

**Stillwater Town Board
Re-Organizational Meeting
January 5, 2012 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**

Note: Swearing-in-Ceremony was held on December 30, 2011. The following were sworn in by Judge Lawrence Whalen:

Edward Kinowski	Supervisor
Virginia Whitman	Town Councilwoman
Lisa Bruno	Town Councilwoman
Michael Zurlo	Town Justice
Anne Robyck	Tax Collector

January 5th Re-Organizational Meeting

Supervisor Kinowski 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 Councilwoman Whitman and seconded by Councilman Petronis to adopt the minutes of the December 3, 2011 Agenda Meeting.
Motion carried.

Reports **Town Board & Departments**
Councilwoman Whitman

Disbursement Reports: Councilwoman Whitman inquired what liabilities the Town held in receiving reports from organizations who the Town budgeted monies for.

Supervisor Kinowski stated that it was a requirement that the auditors look for.

Discussion was held on the Community Center recently submitted a report to the Board members by email and that a year end report would not be available for a while.

Water Relevy: Councilwoman Whitman commented on the amount of water payments that were relevied.

A brief discussion was held on quarterly billing, cost and work load.

Global Foundries Noise: Councilwoman Whitman commented on residents being notified of meetings.

Supervisor Kinowski stated that residents are being notified several ways.

Councilman Baker

Community Center: Councilman Baker reported that the new generator was installed at the Community Center.

A discussion was held on communication between the Community Center Director and their tenants.

Supt of Highways **Mark Minick**

Supt Minick gave a brief report on highway activity; meter pit & water tap on Duell Road, Village water line and sewer line on Farley Rd.

Agenda Items **(Resolution #1—2010 Re-Organizational)**

Supervisor Kinowski proceeded to read the Re-Organizational Resolution as follows:

WHEREAS, the Town Board of the Town of Stillwater does here-by take certain actions for the purpose of organizing and administering the Town government for the year 2012;

Now therefore, be it

RESOLVED, that the following actions and appointments shall be effective January 1, 2012:

The Town Board shall meet at Town Hall on the first Thursday of each month at 7:00 p.m. to prepare the agenda for the monthly business meeting, hear reports, conduct public hearings, and other town business that may be deemed appropriate; unless changed or rescheduled and appropriate notice posted or is published; and

The Town Board shall meet at Town Hall on the third Thursday of each month at 7:00 p.m. to conduct the Business Meeting of the Town, conduct public hearings, and other Town business that may be deemed appropriate; unless otherwise changed or rescheduled and appropriate notice is posted or published; and

Executive Sessions shall be conducted in accordance with Chapter 23 of the Town Code and Section 105 of the NYS Public Officers Law; and

The Town Planning Board shall meet at Town Hall on the first and third Mondays of each month at 7:00 p.m., unless otherwise changed or rescheduled and appropriate notice is posted or published; and

The Town Zoning Board of Appeals shall meet at the Town Hall on the Fourth Monday of each month at 7:30 p.m., unless changed or rescheduled and appropriate notice is posted or published; and

The Express Weekly Newspaper is hereby designated as the official newspaper for the Town of Stillwater for 2012; and

The Ballston Spa National Bank, Stillwater branch, is hereby designated as the official depository of all Town of Stillwater funds for the year 2012; and

For the year 2012, Mr. John D. Murray is hereby appointed to the office of Deputy Supervisor, and in the absence of the Supervisor will exercise his duties as specified in NYS Town Law; and

The following Town employees shall be paid on a biweekly basis:

Supervisor, Confidential Secretary, Bookkeeper, Highway employees, Superintendent of Highways, Historian, Assessor, Assessor's Clerk, , Town Clerk, Deputy Town Clerk, Court Clerks, employees of the Building Department-Code Enforcement Office and employees of the Police Department; and

The remaining Town employees shall be paid on a monthly basis on the last Thursday of the month, except for Planning and Zoning board members who are paid at the end of each year; and

The salaries indicated below are set for the positions indicated and as set forth in the 2012 budget (Note: * indicates not raised since 2009); and

Supervisor:	15,500*
Confidential Secretary to the Supervisor:	28,000
Deputy Supervisor:	1,500
Councilman and Councilwomen (4):	6,750*
Town Justices (2):	29,000
Court Clerks (2) 22 hrs. each:	28,429
Tax Collector:	6,120
Deputy Tax Collector:	1,576
Sole Assessor:	37,296
Clerk to the Assessor:	17,768
Superintendent of Highways (HW):	55,998

Water Superintendent (Also HW Supt):	8,100
Secretary to HW Supt:	25,247
Billing Clerk Water/Sewer (Also HW Sec.)	2,400/650
Town Clerk:	35,000
Register of Vital Statistics (Also Town Clerk)	1,000
Records Management (Also Town Clerk)	1,800
Collector-Water/Sewer Billing (Also Town Clerk)	1,800
Deputy Town Clerk:	25,214
Town Hall Cleaner: (40 hrs. per month):	5,673
Canine Control Officer:	7,500
Bookkeeper	40,000
Town Historian:	24,899
Deputy Town Historian:	2,101
Building Inspector-Code Enforcement Officer:	53,518
(Includes \$10K Code Enforce & \$12K Admin Bldg.)	
Chairman's for Planning & Zoning per meeting:	80/80
Members of Planning & Zoning per meeting:	60/60
Fire Marshall / 911 Coordinator:	10,086

The individuals identified below are appointed/re-appointed for the year 2012 to the positions specified and salaries indicated above; and

Confidential Secretary to the Supervisor	Deanna Stickney
Court Clerk	Lorraine Buchal
Court Clerk	Susan Petronis
Secretary to the Highway Superintendent	Margaret McGuire
Town Hall Cleaner	Clayton Russom
Canine Control Officer	Clayton Russom
Bookkeeper	Colleen Zabielski
Town Historian	Linda Palmieri
Deputy Town Historian	Linda Sanders
Building Inspector-Code Enforcement Officer:	Ray Abbey
Planning Chairman- (Re-appointment)	Robert Barshied
Planning Co-Chairman – Re-appointment)	John Murray
Zoning member – (Re-appointment)	Donald D'Ambro
Fire Marshall/911 Coordinator	Peter Hughes

All elected officials and appointed employees as designated by the Town Board are authorized to attend annual training conducted by the Association of Towns; and

Ed Kinowski is hereby designated as the official voting delegate and Ken Petronis is designated as the alternate voting delegate for the 2012 annual training conference conducted by the Association of Towns; and

The official mileage reimbursement rate for the Town of Stillwater was \$.51 per mile for 2011; however the new rate is not yet available, but will be set at a future date and in accordance with current IRS regulations; and

The individuals identified below are appointed/re-appointed for the year 2012 and compensation is indicated (*); and

Chair of Ethics Board - Re-appointed	James Bell
Member Re-appointment	Michael Caulfield
Chair of the Board of Assessment Review:	Francis Zagorski
Board of Assessment Review vice Wilma Mosley:	James Flynn
Chairman, Emergency Management	Tom Rinaldi
Saratoga County Fire Advisory Board	Jeffrey Mahar
Saratoga County Office of the	
Aging Advisory Board	Jean Farnan
Saratoga County Youth Advisory Board (2)	William Mallard
	Nicholas Dunn
Mechanicville / Stillwater Industrial Development	

Agency (IDA) (5): Appointments Pending

The Global Foundries Committee appointments consist of three members, without compensation, one being the Town Supervisor, one the Superintendent of Stillwater Schools and one other a resident of /or employee within the Town of Stillwater. Appoints will stand until changed by the Town Board, as indicated below; and

Town Supervisor: Edward D. Kinowski
Stillwater Superintendent of Schools: Dr. Stanley Mazicjka
Stillwater Business employee: Ed Keis

The Supervisor is authorized to enter into a contract with James P. Trainor, Esq. and the law firm of Cutler, Trainor & Cutler, LLP to serve as attorneys for the Town and shall be paid annual retainers of \$27,000.00, \$9,000.00 and \$9,000.00 payable monthly for personal services rendered to the Town Board, Planning Board and Zoning Board of Appeals, respectively; and

Additional legal services, including, but not limited to litigation, etc. shall be payable to the law firm of Cutler, Trainor & Cutler, LLP on an hourly basis as provided for in the aforementioned contract; and

The supervisor is authorized to enter into a contract with a Bond counsel, in accordance with applicable Town Law, to meet any and all financial requirements for current and future Bonds obtained by the Town; and

The Supervisor is authorized to enter into a contract with the Chazen Companies to provide basic engineering services for the Town and shall be compensated in accordance with engagement agreements agreed upon by the board at the January 2012 business meeting and

Additional engineering services by the Chazen Companies shall be further provided for as specified in engagement agreements as presented to the Town Board; and

Spa.Net is hereby designated as the Town of Stillwater Web Administrator for the year 2012 at a yearly cost not to exceed \$1,000 plus the cost of periodic Web updates; and

The Supervisor is authorized to enter into a contract, with a computer Support company, to provide for the Town's computer network. The cost of the contract shall not exceed \$10,000 as a base cost. Additional fees may be charged on an hourly basis for addition work as required; and,

The Supervisor is authorized to enter into a contract, with Time Warner Cable at a cost not to exceed 2011 expenditures and further authorized to enter into a annual maintenance contract with Allied Telcom for our Samsung phone equipment at a cost not to exceed \$1,450; and

Pursuant to Section 284 of the New York State Highway Law, the Town Board here by requires a written agreement with the Highway Superintendent for the expenditure of budgetary funds related to the repair and improvement of all roadways, sluices, culverts and bridges having a span of less than 5 feet and boardwalks and renewals thereof; and, pending approval of said agreement, the Highway Superintendent can approval expenditures on vouchers up to \$5,000 to be paid out by the Supervisor; and

The Supervisor is authorized to enter into contract with Cusack & Company to conduct a financial audit of the Town for the fiscal year 2011. The audit is to be completed no later than June 30, 2011 at a cost not to exceed \$17,400 for the general audit. Additional fees may be charged at an hourly rate for other services as requested; and

The Supervisor is authorized to enter into contract with the Stillwater Area Community Center for the use of the Town Building. The contract will specify all requirements for the use of the Town Facility and expenditures of tax payer funds.

Additionally, The Board of Directors of the Stillwater Area Community Center is authorized, by the Town Board, to seek funding opportunities, to improve the Community Center Facility and grounds, with the understanding that all improvements are to be coordinated with the Town Board via assigned Town Board Committee Representatives and become the property of the Town of Stillwater; and

The Standing Committees, shown below, are here-by assigned, as indicated below, for the year 2012 and additional committees can be established with appropriate charters developed and approved by the Town Board; and

Town Infrastructure: Deleted	
Capital Projects- Includes Town Infrastructure	Ed Kinowski (Chairman) John Murray Ken Petronis Ginger Whitman
Buildings, Grounds, Parks and Recreation: (Combined two committees)	Art Baker, Chairman Lisa Bruno
Community Center:	Lisa Bruno, Chairman Art Baker
Promotions and Public Relations:	Ginger Whitman Lisa Bruno Art Baker
Library and Historical: (Combined two committees)	Lisa Bruno, Chairman Ginger Whitman
Police Commission	Lisa Bruno, Chairman Lawrence Whalen Ed Kinowski

The Chairpersons of each committee will meet at least quarterly and provide a written summary of minutes to be presented at the agenda meeting following the end of each quarter (Example: First Thursdays of April, Jul, October and January); and

The Town Board imposes on the Supervisor powers and duties of administration and supervision of town special or improvement district functions to be performed on behalf of such board in accordance with Town Law 29(16); and

Motion by Councilwoman Bruno and seconded by Councilman Petronis to adopt Resolution #1 of 2012 with an annual salary for the Supervisor fixed at \$15,500.00.

Discussion: Councilwoman Whitman commented on the budgeted salary being increased from \$500 to \$1500.

Supervisor Kinowski stated that it was a newly assigned position and no increase to the budget.

Councilman Baker stated that he was not in favor of appointing an outsider to the position or in favor of the salary.

Councilman Petronis stated that the appointment was that of the Supervisor but feels it should be an elected member of the Town Board. He also felt that Mr. Murray would be good for the financial aspect of the job but the position was not budgeted for \$1500.

A roll call vote was taken on Resolution #1 of 2012 as follows:

Supervisor Kinowski	YES
Councilman Baker	NO
Councilman Petronis	NO
Councilwoman Whitman	NO
Councilwoman Bruno	YES

Resolution #1 of 2012 was defeated by a 3 to 2 vote.

Discussion: Supervisor Kinowski stated that it seemed the main issue was the budgeted salary. He proposed that the increased \$1000 be taken from his salary of the Supervisor and not from the Budget itself.

Motion by Supervisor Kinowski and seconded by Councilwoman Bruno to adopt Resolution #1 of 2012 as amended with an annual salary for the Supervisor adjusted to \$14,500.00.

A roll call vote was taken on Resolution #1 of 2012 as follows:

Supervisor Kinowski	YES
Councilman Baker	NO
Councilman Petronis	YES
Councilwoman Whitman	NO
Councilwoman Bruno	YES

Motion carried. Resolution #1 of 2012 was adopted by a 3 to 2 vote.

Resolution #2 Authorizing the Supervisor to Sign an Agreement with a Town Resident Regarding a Water Bill

Introduced by: Supervisor

WHEREAS, Town resident, Mary Moore, has a water bill; and

WHEREAS, the Town and Mary Moore have agreed to certain terms regarding repayment of her water bill;

Now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign an Agreement with Mary Moore regarding repayment of her water bill.

Motion by Councilman Baker and seconded by Councilman Petronis to adopt Resolution #2 of 2012.

A roll call vote was taken on Resolution #2 of 2012 as follows:

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

Motion carried. Resolution #2 of 2012 was adopted unanimously.

Resolution #3 Setting a Public Hearing to Consider Amendments to Castle Cliff Sewer District Contract

Introduced by: Supervisor

WHEREAS, the Town’s Castle Cliff Sewer District contract with the Village of Stillwater is being considered for amendments; and

WHEREAS, the Town Board desires the input of the Town’s residents regarding amendments to the Town’s Castle Cliff Sewer District contract;

Now, therefore, be it

RESOLVED, that the Town Board hereby schedules a public hearing for February 2, 2012 at 7:00 p.m. at Stillwater Town Hall, 66 East Street, Stillwater, New York to consider amendments to the Town’s Castle Cliff Sewer District contract with the Village of Stillwater; and be it further

RESOLVED, that the Town Board elects to exercise the authority it has under the NYS Constitution and MHRL Article 3 to utilize the minimum publication period for Notice of the Public Hearing to five (5) days; and be it further

RESOLVED, that the Town Clerk is directed to publish appropriate notice of the Public Hearing in the Town’s official newspaper preferably 10 days before, but no later than 5 days before February 2, 2012; and be it further

RESOLVED, that the Town Clerk shall complete and file in the Office of the Town Clerk Affidavits of Posting/Publication/Adoption, respectively, not later than February 2, 2012 and February 7, 2012, respectfully.

Motion by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #3 of 2012.

A roll call vote was taken on Resolution #3 of 2012 as follows:

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

Motion carried. Resolution #3 of 2011 was adopted unanimously.

**Resolution #4 Awarding a Bid for the Sale of the
Stillwater Area Community Center Generator**

Introduced by: _____ Supervisor _____

WHEREAS, two bids were received for the sale of the Stillwater Area Community Center generator that was damaged recently by lightening; and

WHEREAS, the generator has exceeded its useful life for the Town’s purposes and is hereby declared to be “surplus” equipment; and

WHEREAS, the highest, most responsible bid to purchase the Stillwater Area Community Center generator was submitted by Eric Mueller in the amount of \$400.00;

Now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid in the amount of \$400.00 to Eric Mueller.

Motion by Councilwoman Bruno and seconded by Councilman Petronis to adopt Resolution #4 of 2012 as amended.

A roll call vote was taken on Resolution #4 of 2012 as follows:

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

Motion carried. Resolution #4 of 2012 was adopted unanimously.

Public Input

Coke C. commented on the Deputy Supervisor appointment and inquired he had voting rights.

Supervisor Kinowski stated that he had no voting rights. His appointment was for administration purposes and felt he would be able to fulfill more duties as Deputy during the work day.

Supervisor Kinowski introduced Mr. Murray who is a former auditor for Saratoga County and current Co-Chairperson of the Planning Board.

Mr. Murray gave a brief resume of his qualifications.

Harold W. commented that the Deputy Supervisor of Malta is a non Board member.

Art F inquired as to the duties of the Deputy Supervisor.

Supervisor Kinowski stated that he would be helping with the judiciary aspects of the job and his knowledge of the County would be very helpful. He would perform the duties of the Supervisor except for voting.

Kathy C inquired about the orange fencing on Elmore Robinson Rd & Cold Springs Rd. as to when it will be taken down.

Supt Minick stated that the fencing would come down when the project is completed.

Mike C commented on government being simpler years ago but its time to look forward and it would be irresponsible to think one person can do it all.

John V commented on Saratoga Hills Trailer Park.

Audited Claims

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

General	#1-#29	\$12488.49
Town Outside	#1-#13	\$51549.85
Highway	#1-#16	\$5078.68
Water & Sewer	#1-#4	\$1045.73

Motion carried.

Motion by Councilwoman Whitman and seconded by Councilman Petronis to adjourn the Re-Organizational Meeting at 8:00 PM and go into executive session to discuss contacts. **Motion carried.** (Note: the Town Board will not be acting on any business so they will not resume the Town Board meeting).

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk