

**Stillwater Town Board**  
**Business Meeting & Public Hearing**  
(Local Law—Cemetery)  
**August 21, 2008 7:00 PM**  
**Stillwater Town Hall**

**Present:** Councilman Artie Baker  
Councilman Ken Petronis  
Councilwoman Lisa Bruno  
Councilwoman Virginia Whitman  
Supervisor Shawn Connelly

**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 Connelly 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 Whitman to adopt the minutes of the July 17, 2008 Business Meeting of the Stillwater Town Board. **Motion carried.**

**Bid Opening:** Town Board/Court Room Renovations  
Sue Cunningham reported that only two bids were received.

Bader-Lueki Industries, LLC	\$10,919.00
850 Oregon Ave	
Niskayuna, NY 12309	

Hoosick Valley Contractors	\$21,859.00
52 Melrose-Valley Falls Rd	
Melrose, NY 12121	

**Communications:** None

**Public Hearing** (*Local Law –Protection of cemeteries & burial grounds*)

**Purpose:** The purpose of the Public Hearing is to afford the public the opportunity to comment on a proposed Local Law. A local law regarding the protection of cemeteries and burial grounds.

Linda Sanders, Deputy Town Historian stated that she has made this request for several years and went over what the local law entailed. She has spoken to three of the five residents involved and they were all in agreement. (There were a couple of residents in attendance that stated that they were not notified of this)

Attorney Trainor spoke on what is being proposed.

A discussion was held on what is being proposed and what has been requested over the last several years.

**Public Input**

Kathy W, Route 423, inquired about issues regarding sub-division and the proposed local law. Attorney Trainor went over the standards for public cemeteries as defined by Town law section 291 to ensure the protection of cemeteries and burial grounds. Further discussion was held on the proposed local law.

**Motion** by Councilwoman Bruno and seconded by Councilwoman Whitman to table Resolution #120 in regard to the proposed local law protecting cemeteries and burial grounds. **Motion carried.**

Supervisor Connelly stated that when the local law is presented again all residents involved will be notified and a copy of the proposed local law will be submitted to the Historian's office to be sure that is what is being requested.

**Motion** by Councilwoman Bruno and seconded by Councilman Baker to adjourn the public hearing at 7:25 PM. **Motion carried.**

### **Reports & Future Resolutions**

(Town Board & Dept Heads)

#### **Supervisor Connelly**

Police Activity: Supervisor Connelly reported on recent police activity.

Surplus Equipment: Supervisor Connelly stated that the old police jeep will be surplus along with some highway equipment.

#### **Councilman Baker**

Community Center: Councilman Baker reported that the summer program was a success and that the Community Center will hold their annual Celebration of Friends fund raiser on October 18th.

Parks: Councilman Baker reported that they have met with the Highway Supt. at the Glen Hollow Park and the Riverfront Park. The Highway Dept will be working on these projects within the next couple of weeks.

Councilman Petronis stated that the clean out ditch up at the Riverfront Park needed to be cleaned out prior to putting in the culvert.

#### **Councilman Petronis**

Planning Board: Councilman Petronis reported that on Monday evening he attended the Planning Board meeting. He stated that the Stillwater Green project received a lot of attention and was not received well by the Planning Board. Councilman Petronis commented on Resolution #131 in regard to the review time and requested that they remove a time frame which they have never given the Planning Board before.

It was agreed by the Town Board to remove the time frame from Resolution #131.

Town Hall: Councilman Petronis reported on the repairs that needed to be done in regard to the Town Hall. They will be replacing the gutters and doing some brick repair work on the corner of the building.

#### **Councilwoman Bruno**

Clean-up Day: Councilwoman Bruno reported that the clean up day was a success and that there would be a final clean up day on November 1<sup>st</sup>.

Community Center: Councilwoman Bruno reported that the Community Center had its re-organizational meeting, the center will be adopting a sexual harassment policy and the community center audit is forth coming.

PCB'S: Councilwoman Bruno inquired of the Supervisor if he has contacted Senator Schumer's office.

Supervisor Connelly stated that he has sent several e-mails which have not been responded to.

#### **Councilwoman Whitman**

Town Signs: Councilwoman Whitman reported that the three signs are up.

HEAP: Councilwoman Whitman reported that the HEAP program begins on November 3<sup>rd</sup> and there was possible talk of the income level being raised. She stated that there is some literature on this in the Clerk's office.

Town Hall Grounds: Councilwoman Whitman thanked the Assessor's office for planting the flowers down by the Town Hall sign.

Multi-Use Trail: Councilwoman Whitman stated that the boy scouts are willing to do a clean up project starting in the fall in regard to the Multi-Use Trail. They are willing to walk the trail and empty the garbage cans.

The Town Board agreed to the scouts doing this project. Councilwoman Whitman will contact the scoutmaster.

Personnel Policy: Councilwoman Whitman reported that the draft Personnel Policy is completed and she will be taking it to Ballston and is hoping to start fresh with this policy for the year 2009.

Resolutions: Councilwoman Whitman commented on requested Resolutions being submitted at the last minute.

A discussion was held.

Water: Councilwoman Whitman commented on the water meeting that was held on Tuesday. Councilman Petronis stated that the Town of Stillwater, Village of Stillwater and City of Mechanicville applied for a shared service grant to study options of getting safe drinking water. It was a \$377,000.00 grant with a 10% matching to be split between each community. Further discussion was held on current and future water sources.

Ethics Report: Councilwoman Whitman inquired about the Ethic Committees report. Supervisor Connelly stated that they would be discussing this in executive session.

Budget: Councilwoman Whitman stated that she personally is calling for a 3% cap on the 2009 budget except for those under contract which is the police and highway dept. and no other raises. It is very obvious to her and everybody that every municipality in the state and county is facing a problem. She feels that it calls for every department to sit down with the budget officer and discuss where cuts can be made. She stated that the tentative budget should reflect this. She commented that shared service's has been done in other places and it should be looked into where the Town, Village and the City of Mechanicville can help each other.

**Town Attorney**           *(James P. Trainor)*

Cold Springs Rd.: Attorney Trainor reported that the closing for the Cold Springs Rd easements have begun. A total of six have been done to date.

Tax Certiorari: Attorney Trainor stated that the Town received another tax certiorari litigation matter for the Luther Forest Corporation which he is handling.

**Town Engineer**           *(Joe Lanaro)*

Engineer Lanaro submitted an Engineer report for the Board to review and gave a brief overview of the report. (A copy of the report can be viewed in the Town Clerks office).

Councilwoman Whitman inquired what the anticipated figure was still to be in the Multi-Use Trail.

Engineer Lanaro stated that it should be approximately \$20 and \$30 thousand left from within what was originally budgeted that could be expended under the Multi Modal program.

Councilwoman Whitman inquired about expenses being received that involve the Boilerhouse. Engineer Lanaro stated that these expenses are fully reimbursable.

Councilwoman Whitman questioned the methane problem in Turning Point.

Engineer Lanaro recommended that the Board read the engineer's report regarding the methane problem than they can go over it at the next meeting if there are any questions.

Councilman Petronis questioned the environmental soil management generator waste profile certification and the fact that the Town is not the generator.

Engineer Lanaro stated that it refers to the property owner.

**Town Clerk**               *(Sue Cunningham)*

Sue Cunningham, Town Clerk reported that she submitted her monthly report to the Town Board members.

**Action Items**           **Resolutions #121- #131**

Resolution #121: A Resolution regarding Saratoga P.L.A.N. Application to protect the Sweeney and Stonecroft Farms.

Resolution #122: Requiring the Deposit of additional funds for Stillwater Woods PDD.

Resolution #123: Authorizing the Town Justices to submit a grant application to assist the Town Court with the purchase of equipment.

Resolution #124: Authorizing the Supervisor to attend the NYS association of Counties Fall Seminar the week of September 22, 2008 at no cost to the Town.

Resolution #125: Approving the 2009 Police Chief Contract.

Resolution #126: Approving Budget Transfers.

Resolution #127: Authorizing the Supervisor to sign a Memorandum of Understanding regarding Thomas Murley as part of a wetland mitigation effort related to the Cold Springs Road Corridor Improvement Project

Resolution #128: Naming the Luther Forest Technology Campus Road Cordero Boulevard.

Resolution #129: Authorizing the Supervisor to enter into an agreement with Electronic Office Products for the purchase of a copier off NYS Contract at a cost not to exceed \$3,515.00 for the Building Dept.

Resolution #130: Extended the written comment time in regard to the DGEIS to September 19, 2008.

Resolution #131: Extending the Town's Planning Board for review, comment and report of its findings to the Town Board by an additional 60 days.

**Motion** by Councilwoman Bruno and seconded by Councilman Baker to accept Resolutions #121- #131. **Motion carried.**

*Resolution #125—Approving the Police Chief contract.*

**Motion** by Councilman Baker and seconded by Councilman Petronis to table Resolution #125. **Motion carried.** No discussion held

Discussion:

*Resolution #127-- Authorizing the Supervisor to sign a Memorandum of Understanding regarding Thomas Murley as part of a wetland mitigation effort related to the Cold Springs Road Corridor Improvement Project*

Councilman Baker requested questioned the timeframe and stated that they have had eight months.

Engineer Lanaro stated that he would be able to pin down a schedule once he hears back from the appraisal. He would have something for the agenda meeting.

A discussion was held on the timeframe.

Councilwoman Bruno stated that she prefers having public input prior to adopting Resolution so the public can give their input before voting on the resolutions.

Discussion was held on this and the Board considered having two public input sessions, one for comments just on the resolutions and another one after the resolutions were adopted for any other business.

**Motion** by Councilman Baker and seconded by Councilman Petronis to adopt Resolutions #121, #122, #123, #124, #126, #127, #128, #129, #130, & #131.

A roll call vote was taken as follows:

Councilman Baker	Yes
Councilman Petronis	Yes
Councilwoman Bruno	Yes
Councilwoman Whitman	Yes
Supervisor Connelly	Yes

**Motion carried.** Resolutions #121, #122, #123, #124, #126, #127, #128, #129, #130, & #131 were adopted unanimously. (Copies attached and made part of the minutes.)

## **Public Input**

Resident I commented on the rubbish on the Multi Use Trail and the flicker sticks being pulled and thrown.

Supervisor Connelly stated that in September the boy scouts will clean the trail as a scouting project and as for vandalism he should call the Town Hall or police.

Resident II commented on the advertisement for a personal assistant.

Supervisor Connelly stated that his personal assistant is leaving and he was advertising for a new assistant.

Resident III commented on the Riverfront Park in regard to PCB's.

Supervisor Connelly stated that the Dept of DEC put out a statement the there is a possibility of low level PCB's in low lying flood areas.

Further discussion entailed on the recommendations made and the liability involving PCB's and the Town Park.

Resident III suggested that the letters sent out in regard to the cemetery go out registered mail.

Resident III inquired about the Community Center and the summer program in regard to how many kids showed up everyday, week or month, how much funds were budgeted to the Community Center and the survey of the Community Center property.

A discussion was held on the summer program and the parking along the side of Community Center involving the bus garage.

A representative, from one of the submitted bids, spoke on the specs for the Town Board/Court room renovations. He commented that the plans were lacking and described it as low balling. He said is when the plans are not clear, there are a lot of questions, and the contractor gives a deliberately low price and then figure they will get them on extras later on in the project. He said that he typed two pages to clarify some things so that it was not considered low balling. He stated that his bid is well below the grant and he would like to work with the Town to improve the project and still stay within the parameters of the grant. Further discussion was held on the grant, plans and overall project.

Resident IV commented on the PCB's in regard to contacting Senator Schumer's office and the Town's audit.

Supervisor Connelly stated that Senator Schumer is in favor of the dredging and the Town audit should be completed soon.

Resident V commented on the podium having a microphone and questioned Resolution #123, trains idling on Riverside, amount owed on water district #4, water contract with City of Mechanicville, Cold Springs Road being closed recently and who is issuing burn permits. Supervisor Connelly stated that the renovations for the room included a microphone on the podium, Resolution #123 was for a new grant being submitted for next year, the newer type engine doesn't need to be left idling in the cold and new tracks will lead right into the rail yard. Councilwoman Whitman stated that the balance is \$1, 217, 273 with a payment due October 24<sup>th</sup>. Supervisor Connelly stated that the contract with Mechanicville is for approximately one more year.

Councilman Baker stated that the reason for the road being closed was due to trees being cut. Supervisor Connelly stated that for burn permits they should see Chris in the Building Dept.

Councilman Petronis commented on some minor flooding in the Palmieri Trailer Park coming from the under the railroad embankment, the railroad will be addressing this issue but the Town needs to clean out the debris from the old canal.

Discussion on the trailer park was held.

#### **Audited claims**

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

General	#372-#421	\$43,184.41
Highway	#314-#372	\$94,988.77
Town Outside	#74-#87	\$22,031.53
Water & Sewer	#39-#42	\$516.12
Capital Projects	#47-#59	\$363,633.82
(BOA, Boilerhouse, Multi Use Trail & CSR)		

#### **Motion carried.**

**Motion** by Councilwoman Whitman and seconded by Councilman Baker to adjourn into executive session at 8:30 PM. (Personnel & Contracts) **Motion carried.**

\*Noted: the Town Board will not resume the regular meeting.

Respectfully submitted by

Sue Cunningham  
Town Clerk