

JULY 14, 2011
TOWN BOARD MEETING

The Town Board of the Town of Stuyvesant held its monthly meeting on Thursday, June 9, 2011 the Stuyvesant Town Hall. In attendance at the meeting were Supervisor Valerie Bertram, Councilperson Brian Chittenden, Councilperson Ronald Knott, Town Clerk Melissa Naegeli and Attorney for the Town Tal Rappleyea. Highway Superintendent Bernie Kowalski was not in attendance.

Supervisor Bertram called the meeting to order at 7:00pm and began with the Pledge of Allegiance.

A motion was made by Councilman Ronald Knott to approve the minutes of the previous meeting with the necessary changes to the heading of “*Greenway Committee*”. The motion was seconded by Councilman Brian Chittenden and was approved unanimously.

A motion was made by Councilwoman Kelley Williams to approve the bills. The motion was seconded by Councilwoman and the motion was approved unanimously.

Supervisor Bertram announced that we would begin with some special presentations by Town Historian Juanita Knott. Mrs. Knott presented the newly published Stories of Stuyvesant history book to the Columbia County Historical Society; Past Town Supervisors; the ICC Libraries; Kinderhook Memorial Library and the Valatie Free Library.

Mrs. Knott reminded everyone that the Historic Stuyvesant Day festivities will take place at the Stuyvesant Falls Sandbar on Saturday, August 13th. Hot dogs and salads will be provided by the Town and everyone is asked to bring a dessert to share.

Supervisor Bertram expressed thanks from the Board for all of Mrs. Knott’s hard work on the book and Historic Stuyvesant events.

REPORTS:

Town Clerk

The Town Clerk’s Report is on file in her office.

Highway Department

Highway Superintendant Bernie Kowalski was not in attendance..

Building Inspector/Zoning Enforcement Officer

The report is on file in the Town Clerk’s Office.

Recreation Committee

Councilwoman Kelley Williams reported that there are 50 children attending the Town of Kinderhook Summer Program.

Railroad Restoration Committee

Marilyn Burch reported that the Corn Festival will be held on Saturday, August 6th. She also reported that the Farmers’ Markets are being held on the first Saturday of each month. Mrs. Burch requested permission to advertise 1 or 2 times per month in the register star at a cost of \$42 each time. A motion

to approve the request was made by Councilman Ronald Knott and seconded by Councilman Brian Chittenden. The motion was approved by unanimous vote.

Planning Board & Zoning Board

Shirley Narzynski reported that there will be a special Zoning Board of Appeals meeting on Tuesday July 19, 2011 at 7:00pm regarding the Glencadia Dog Camp.

Councilman Ronald Knott reported that he and Councilwoman Kelley Williams had interviewed the one person who had submitted a letter of interest for the Zoning Board vacancy. He made a motion to appoint Kent Keller to the vacant seat on the Zoning Board of Appeals. The motion was seconded by Councilwoman Kelley Williams and was approved by unanimous vote. Mr. Keller will be notified of the appointment and will be asked to make arrangements to be sworn in by the Town Clerk.

Town Hall Committee

Councilman Knott reported that the large Zoning Map in the meeting room had been updated and printed by resident Tom Davis. The Board expressed their thanks to Mr. Davis. The map shows 200 more acres of preserved land in the Town.

SPECIAL PRESENTATION

Ray Jurkowski, Engineer from Morris Associates regarding the proposed Capital Project for the highway garage and salt sheds. The referendum vote will be held on August 16th from 2-9pm at the Town Hall.

Mr. Jurkowski gave a lengthy power-point presentation that gave updated information and numbers for the project. The cost cap for the project is \$845,000.

The information presented to the Board will be available on the website.

At the conclusion of Mr. Jurkowski's presentation, Supervisor Bertram said she would like to mail a letter out to the residents explaining the project and the necessary details before the vote. A motion to mail a letter was made by Councilman Ronald Knott and seconded by Councilman Brian Chittenden. The motion was approved by unanimous vote.

SPECIAL PRESENTATION

The Board of Election Commissioners Jason Natsky and Virginia Martin asked to make a brief presentation to the Board and audience. They reported that the County Board of Elections has been conducting a county-wide evaluation of polling places as a way to reduce costs. After reviewing the results, the decision has been made to close St. Joseph's Church as a polling place. Both Districts will now vote in the Town Hall but will remain as two separate districts.

Old Business

Supervisor Bertram read the following resolution regarding hiring Whiteman, Osterman & Hanna, LLP:

***Resolution
Town Board of the Town of Stuyvesant, New York
July 14, 2011***

WHEREAS, the Town Attorney recommended that the Town Board retain special counsel to represent the Town in all matters relating to the Glencadia Dog Kennel and its owner and/or operator (the "Glencadia matters"); and

WHEREAS, the Town Board agreed that the Town required continuing legal representation in the Glencadia matters, which have included, on an ongoing basis, at least one lawsuit against the Town, multiple proceedings before the Town Planning Board and the Town Zoning Board of Appeals, at least one proceeding before the Town Justice Court; multiple Notices of Violations issued by the Zoning Enforcement Officer; numerous legal issues raised by members of the public and the owner and operator of Glencadia; numerous and constant FOIL requests for Town records; and a variety of other continuous legal work; and

WHEREAS, at the Town Board meeting on February 10, 2011, the Town Board took action to appoint the law firm of Whiteman Osterman & Hanna LLP as special counsel to represent the Town in all Glencadia matters and authorized the Town Supervisor to enter into an agreement, on behalf of the Town, with Whiteman Osterman & Hanna, LLP for such legal services; and

WHEREAS, on March 10, 2011, the Town Supervisor, on behalf of the Town, signed a retainer agreement with Whiteman Osterman & Hanna LLP for the provision of legal services in connection with the Glencadia matters; and

WHEREAS, certain members of the public have raised questions regarding the appointment of Whiteman Osterman & Hanna LLP as special counsel for the Town; and

WHEREAS, notwithstanding the fact that the Town Board believes that it complied with all applicable laws in appointing Whiteman Osterman & Hanna LLP as special counsel, the Town Board hereby elects to ratify the action taken in making such appointment.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby reaffirms and ratifies the appointment of Whiteman Osterman & Hanna LLP as special counsel to represent the Town in any and all Glencadia matters and hereby reaffirms and reconfirms the continued appointment of Whiteman Osterman & Hanna LLP as special counsel to represent the Town in all such matters; and

BE IT FURTHER RESOLVED that the Town Board hereby deems all work performed by Whiteman Osterman & Hanna LLP in representing the Town in the Glencadia matters from February 10, 2011 through today to be duly authorized and hereby accepts all such work as being in conformance with the appointment as special counsel by the Town Board.

Motion to approve above resolution made by Councilman Ronald Knott , Seconded by Councilman Brian Chittenden ,

<u>Town Board Members</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Valerie Bertram	<u>X</u>	<u> </u>	<u> </u>
Kelley Williams	<u>X</u>	<u> </u>	<u> </u>
Brian Chittenden	<u>X</u>	<u> </u>	<u> </u>
Edward Scott	<u> </u>	<u> </u>	<u>X</u>

Dated July 14, 2011

Melissa Naegeli
Town Clerk

[SEAL]

Supervisor Bertram reported that there is no new news on Ferry Road or Ice House Road.

Supervisor Bertram asked Councilwoman Kelley Williams if she could a measurement for the fencing needed at the Landing playground. Councilwoman Williams said that benches needed to be replaced at the Landing playground as well. Supervisor Bertram asked if the picnic tables were at the Sandbar.

Town Clerk Melissa Naegeli reported that the registration forms for the Ken Hummel 5K Race are available on the website.

Public Comments

Sean Cummings reported that there would be a trails committee work session on Tuesday, July 19th at the Gazebo loop. He also reported that the Boy Scouts have been building terraces in the sand dunes. Mr. Cummings also reported that the Trails Committee will have a presentation at Historic Stuyvesant Day.

Karen Hummel added that the gazebo at the river had been built by Ken Hummel.

Lee Jamison thanked Sean Cummings for his trail work.

A motion to adjourn was made by Councilman Ronald Knott and seconded by Councilman Brian Chittenden. The motion was passed unanimously and the meeting was adjourned at 8:30pm.

Recorded this 14th Day of July 2011

Approved this 11th Day of August 2011

TOWN CLERK

SUPERVISOR

COUNCILPERSON

COUNCILPERSON

COUNCILPERSON

COUNCILPERSON

JULY 2011 ABSTRACTS

THE FOLLOWING BILLS WERE PRESENTED FOR AUDIT:

JULY 2011					
CLAIM #	PAYEE	A/C#	GENERAL	HIGHWAY	CK#
236	Columbia County Treasurer (\$6520.82)	9060.8	2,370.94	4,149.88	9590
237	Fairpoint Communications (\$332.86)	1620.4	222.86		9652
		5132.4	110.00		
238	National Grid (\$1645.71)	5182.4	1,236.84		9651
		1620.4	238.61		
		5132.4	170.26		
239	Mark Kelly	1620.4	180.00		
240	Jean Hewig	1620.4	400.00		
241	Sycamore Garden Center & Nursery	1620.4	112.32		
242	Columbia County Sheriff's Office	1110.4	194.85		
243	Donald R. Magill	1110.4	37.50		
244	Xerox Corporation (\$345.00)	1410.4	288.00		
		1110.4	57.00		
245	Staples Business Advantage	1410.4	49.19		
246	Tal G. Rappleyea, Esq.	1420.4	1,937.50		
247	Morris Associates	1440.4	1,228.20		
248	Johnson Newspaper Corporation (\$45.79)	1355.4	14.72		
		8010.4	18.37		
		8020.4	12.70		
249	Whiteman, Osterman & Hanna	8020.1	6,694.17		
250	Columbia Greene Humane Society	3510.4	455.00		
251	NexTel Partners	5010.4	46.96		
252	Rainbow Distributors	5132.4	7.00		
253	Richard Moran	6140.4	96.00		
254	VFW Memorial Post No. 9393	6510.4	1,200.00		
255	Moffatt Turf Equipment	7140.4	219.36		
256	Split Line Construction	8810.4	375.00		
257	Abele Tractor & Equipment Co., Inc.	8810.4	450.00		
258	Unifirst Corp.	9090.9	144.96		
259	Fleet Services	5110.4		445.06	
260	ATR Trucking	5110.4		1,960.52	
261	Colarusso Quarry	5110.4		6,209.39	
262	Colarusso Blacktop	5110.4		415.20	
263	Main Care Energy	5110.4		2,001.61	
264	Mario's Home Center	5130.4		2.38	
265	Mooradian's	5130.4		19.00	
266	Momar, Inc.	5130.4		268.40	
267	Northeast Automotive Parts, Inc.	5130.4		255.86	
268	Ben Funk, Inc.	5130.4		207.94	
269	VanKleleck's Tire, Inc.	5130.4		65.02	
	TOTAL ABSTRACT		\$33,152.39	\$9,598.75	