

Stillwater Town Board
Agenda Meeting—Public Hearing
(AMD Amendments)
December 4, 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**
 Mark Minick, Supt of Highways
 James Trainor, Attorney for the Town
 Joe Lanaro, Engineer for the Town

7:00 PM Public Hearing (AMD Amendments)

Purpose: The purpose of the Public Hearing is to afford the public the opportunity to comment on proposed Amendments to the AMD PDD.

Supervisor Connelly called the meeting to order and stated the purpose of the public hearing.

Sue Cunningham, Town Clerk verified for the record that proper notification was published and posted.

Matt Jones of Jones-Ferradino gave a brief overview of the AMD application, proposed amendments, steps that have been taken with the Town Board & Planning Board and he proceeded to give a brief overview of the recommendations made by the Planning Board. He also went over the timeframe that they are hoping to accomplish.

Public Input

Jim C. asked if they could expand on the recommendations of the Planning Board.

Matt Jones went over the recommendations of the Planning Board.

The recommendations are as follows:

That the proposed amendments provide for the payment of the Town's future professional review fees, including, but not limited to, those anticipated in section X(7)(b). and 9(b) for Environmental audits;

That the amendments provide for the dedication of approximately ten (10) acres of land within Development Area 1 near the Cold Springs Road entrance to the Luther Forest Technology Campus ("LFTC") in order for the Town to locate needed municipal facilities for emergency response, road maintenance and similar equipment;

To the extent it is supported in the LFTC GEIS, the Town-wide GEIS or other environmental reviews or studies, the amendments should provide for power line mitigation fees in an amount to be determined by the Town Board;

Titled "Development Agreements" should be clarified to reflect the understanding of the parties that there is to be a separate development agreement entered into between the applicant and the Town for each of the three proposed nanotechnology manufacturing facilities prior to the issuance of any approvals or permits by the Town of Stillwater;

This paragraph should be clarified to reflect the intention of the parties that \$133,000.00 be paid by the applicant for each of the three proposed facilities for a total of approximately \$400,000.00.

Regarding Taxes and PILOTS, respectively, should be clarified and updated to reflect the mutual understanding the involved parties.

Art F. inquired about the name change of the applicant & the operation of the business. Matt Jones briefly went over the business dealings that led up to the name change, that there will be no basic difference in the operational or environmental of the company with the name change.

Carol M., Planning Board member, stated that she wanted to reiterate the Planning Board's recommendations to the Town Board regarding the amendments. She went over the Planning Boards recommendations. She also stated that she attended Malta Planning & Town Board and followed the entire procedure.

Further discussion was held on Emergency Management Services.

Attorney Trainor spoke on the Planning Board recommendations, PDD professional fees and provisions requiring a deposit made to cover the cost a tax attorney.

Mr. Jones agreed with consulting a tax attorney and stated that will be taken care of.

With everyone having the opportunity to be heard Supervisor Connelly declared the public hearing adjourned at 7:35 PM.

Agenda Meeting

Supervisor Connelly called the Agenda Meeting to order and led everyone in the Pledge to the Flag.

Sue Cunningham, Town Clerk took the roll call.

Motion by Council and seconded by Council to adopt the minutes of the November 6, 2008 Agenda Meeting of the Stillwater Town Board. **Motion carried.** (1 Abstention—Councilman Baker)

Bid Opening (Fuel Bids)

Sue Cunningham, Town Clerk stated that only one bid was received.

Supervisor Connelly opened the bid:

G.A. Bove & Sons	Mechanicville, NY
Diesel	\$2.1150
89 Octane	\$1.6925
#2 Heating Oil	\$2.1290

Communications none

Reports (Town Board & Dept Heads)

Supervisor Connelly

Multi-Use Trail: Supervisor Connelly reported that the final application for payment has been submitted. He stated that they are looking into grants to fund the completion of the trail up to Campbell Rd.

Browns Beach: Supervisor Connelly stated that several Supervisors along with Saratoga Plan are looking into doing a feasibility study on tuning it into a State or County Park.

Re-Organizational Meeting: Supervisor Connelly stated that the re-organizational meeting will be held on January 1, 2009, noon time at the Town Hall.

Water/PCB's: Supervisor Connelly reported that in the last report the levels were just above two hundred parts per trillion. He stated that he met with Supervisors from Waterford, Halfmoon, Mechanicville and representatives from Stillwater and at this point they will be getting ready to file their lawsuit against the EPA with the \$100,000 given to them by the County.

A discussion was held on the Town making plans to bring water down from another source.

Councilman Baker

Town Hall: Councilman Baker reported that there was a problem with the Boiler unit in the Town Hall. He stated that the repair would be around \$2,000.

Community Center: Councilman Baker reported on the Festival of Trees, he stated that he and the Town Clerk would be decorating the Town Tree and the Kids Annual Christmas Party would be December 14th from 2-4 PM.

Resolutions: Councilman Baker requested two resolutions for the business meeting; (1) authorization to spend \$1,000 to put in a water fountain in the upstairs of the Community Center,

(2) Authorization to spend \$1,500 to replace the wall pads in the old gym portion of the Community Center.

Eminent Domain: Councilman Baker requested that the Town Board commence with the eminent domain procedure for the acquisition of the easement by eminent domain for the operation of sanitary sewer and pump station.

Councilman Petronis

Planning Board: Councilman Petronis gave a brief overview of what the Planning Board has been working on. He thanked the Planning Board for all the work they did to move things along regarding AMD.

A discussion was held on EPA Animal fees and the Board agreed to adopt a resolution to oppose the farm animal fee.

Zoning Board: Councilman Petronis gave a brief overview of the Zoning Board meetings. He stated that a recent situation came up regarding a duplex vs. two homes being put on one lot which wasn't clear in the Zoning Ordinance.

A discussion was held on this and the decided to have it look into.

AMD: Councilman Petronis inquired if the Board would meet prior to the Dec 18th business meeting to discuss the Planning Board recommendations. The Board agreed to meet at 6:15 PM on December 18th prior to business meeting.

Councilwoman Bruno

Community Center: Festival of Tree's Celebration will be held on December 13, 2008 at 4:00 P.M. The Middle School/High School Chorus will entertain with some Christmas songs.

Letters were sent out to contractors requesting quotes on doing the work in the Kitchen in stages and the hope is to begin work this month.

Councilman Baker has authorized the Community Center to bring internet access into the pre-school program at the Community Center at the town's expense. Councilman Baker has also authorized replacing the exhaust system in the New Gym at the town's expense. Councilman Baker will also be replacing the torn mats on the wall of the old gym at the town's expense as well.

Lastly, Town resident Judy Wood appeared at the last board meeting seeking to gain a seat on the Community Center's board. Ms. Wood has been corresponding with Mr. Lilac and Ms. Hebert since the summer regarding this matter. Ms. Wood was told she could set up a meeting with Mr. Lilac and Ms. Hebert to discuss the requirements of joining the Community Center board.

Library: The Library is reaching the end of its construction and by the end of the month it will be handicapped accessible in the front of the building.

Saturday, December 6th, 2008 – Santa will be at the Library from noon until 2:00 P.M. and each child will receive hot cocoa, cookie and a candy cane. The Library will also be showing Santa Claus 3 on their new projector on Friday, December 12th, 2008 at 6:00 P.M. I would also like to compliment the Library on their new website.

Recycling: I would like to state that the Town Wide Clean Ups for 2008 were a success and I would like to thank all of those who worked at those Recycling Days. I would like to report that the 2nd and third clean ups were not as heavily attended as was the first town wide clean up for 2008. This is why in 2008 we will drop down to two town wide clean up days.

May – Total due to County Waste: \$3,405.47, Total Collected: \$1,835.00, amount paid to County Waste from Town: \$1,570.47. Advertisement in the Express: \$95.00, Clerk (Jake) \$125.00. Total cost to town for May clean up: \$1,790.47.

August – Total cost due to County Waste: \$2,598.39, Total Collected: \$1,611.00, amount paid to County Waste from Town: \$987.39. Advertisement in the Express: \$95.00, Clerk (Jake) \$125.00. Total cost for May clean up for the town was: \$1207.39.

November – Total cost due to County Waste: \$1,181.88, Total Collected: \$1,125.00, amount paid to County Waste from Town: \$56.88. Advertisement in the Express: \$95.00, Clerk (Jake) \$125.00. Total cost to town for November town wide clean up: \$276.88.

Police Commission: The Chief expressed concern regarding the adopted 2009 budget.

I will be joining Sergeant Cordani on a ride along on December 6th, 2008. I will report back about that experience.

The Chief is looking into grant funding for new police vests.

Councilwoman Whitman

Lighting Districts: Councilwoman Whitman stated that she spoke with residents in the lighting districts and they don't want to see any lights removed.

Executive Session: Councilwoman Whitman inquired about executive sessions.

Attorney Trainor briefly went over the circumstances for going into executive session and that the Town Board should identify the reason for adjourning into executive session.

Fixed Assets: Councilwoman Whitman stated that she was going over the fixed assets report and noticed that the scales from the old landfill were on the report. She inquired if perhaps they could pit the scales out to bid.

A discussion was held on the scales and the past attempts to sell the scales.

Resolutions: Councilwoman Whitman requested two resolutions for the business meeting (1)

The adoption of the Personnel Manual she presented to the Town Board a couple of weeks ago, (2) Councilwoman Whitman recommends that a capital reserve fund be established for parks in order to maintain and improve existing parks

Multi Use Trail: Councilwoman Whitman commented on the reimbursement money for the trail would be short \$90,000 because the originally grant did not cover the purchase of 5 Campbell Rd. She inquired if they heard anything from the grant that was resubmitted to cover this cost. (Nothing has been received to date on this).

Mortgage Tax: Councilwoman Whitman reported that mortgage tax was down 20% this year.

Supt of Highways (Mark Minick)

Supt Minick requested that the Town Board include him in decisions that deal with his dept. such as the personnel manual & the budget.

A discussion was held on the personnel manual as it only reflects those not covered by a union contract.

Water District #3: Supt Minick reported problems with the pump station meter.

Parks: Supt Minick reported that the parking area & drainage has been completed in the Saratoga Glen Hollow Park and trees have been removed from the Route 4 Park.

Sewer: Supt Minick spoke on the Revolutionary Heights and Saratoga Hills sewer. Further discussion was held on the status of this project.

Councilwoman Bruno inquired about the time clock cards that were requested by the bookkeeper.

Supt Minick stated that at the end of December they would be turned over to the bookkeeper.

Councilman Petronis inquired if the catch basin was taken care of in the Turning Point Development.

Supt Minick stated that it would be taken care of.

Councilman Petronis spoke on the beaver dams that were causing flooding on Mulberry St. which he helped the Highway Dept break up.

Councilwoman Whitman inquired about the methane problem in the Turning Point Development.

Supervisor Connelly stated that he has not heard of any further concerns.

Attorney for the Town (James Trainor)

Attorney Trainor stated that he has drafted two additional resolutions for this evening; (1)

Resolution #174 which changed the start time of the Dec 18th meeting from 7:00 Pm to 6:15 PM

(2) Resolution #173 which opposes the EPA Farm Animal fee.

Engineer for the Town (Joe Lanaro)

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

Town Clerk (Sue Cunningham)

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

Town Clerk, Sue Cunningham requested a Resolution co-sponsoring the 14th Annual Frost faire to be held Jan 24, 2009 at the SNHP.

Public Input

Resident I inquired about the PCB level in the water, Water District #4 Ext. 1, and the status of the Water District #4 lawsuit.

There was nothing new to report on the PCB's and a further discussion was held.

Supt Minick explained the easement and where it would be located.

Attorney Trainor stated that the lawsuit was still pending.

Resident II inquired about the lawsuit with the Mechanicville School District and if the stop work order had been lifted on Stillwater Ridge. Supervisor Connelly stated that the lawsuit was still pending and the stop work order was lifted and they received their CO today.

Resident III commented on the last meeting in regard to an alleged meeting after the regular meeting regarding keys to other offices and what prompted this. Supervisor Connelly stated that there was no meeting, they were just standing in the hallway having a discussion on a situation that arose. Attorney Trainor stated that he was researching a key control policy. Resident III inquired about the time card audit she brought up at the last meeting, the resolution that was requested for the next meeting in regard to the new pads for the Community Center gym and the status of the personnel policy. Engineer Lanaro stated that he has put together documentation together showing the work done. Councilman Baker stated that he didn't feel they needed to pursue the time audit any further and the cost of the pads will come out of the Community Center Buildings fund. Councilwoman Whitman stated that she has requested a resolution for the next meeting to put the personnel policy in place by January 1, 2009.

Resident IV inquired if the Town is buying property on George Thompson Rd. Supervisor Connelly stated that they are working on obtaining easements that have to deal with the Cold Springs Road Project.

Resident V commented on the name change of Clubhouse Lane to Chestnut beaks the deed and that the Town no longer owns the road. He also commented on the 911 administrator, code enforcement and fire marshall positions.

Councilwoman Bruno inquired about the feasibility of doing a time card audit. Engineer Lanaro stated that doing a time sheet audit over a two year period would be very time consuming.

Resident VI questioned why the Town bought the Community Center and why the rent was dropped. Councilman Baker stated that they bought the Center so the kids would have a place to go. Supervisor Connelly stated that the rent was not dropped and that they do pay rent monthly.

Carol Marrotta, Planning Board member commented on the Planning Board and the Legal staff in regard to their involvement and dedication they were concerning the AMD project. She also stated that she liked the idea of new discussions regarding Browns Beach.

Agenda Items (Resolutions #172, #173, & #174)

Resolution #172: Authorizing the issuance of serial bonds to finance the preparation of a Generic Environmental Impact Statement.

Resolution #173: The Town Board expresses its opposition to the EPA farm animal fee.

Resolution #174: Modifying the start time of the December 18, 2008 Town Board meeting to 6:15 PM.

Motion by Councilman Petronis and seconded by Councilwoman Whitman to adopt Resolutions #172, #173, & #174.

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 #172, #173, & #174 were adopted unanimously. (Copies attached and made part of the minutes).

Audited Claims

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

General	#552--#568	\$8,603.95
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Highway	#523--#542	\$8,431.56
Town Outside	#121--#133	\$13,642.92
Water & Sewer	#64--#65	\$2,434.42
Capital Projects	#79--#81	\$4,984.63

Motion carried.

Motion by Councilman Petronis and seconded by Councilman Baker to adjourn the Agenda meeting of the Stillwater Town Board at 9:25 PM. **Motion carried.**

Audited Claims

Motion by

Motion by Council and seconded by Council to adjourn the Agenda Meeting of the Stillwater Town Board at 9:25PM. **Motion carried.**