorneys and engineers for the Town are directed to prepare and file all necessary documents to effectuate these transfers.

**Motion** by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #106.

A roll call vote was taken on Resolution #106 as follows:

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

**Motion carried.** Resolution #106 of 2010 was unanimously adopted.

**Resolution #107      Conveying the Gurba Transportation Corporation  
Sewer System (now known as Sewer District No. 2)  
And Accompanying Rights-of-Way/Easements  
To Saratoga County Sewer District No. 1**

Introduced by: Supervisor

WHEREAS, the Town has acquired the infrastructure and property rights containing what is commonly known as the Gurba Transportation Corporation Sewer System and Sewer District No. 2; and

WHEREAS, the Town wishes to convey and the Saratoga County Sewer District wishes to accept the conveyance of the rights-of-way, easements and infrastructure related to Sewer District No. 2;

Now, therefore, be it

RESOLVED, the Town Board, as commissioners of Sewer District No. 2 hereby authorizes the conveyance of what is commonly known as the Gurba Transportation Corporation Sewer System (Sewer District No. 2) and the rights-of-way, easements and infrastructure necessary to convey the same to Saratoga County Sewer District No. 1; and be it further

RESOLVED, that Sewer District No. 2 will reimburse Saratoga County Sewer District No. 1 for any repairs made to the system for a one year period following the County's acceptance of the system; and be it further

RESOLVED, that the Supervisor is authorized to sign and the attorneys and engineers for the Town are directed to prepare and file all necessary documents to effectuate the transfer.

**Motion** by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #107.

A roll call vote was taken on Resolution #107 as follows:

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

**Motion carried.** Resolution #107 was unanimously adopted.

**Resolution #108                      Conveying a Portion of the  
Hillside Sewer System (Sewer District No. 4)  
And Accompanying Rights-of-ways/Easements  
To Saratoga County Sewer District No. 1**

Introduced by: Supervisor

WHEREAS the Town anticipates acquiring a portion of the former Hillside Sewer System and has previously acquired an easement through the lands of Benson containing the system; and

WHEREAS, the Town wishes to convey and the Saratoga County Sewer District wishes to accept the conveyance of the pipes, equipment, easements and infrastructure related to them;

Now, therefore, be it

RESOLVED that the Town Board as commissioners of Sewer District No. 4 hereby authorizes the conveyance of what is commonly known as a portion of the Hillside Sewer System and related sewer equipment, as well as the rights-of-way/easements and infrastructure necessary to convey the same;

And be it further

RESOLVED that Sewer District No. 4 will reimburse Saratoga County Sewer District No. 1 for any repairs made to the system for a one year period following the County's acceptance of the system and may look to the existing or former owners of the sewer system for reimbursement;

And be it further

RESOLVED, that the Supervisor is authorized to sign and the attorneys and engineers for the Town are directed to prepare and file all necessary documents to effectuate the transfers.

**Motion** by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #108.

A roll call vote was taken on Resolution #108 as follows:

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

**Motion carried.** Resolution #108 of 2010 was unanimously adopted.

**Resolution #109                      Conveying the Revolutionary Heights  
Sewer System (Sewer District No. 3)  
And Accompanying Rights-of-ways/Easements  
To Saratoga County Sewer District No. 1**

Introduced by: Supervisor

WHEREAS the Town anticipates acquiring the Revolutionary Heights Sewer System, related infrastructure and necessary rights-of-way/easements containing the system; and

WHEREAS, the Town wishes to convey and the Saratoga County Sewer District wishes to accept the conveyance of the pipes, equipment, easements and infrastructure related to them;

Now, therefore, be it

RESOLVED that the Town Board as commissioners of Sewer District No. 3 hereby authorizes the conveyance of what is commonly known as the former Revolutionary Heights Sewer System and related sewer equipment, as well as the easements and infrastructure necessary to convey the same;

And be it further

RESOLVED that Sewer District No. 3 will reimburse Saratoga County Sewer District No. 1 for any repairs made to the system for a one year period following the County's acceptance of the system and may look to the existing or former owners of the sewer system for reimbursement;

And be it further

RESOLVED, that the Supervisor is authorized to sign and the attorneys and engineers for the Town are directed to prepare and file all necessary documents to effectuate the transfers.

**Motion** by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #109.

A roll call vote was taken on Resolution #109 as follows:

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

**Motion carried.** Resolution #109 was unanimously adopted.

**Resolution #110                      Cancel Scheduled Town Board Meeting**

Introduced by: Supervisor

RESOLVED, that the December 2, 2010 Town Board Meeting is hereby cancelled.

**Motion** by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #110.



A roll call vote was taken on Resolution #110 as follows:

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

**Motion carried.** Resolution #110 was unanimously adopted.

**Public Input**

John V commented on the Building Inspector and his residency.

Carl M inquired about the Emergency Management Committee.  
Supervisor Kinowski stated that they are looking for members.  
Councilwoman Whitman stated that they meet on the 1<sup>st</sup> Tuesday of month at 7:00 PM if he would like to attend a meeting.

Art F. questioned resolution #107, Village water regarding PCB’s and Mechanicville water.  
Supervisor Kinowski stated that resolution #105 thru #109 all deal with conveying sewer lines over to Saratoga County, the Village does periodic test on their water with no PCB’s showing and Mechanicville is still discussing their water options.

Art G commented on attendance of the Town Board meetings and if the pavilion was finished in the Stillwater Glen Hollow Park.  
Supervisor Kinowski thought people would come to meetings after it was reported that there would be a possible 30% increase in their property taxes but they didn’t come and as for the pavilion it is completed and the park is progressing.

**Audited Claims**

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

General	#471--#488	\$6,203.09
Highway	#485--#500	\$4,167.69
Town Outside	#164--#173	\$8,568.44
Water & Sewer	#89--#97	\$3,745.74
Trust & Agency		\$14.94

**Motion carried.**

**Motion** by Councilman Petronis and seconded by Councilman Baker to adjourn the business meeting and enter into executive session for personnel and litigation. (Note: the Town Board will not resume back into the regular business meeting.)

Respectfully submitted by

Sue Cunningham  
Stillwater Town Clerk