

Stillwater Town Board
Agenda Meeting
September 3, 2009 7:00 PM
Stillwater Town Hall
(Stillwater Community Center)

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

Also Present: **Sue Cunningham, Town Clerk**
 Mark Minick, Supt of Highways
 James Trainor, Attorney for the Town
 Joe Lanaro, Engineer for the Town

Supervisor Connelly called the Business 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 August 6, 2009 Agenda Meeting of the Stillwater Town Board. **Motion carried.**

Town Board Members
Supervisor Connelly

Town Board /Court Room: Supervisor Connelly reported the Town Board/Court Room is finished and they will be back in the Town Hall for the September Business Meeting.

Saratoga Glen Park: Supervisor Connelly reported that the Town will be getting some FREE work done on the Glen Hollow Park, as Saratoga County Soils will work with our Highway Department to help with drainage issues in one area of that park. Last year they gave the Town \$3000 toward the work that was done and again this year all their help will be free of charge.

Pro Act Discount Prescriptions: Supervisor Connelly reported that all Saratoga County Residents will be getting a Pro Act Discount prescription drug card in the mail this week. This was approved by the County Board of Supervisors several meeting ago after being referred from Public Health. The cards were printed last week and mailed out this past Tuesday.

Stillwater School Multi Use Fields: Supervisor Connelly reported that the Stillwater Football Warriors will open their new multi use field tomorrow against Cambridge. A ribbon Cutting will be held at 5pm with the game following. Hope everyone can make it over to see the new fields.

Councilman Baker

Community Center: Councilman Baker went over the Community Centers monthly financial report.

Parks & Recreations: Councilman Baker reported that he is pricing playground equipment for the Saratoga Glen Park and will have prices for the next meeting. He also reported that he has contacted the Stillwater Woodcarvers to see if they would be interested in building the picnic tables.

Councilwoman Bruno questioned if he would be requesting the playground equipment to be put in this late in the year and why he wouldn't wait till the spring.

Councilman Baker stated that a lot of the places have reduced the cost of the outdoor equipment being it's the end of season.

Further discussion was held on this.

Councilman Petronis

Resolutions: Councilman Petronis requested a Resolution for the next meeting establishing an at large lighting district for the roundabout in the LFTC.

Parks & Recreations: Councilman Petronis reported that trucks of fill will be dumped in the Saratoga Glen Park for leveling.

Highway: Councilman Petronis reported that Councilwoman Bruno & he would be meeting with the Highway to negotiate their new contract.

Planning Board: Councilwoman Petronis reported at the last Planning Board meeting the Planning Board Members requested the Town Boards thoughts on whether they were interested in accepted land in lieu of greenspace in regard to the proposed Jib Drive PDD and discussion was held on the Emergency access Rd and whether the Town would accept the road.

Discussion was held on the lands and acceptance of entrance roads that were not up to Town specs. The consensus of the Town Board was to have the Attorney draft a letter to the Planning Board as to the Town Boards wishes.

Councilman Baker inquired about the moisture problem at the Blockhouse.

Councilman Petronis stated that Johnson Control has lent them a unit that seems to be working and removing the moisture.

Councilwoman Bruno

Library: Councilwoman reported on the Libraries 60th Anniversary which was well attended.

Police Dept: Councilwoman Bruno reported that the Town Police Dept is finishing up their DWI program.

Resolutions: Councilwoman Bruno requested a Resolution to hold a public hearing & explore the idea of term limits for newly elected positions for the Supervisor and Town Council.

Councilman Baker inquired if the Police Dept was enforcing the 10 o'clock curfew.

Councilwoman Bruno stated that she believes they are but will look into it.

Councilwoman Whitman

Blockhouse: Councilwoman Whitman stated that she would like to see more bids prior to making a decision on accepting the proposed estimate they have already received to put in a permanent dehumidifier unit to control the moisture problem at the Blockhouse.

A discussion was held on the proposed agreement and the consensus of the Board was to accept the proposal.

Mobile Home Ordinance: Councilwoman Whitman inquired as to where the Town stands on updating the ordinance.

Engineer Lanaro stated that there was an update in the Engineers report.

Zoning Ordinance change: Councilwoman Whitman inquired about the 300 foot frontage change in the ordinance

Engineer Lanaro stated that there was a memorandum that explained on how the regulations could be interpreted for existing conditions to avoid the need of a number of wavers.

PCB's: Councilwoman Whitman inquired about the Riverfront Park and the possibility of PCB's on the park land.

Supervisor Connelly stated that it could be possible.

Assessor's Office: Councilwoman Whitman commented on an e-mail received from the Assessor suggesting that they leave Pro-Serve and go with the County web site to obtain our assessment online.

The consensus of the Board was if no contract existed between the Town and Pro-Serve authorize her to go with the County web site.

Public Works Mutual Aid Agreement: Councilwoman Whitman inquired about the Public Works Mutual Aid Agreement by the Saratoga County Board of Supervisors. She asked if John Nett has seen this and stated that she believes he should be the Towns coordinator and that this should be part of the Town Comp-Emergency Plan.

911 Reverse: Councilwoman Whitman questioned if the Town had to pay for the 911 Reverse that was used for the last water meeting.

Supervisor Connelly stated that the Town did not have to pay for the use of the Reverse 911.

Shared Municipal Incentive Grant: Councilwoman Whitman stated that a meeting between the 3 communities will be held on September 9th at 9:00 am in regard to the regional water evaluation.

Fingerprint System: Councilwoman Whitman reported that in regard to the state mandated Fingerprint System for the PD she sees \$20,000 balance in their contractual for 2009, they average \$1,500 a month. Councilwoman Whitman suggested that they use \$13,000 to be applied for the system, which leaves a smaller amount to be allotted in the 2010 budget.

911 Coordinator: Councilwoman Whitman inquires to the status of the 911 coordinator in regard to homeowners.

Supervisor Connelly stated that this hasn't been discussed yet.

Resolution: Councilwoman Whitman requested a resolution to appoint David Dunn a senior at Stillwater School to the Saratoga County Youth Advisory Board to fill the vacancy of Andrew Zurlo who graduated and left for college.

Town Board Court Room: Councilwoman Whitman stated her position on the renovations that she is not happy with the renovations in the Town Hall; once again it is the cart before the horse. There were changes made and no one as of now seems to know about them. She believes that meetings could be very difficult. She likes to look at someone when she is speaking to them. It is too late now but this whole Board should have had a say along with the Planning and Zoning Board.

Supt of Highways (Mark Minick)

CSR: Supt Minick reported that the Cold Springs Road Project has started. The clearing and grubbing has been completed and the excavation has started.

Sewer: Supt Minick reported on the sewer project on Fitch and Farley Rd. He stated that they are up to the connector, 3 or 4 sewer manholes that need to be installed and once that is completed they will be moving back down to Route 67.

Town Roads: Supt Minick stated that they are preparing to do some shoulder work on Town roads.

Saratoga Glen Park Pavilion: Supt Minick stated that he is looking into receiving two additional quotes for materials for the pavilion.

Councilman Baker inquired as to Revolutionary Heights and the sewer line.

Supt Minick stated that they are in the process of clearing and grubbing and he does not have a timeframe on the sewer line.

Councilwoman Bruno inquired about the drainage issue on Sun Rise Lane.

Supt Minick stated that there is a design in place parallel to Sun Rise Lane which should be taken care of by the winter but one piece by the Milner property will be on hold until the spring does to the elevation of the culverts that cross underneath Sun Rise. He stated that this portion will probably be a major project to correct.

Town Attorney (James P Trainor)

Litigation: Attorney Trainor reported that that Judge Williams signed the vesting order on TDNI order as part of the Cold Springs Road Project.

Town Engineer (Joe Lanaro)

Engineer Lanaro submitted a report to the Board and briefly went over the report. (Copy on file in the Town Clerks Office)

Councilman Baker inquired on the status of White Sulphur Springs pavilion.

Engineer Lanaro stated that the property has changed hands.

Public Input

Resident I commented on the proposed Halfmoon Intermodal Rail project. He stated that the residents that live in the area don't want the entrance to the facility right in front of their homes. The railroad proposes to put the only entrance directly across from their homes on Route 67 and their proposal puts the entrance in front of a construction yard. He had concerns on what their properties would be worth with this going on everyday. Many of them have lived here for years and in some cases, generations and would like to know what this would do to their property value. He went over the time line of events from when they first learned of the entrance, to submitting a petition against the entrance to Supervisor Connelly to attending meeting with Halfmoon Officials.

Only after each of them making several calls to the Town of Stillwater supervisor, he agreed to set up a meeting with the railroad for us. It seems that not one council member of the Stillwater town board was ever told of our meeting with Supervisor Connelly and the officials from Pan

Am Southern. He felt that the supervisor should have informed the other town council members when residents need help.

He requested that the Town Board pass the Resolution before them this evening and stated that he would like to be kept involved and informed of any meetings being held in regard to the bridge.

Supervisor Connelly stated that the Resolution would be forwarded on to Halfmoon and the Officials of Pan Am Southern.

Discussion was held on this topic in regard to what the Town could do to help.

Engineer Lanaro stated that it appears that approximately 17 acres of land are in the Town of Stillwater for that project although the majority is in the Town of Halfmoon. The access point would be development within the Town of Stillwater. In consult with the Town Attorney's office they will be reviewing Town legislation to see if that project is subject to Site Plan Review Approval. If this is so the Town would be an involved party under SEQRA relative to this project. Once they can determine the legality of the Planning Boards involvement in this process they can notify the Town of Halfmoon of the Planning Boards interest in participating in the review of the process under SEQRA. The Town of Halfmoon would still have final say being lead agency but Stillwater would have a seat at the table.

Supervisor Connelly stated that he would keep the resident informed when there are any meetings regarding this project.

Resident II spoke on the impact that this will have the neighborhood in regard to traffic and air quality. He believes that if they move just ¼ mile up the road it won't affect their neighborhood.

Supervisor Connelly stated that the reasons for not moving the bridge is the cost of the studies already done and they would have to actually divert the Anthony Kill in order to move the bridge elsewhere.

Resident III spoke on the petition that was submitted to the Town Supervisor on May 15th. He questioned why the petition was not submitted to the entire Town Board and that the resident s would be further along if the petition was passed on. He felt the Board should address the policy of the Town when petitions are submitted.

Councilman Baker stated that the best way to submit a petition is to come to a Town Board meeting and personally submit the petition to the Town Board.

Supervisor Connelly stated that the petition was for him to use in order to get a meeting with Pan Am Southern which he did for them.

Councilwoman Bruno stated that the Supervisor should have submitted a copy of the petition to all the member of the board or at least reported the petition in his monthly report to the Board. Further discussion was held on the submittal of a petition and the best way to handle the submission of a petition.

Resident IV inquired about the resolution to purchase picnic tables that was adopted at the last meeting. He questioned if information on where they would be bought, if they were being made and by who was made available prior to the vote at the last meeting.

Councilwoman Bruno stated that she never received the information she was looking for.

Councilman Baker stated that the original intent was to buy them from Lowes but now he is looking into whether it will be cheaper to build or buy.

Resident V commented a Councilman remarking on people from the Village asking questions to the Board.

Councilman Petronis stated that his personnel opinion was Village residents constant complaining on the Highway and purchase of equipment when they don't pay Highway tax. He does not have an issue with other questioning from Village residents.

Resident V questioned if it was the Highway's responsibility to maintain the retention ponds.

Councilman Baker stated that it always has been and they are fenced and secured.

Resident V questioned the difference between a debit and credit card and commented that on a debit card there is usually a cash advance at ATMs

Supervisor Connelly stated that the Town debit card is set up with no cash advance from ATMs.

Resident V questioned weight limits of Town roads, who determines the weight limits and when they would set the limits.

Supervisor Connelly stated that the Town Board decides weight limits by Board resolution.

Supt Minick stated that Town roads are posted with 10 ton limit signs and detour has been set up for the Cold Springs Rd Project across Meehan Rd to the County Rd. He said that there will be periodic traffic over the weight limit during the CSR project.

Councilman Baker commented from past experience the Town Board can set the weight limit where in order to cross Town roads they have to obtain a special use permit from the Highway Dept. and if they didn't comply they could be fined.

Resident V inquired if any mining permits are issued through the Town.

Supt Minick stated that mining permits come under Federal regulations.

Resident V questioned the Jib Drive project and what the Town would receive in lieu of the land.

Councilman Petronis stated that the project is not before the Town Board yet.

Resident V commented on the Stillwater Steppers and parking for the Multi Use Trail.

Resident VI inquired about the Highway union contract in regard to when it would be finalized, when it would go into effect and when it would be available for the public to review.

Councilman Petronis stated that it would go into effect the first of the year.

Councilwoman Bruno stated that they would like the numbers for the upcoming budget.

Councilman Baker stated that it would be available when it was passed by the Board.

Resident VI commented on heavy trucks ruining roads and disappearing. He questioned why the Town could not have something in place so they are held responsible to repair the roads.

Supervisor Connelly stated that in the past the Town has requested a bond in case of damage.

Resident VI inquired why the Resolutions don't have who is requesting the resolutions and recommended address the dollar amount.

Agenda items

Resolution #124: Support for moving the Inermodal Rail Bridge.

Motion by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution #124.

Councilman Baker apologized for the delay and stated that hopefully they could get things moving forward from here.

Supervisor Connelly stated that he would notify the residents of any upcoming meetings on this topic.

A roll call vote was taken as follows on Resolution #124:

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

Motion carried. Resolution #124 was adopted unanimously. (Copy attached and made part of the minutes).

Audited Claims

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

General	#401-#421	\$47,248.61
Highway	#393-#414	\$28,208.12
Town Outside	#98-#103	\$4,849.22
Water & Sewer	#59-#60	\$660.00
Capital Projects (CSR)	#67-#71	\$22,062.06

Motion carried.

Motion by Councilman Petronis and seconded by Councilman Baker to adjourn the Agenda Meeting of the Town Board and enter into executive session for contracts at 8:20 PM. **Motion carried.**

Noted: The Town Board would not go back into the regular agenda meeting.

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk