

**Stillwater Town Board**  
**Business Meeting/Public Hearing**  
*(Utility permit-Village)*  
**January 20, 2010                      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**

Supervisor Kinowski called the meeting to order and led everyone in the Pledge to the Flag.

Town Clerk, Sue Cunningham took the roll call.

**Special Presentation                      Resolution #13 & 14**

Supervisor Kinowski made a special presentation to Michael Marshall (20 years of employment) and Robert Wood (33 years of employment) upon their retirement of dedicated service to the Town of Stillwater Highway Department.

Supervisor Kinowski also presented them with a similar proclamation from Senator Roy McDonald.

**7:06 PM                      Public Hearing**

The purpose of the Public Hearing is to consider granting a Utility Permit to the Village of Stillwater in the Town's permanent easement areas along Cold Springs Road.

Supervisor Kinowski called the public hearing to order.

**Public Input**

John V. requested the Town Board postpone the public hearing.

With everyone having the opportunity to be heard Supervisor Kinowski declared the public hearing adjourned at 7:10 PM.

**7:00 PM   Regular Business Meeting**

**Communications:** Sue Cunningham, Town Clerk reported that due to extreme cold temperatures moving in the outdoor activities for this weekends Frost Faire has been cancelled.

**Appointment of Deputy Town Clerk:** Sue Cunningham, Town Clerk appointed Barbara McManus as Deputy Town Clerk.

**Adoption of Minutes: Motion** by Councilwoman Whitman and seconded by Councilman Petronis to adopt the Re-Organizational minutes of January 6, 2011. **Motion carried.**

**Reports**

**Councilwoman Whitman**

**Hudson Ave Signs:** Councilwoman Whitman inquired if new Hudson Ave road signs were ever ordered do to the 911 change.

Supt Minick stated that he did not order any signs but will look into it.

**Entrance Signs:** Councilwoman Whitman requested the Town Board consider replacing some of the smaller welcome to Stillwater signs.

**Emergency Management:** Councilwoman Whitman reported when the next emergency management meeting would be.

**Yearly Report:** Councilwoman Whitman gave her yearly report. (Attached)

## **Supt of Highways**

Supt Minick gave a brief report on the snowstorms and water breaks.

A brief discussion was held on the water line breaks and the corrected measures.

### **Agenda Items**

### **Resolutions #6--#15**

#### **Resolution #6**

#### **Approving Utility Permit Along Cold Springs Road To Village of Stillwater**

Introduced by: \_\_\_\_\_ Supervisor \_\_\_\_\_

WHEREAS, a Public Hearing was conducted on January 20, 2011, pursuant to Town Law No. 64, to invite and hear comments from the public to consider granting of the attached Utility Permit regarding the installation and/or location of water pipes belonging to the Village of Stillwater along Cold Springs Road within the Town's permanent and temporary easement areas; and

WHEREAS, the Town Board has considered the comments made and the proposed benefit to the residents of both the Village and Town;

Now, therefore, be it

RESOLVED, that the Town Board hereby grants a Utility Permit to the Village of Stillwater in the Town's permanent and temporary easement area along Cold Springs Road as described in the proposed Utility Permit.

**Motion** by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #6.

A roll call vote was taken as follows on Resolution #6:

|                      |     |
|----------------------|-----|
| Supervisor Kinowski  | Yes |
| Councilman Baker     | Yes |
| Councilman Petronis  | Yes |
| Councilwoman Bruno   | Yes |
| Councilwoman Whitman | Yes |

**Motion carried.** Resolution #6 was adopted unanimously.

#### **Resolution #7**

#### **Amending Resolution No. 1 of 2011 to Re-Appoint Clerk to the Assessor**

Introduced by: \_\_\_\_\_ Supervisor \_\_\_\_\_

WHEREAS, Re-Organizational Resolution No. 1 of 2011 was passed by unanimous vote on January 6, 2011; and

WHEREAS, an amendment is needed to re-appoint Sheila Silic as the Clerk to the Assessor for 2011;

Now, therefore, be it

RESOLVED, that Sheila Silic is hereby re-appointed for the year 2011 to the position of Clerk to the Assessor for 2011.

**Motion** by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution #7.

A roll call vote was taken as follows on Resolution #7:

|                      |     |
|----------------------|-----|
| Supervisor Kinowski  | Yes |
| Councilman Baker     | Yes |
| Councilman Petronis  | Yes |
| Councilwoman Bruno   | Yes |
| Councilwoman Whitman | Yes |

**Motion carried.** Resolution #7 was adopted unanimously.

**Resolution #8**      **Authorizing the Town Clerk to Co-Sign Town Checks**

Introduced by: Supervisor

WHEREAS, the Supervisor has identified a need for the Town Clerk to co-sign Town checks;  
and

WHEREAS, the Town Clerk, Sue Cunningham, is appropriately bonded for the task;

Now, therefore, be it

RESOLVED, the Town Board hereby acknowledges that the Town Clerk, Sue Cunningham, is appropriately bonded and is now authorized to co-sign Town checks.

**Motion** by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution #8.

Discussion: Councilwoman Bruno inquired as to who would be signing the checks and if the Town Clerk was bonded.

Supervisor Kinowski stated that the Town Clerk is allowed by Town Law to countersign checks and she would be used as a backup for signing checks and she is bonded.

A roll call vote was taken as follows on Resolution #8:

|                      |     |
|----------------------|-----|
| Supervisor Kinowski  | Yes |
| Councilman Baker     | Yes |
| Councilman Petronis  | Yes |
| Councilwoman Bruno   | Yes |
| Councilwoman Whitman | Yes |

**Motion carried.** Resolution #8 was adopted unanimously

**Resolution #9**      **Amending the Employee Personnel Policy Regarding  
Method for Record of Attendance**

Introduced by: Supervisor

WHEREAS, the Town of Stillwater Employee Personnel Policy directs the use of “Time Clocks” to monitor time and attendance; and

WHEREAS, this method of time accounting does not capture all required time and attendance data necessary for time accounting budget and analysis; and

WHEREAS, the time and attendance documents should account for all types of leave used and earned each pay period and throughout the Town employee’s tenure;

Now, therefore, be it

RESOLVED, that the Town Board makes the following changes are made to the Personnel Policy Manual:

Delete, on page 24, all paragraphs under the Title of, "Record of Attendance".

Insert on page 24 the following policies for "Record of Attendance":

“To properly account for all employee leave, time and attendance, the Town of Stillwater shall create a locally designed time sheet, approved by the Town Supervisor, to capture all leave earned and used by pay period. Each employee will document their hours worked on the time sheet. Supervisors must approve all leave and insure it is recorded on the time sheet. On the Monday following each pay period, the employee and his/her supervisor must sign and certify all time worked and hours of leave used by type of leave.

“Additionally, the Highway Department may continue to use a time clock for internal uses. However, a locally designed time sheet, approved by the Town Supervisor, will be used to track employee time as stated in above paragraph. The time sheets will be the official record of

time and made available to employees for review and approval as necessary. The employees will initial said time sheet and the Highway Superintendent will sign for certification prior to submittal for payment to the Bookkeeper.

“Said time sheets will be forwarded to the Bookkeeper by 10:30 AM on the Monday following each pay period. Time sheets not approved by employee and supervisor, or received by the bookkeeper beyond 10:30 AM, could delay payment until the next scheduled payroll.”

**Motion** by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution #9.

Discussion: Councilwoman Whitman commented on making an insert available to the personnel policy  
Supervisor Kinowski stated an insert would be made to replace the current pages affected by the change.

A roll call vote was taken as follows on Resolution #9:

|                      |     |
|----------------------|-----|
| Supervisor Kinowski  | Yes |
| Councilman Baker     | Yes |
| Councilman Petronis  | Yes |
| Councilwoman Bruno   | Yes |
| Councilwoman Whitman | Yes |

**Motion carried.** Resolution #9 was adopted unanimously

**Resolution #10**      **Appoint a Professional Service Contractor as the  
Acting Director of the Department of Building,  
Planning and Development**

Introduced by: \_\_\_\_\_ Supervisor \_\_\_\_\_

WHEREAS, the Town of Stillwater is reorganizing the Department of Building, Planning and Development and finds it necessary to hire an independent contractor; and

WHEREAS, said contractor will replace Mr. Raymond Abbey as the Acting Director of the Department of Building, Planning and Development effective on or about the first pay period in February 2011; and

WHEREAS, said contractor, will be a licensed professional with the necessary skills and abilities to perform the duties as the Acting Director;

Now, therefore, be it

RESOLVED, that the Supervisor is authorized to enter into a contract with Richard R. Butler, Architect, to serve as the Acting Director of the Department of Building, Planning and Development, and shall be paid an annual retainer of \$45,000.00 payable monthly for personal services rendered to the Town Board, Planning Board and Zoning Board of Appeals, respectively; and be it further

RESOLVED, additional architectural services, as directed by the Town Board, shall be payable to Mr. Butler on an hourly basis at the rate of \$70 per hour.

**Motion** by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution #10.

Discussion: Councilwoman Bruno inquired when the new acting director would be starting and if he has resigned from the Planning Board yet.

Supervisor Kinowski stated that he would be starting the first pay period in February and as of today he has not received his resignation from the Planning Board.

A roll call vote was taken as follows on Resolution #10:

|                      |     |
|----------------------|-----|
| Supervisor Kinowski  | Yes |
| Councilman Baker     | Yes |
| Councilman Petronis  | Yes |
| Councilwoman Bruno   | Yes |
| Councilwoman Whitman | Yes |

**Motion carried.** Resolution #10 was adopted unanimously.

**Resolution #11**      **Regarding Lakes to Locks Passage Community**

Introduced by: \_\_\_\_\_ Supervisor \_\_\_\_\_

WHEREAS, Lakes to Locks Passage was created through a grassroots planning process, resulting in New York State Byway designation in 2002; and

WHEREAS, Lakes to Locks Passage applied for, and received, designation by the Federal Highway Administration as an All-American Road in 2002; and

WHEREAS, Lakes to Locks Passage, Inc. is a 501c3, not-for-profit corporation with the mission to further the appreciation, recognition, stewardship and revitalization of the natural, cultural, recreational and historic assets of the communities along the interconnected waterway of the upper Hudson River, Champlain Canal, Lake George, Lake Champlain, Chambly Canal and Richelieu River; and

WHEREAS, Lakes to Locks Passage consists of four sub-regions – Champlain Canal, Lake George, Lake Champlain, Richelieu Valley – to recognize the “geographical sense of place” and the grassroots planning process to develop the policy, program and product of the organization; and

WHEREAS, the vision of Lakes to Locks Passage, Inc. is of public, private and non-profit organizations working together to balance the scenic, historic, natural, cultural, recreational, and working landscape resources in harmony with community revitalization; and

WHEREAS, Lakes to Locks Passage strives to unify the region’s historic, cultural, natural and recreational resources to establish a world-class destination for national and international travelers; and

WHEREAS, Lakes to Locks Passage promotes The Byway as “a great place to live, establish a business, invest public resources, and to visit” to national and international markets; and

WHEREAS, Lakes to Locks Passage, Inc. has established a working relationship with communities in the Richelieu Valley of Quebec through a 2005 Memorandum of Understanding with the CRE Montérégie Est in Quebec to implement cross-boarder tourism promotion; and

WHEREAS, Lakes to Locks Passage has brought the byway communities opportunities for funding community revitalization and quality-of-life improvements through the Federal Highway Administration’s National Scenic Byway Program and the Transportation Enhancements Program, as well as numerous other public and private funding sources; and

WHEREAS, further implementation of the initiatives of Lakes to Locks Passage requires on-going support and commitment at the grassroots level;

Now, therefore, be it

RESOLVED, the Town Board recognizes that Lakes to Locks Passage, Inc. has come into existence with the purpose and ability to plan and carry out projects and programs to benefit the communities of the Lake Champlain, Lake George, and Champlain Canal regions; and be it further

RESOLVED, that the Town will benefit as a supporter of Lakes to Locks Passage and as a Lakes to Locks Passage Waypoint Community will participate in the planning, implementation and promotion of Lakes to Locks Passage initiatives to the furthest extent possible; and be it further

RESOLVED, that the Waypoint Community Heritage Center for the Town shall be The Blockhouse.

**Motion** by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution #11.

A roll call vote was taken as follows on Resolution #11:

|                      |     |
|----------------------|-----|
| Supervisor Kinowski  | Yes |
| Councilman Baker     | Yes |
| Councilman Petronis  | Yes |
| Councilwoman Bruno   | Yes |
| Councilwoman Whitman | Yes |

**Motion carried.** Resolution #11 was adopted unanimously.

**Resolution #12**      **Authorizing the Supervisor to Sign a Grant Disbursement Agreement  
With Empire State Development Corporation Regarding Cold Springs Road  
Corridor Reconstruction Project Contract No. 2**

Introduced by: Supervisor

WHEREAS, the attached Grant Disbursement Agreement has been proposed between the Empire State Development Corporation (“ESDC”) and the Town of Stillwater with regard to funding the Cold Springs Road Corridor Reconstruction Project Contract No. 2; and

Now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a Grant Disbursement Agreement in a form substantially similar to the attached with Empire State Development Corporation with regard to funding the Cold Springs Road Corridor Reconstruction Project Contract No. 2, and be it further

RESOLVED, that the authorization to sign the Grant Disbursement Agreement with Empire State Development Corporation, in its final form, shall be subject to the approval of the Town’s Attorneys, Engineers, the Town Supervisor and Highway Superintendent.

**Motion** by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution #12.

Discussion: Supervisor Kinowski stated that with the many discussions held on this he has recommended a change to the grant on the funding portion to state no additional cost to the Town. He is now waiting to hear back from ESDC on his change. The signing of the grant would be contingent upon the change.

A roll call vote was taken as follows on Resolution #12:

|                      |     |
|----------------------|-----|
| Supervisor Kinowski  | Yes |
| Councilman Baker     | Yes |
| Councilman Petronis  | Yes |
| Councilwoman Bruno   | Yes |
| Councilwoman Whitman | Yes |

**Motion carried.** Resolution #12 was adopted unanimously.

**Resolution #13**      **Michael Marshall’s 20 Year Retirement**

CONGRATULATING Michael Marshall upon the occasion of his retirement after 20 years of dedicated service to the Town of Stillwater Highway Department.

WHEREAS, A Great Town is only as great as those people who give exemplary service to their community; and

WHEREAS, Michael Marshall’s remarkable career of professional and public service to the Town of Stillwater and the citizens of the Town warrants the recognition and praise of the Town Board; and

WHEREAS, Attendant to such concern, and on behalf of the Town of Stillwater Town Board, I am justly proud to congratulate Michael Marshall upon the occasion of his retirement after 20 years of dedicated public service to the Town of Stillwater Highway Department, to be

celebrated at The Stillwater Town Hall, Stillwater, New York, on Thursday, January 20, 2011; and

WHEREAS, with him throughout has been his Wife, Mary; together they have two Children, all of whom feel privileged to be a part of his life and rejoice in his achievements; and

RESOLVED, that as a duly elected Supervisor of the Town of Stillwater, I congratulate

Michael Marshall

We are blessed to have such an outstanding citizen, one who is truly worthy of the honor and esteem of his community, the Town of Stillwater and the great State of New York. I am proud of Michael Marshall's accomplishments and honored to recognize his efforts.

**Motion** by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution #13.

A roll call vote was taken as follows on Resolution #13:

|                      |     |
|----------------------|-----|
| Supervisor Kinowski  | Yes |
| Councilman Baker     | Yes |
| Councilman Petronis  | Yes |
| Councilwoman Bruno   | Yes |
| Councilwoman Whitman | Yes |

**Motion carried.** Resolution #13 was adopted unanimously.

#### **Resolution #14**

#### **Roberts Woods 33 years Retirement**

CONGRATULATING Robert Wood upon the occasion of his retirement after 33 years of dedicated service to the Town of Stillwater Highway Department.

WHEREAS, A Great Town is only as great as those people who give exemplary service to their community; and

WHEREAS, Robert Wood's remarkable career of professional and public service to the Town of Stillwater and the citizens of the Town warrants the recognition and praise of the Town Board; and

WHEREAS, Attendant to such concern, and on behalf of the Town of Stillwater Town Board, I am justly proud to congratulate Robert Wood upon the occasion of his retirement after 33 years of dedicated public service to the Town of Stillwater Highway Department, to be celebrated at The Stillwater Town Hall, Stillwater, New York, on Thursday, January 20, 2011; and

WHEREAS, with him throughout has been his Wife, Kathy; together they have three daughters and six beautiful grandchildren, all of whom feel privileged to be a part of his life and rejoice in his achievements; and

WHEREAS, Robert Wood has given not only of his time and energies, as a lifelong volunteer with the Arvin Hart Fire Company, and currently serving as Fire Chief, but also of his expertise, intelligence, leadership and thus has been designated for special honor; now, therefore, be it

RESOLVED, that as a duly elected Supervisor of the Town of Stillwater, I congratulate

Robert Wood

We are blessed to have such an outstanding citizen, one who is truly worthy of the honor and esteem of his community, The Town of Stillwater and the great State of New York. I am proud of Robert Wood's accomplishments and honored to recognize his efforts.

**Motion** by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution #14.

A roll call vote was taken as follows on Resolution #14:

|                      |     |
|----------------------|-----|
| Supervisor Kinowski  | Yes |
| Councilman Baker     | Yes |
| Councilman Petronis  | Yes |
| Councilwoman Bruno   | Yes |
| Councilwoman Whitman | Yes |

**Motion carried.** Resolution #14 was adopted unanimously.

**Resolution #15**

**Accepting the Dedication of a  
Right-of-Way/Easement from Handerhan for  
Sewer District No. 2**

Introduced by: Supervisor

WHEREAS, in order to convey the Sewer District No. 2 to the Saratoga County Sewer District No. 1 it is necessary to obtain and file a permanent right of way/easement and Deed of Dedication from Michael J. and Lori A. Handerhan;

Now, therefore, be it

RESOLVED that the Town Board as commissioners of Sewer District No. 2 hereby authorizes the Supervisor to sign, along with the Handerhans, the permanent right-of-way and easement for the sewer easement through a portion of the Handerhan property;

And be it further

RESOLVED that the Town Board hereby accepts the Deed of Dedication from the Handerhan's for ownership of the pipes running through the sewer easement on their property;

And be it further

RESOLVED, that the Supervisor is authorized to sign and the attorneys and engineers for the Town are directed to prepare and file all necessary documents to effectuate these transfers.

**Motion** by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution #15.

A roll call vote was taken on Resolution #15 of 2011 as follows:

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

**Motion carried.** Resolution #15 was adopted unanimously.

**Public Input**

Mayor Martin, Village of Stillwater thanked the Town Board for the resolution this evening and the Highway Dept for their efforts with the water problems they were faced with this week.

Margaret M. inquired if Saratoga Lake was being considered as a second source for water for Global Foundries.

Supervisor Kinowski stated that he has not heard of the Lake being used as a second source. He knows that there has been talk about Troy and Saratoga Water Authority.

Tony B commented on Glenville being used as a second source and also commented on detecting small leaks in pipes.

Supervisor Kinowski stated that many have shown interest in being a water source but it's whether it's feasible.

Supt Minick stated that whenever something becomes available to be used to detect leaks it first has to be approved by AWWA.



Mike C. inquired about the cost the Town acquired to pay off some Community Center debt and consolidation of shared services.

Supervisor Kinowski stated that the Town paid approximately \$16,000 towards a back fuel bill but the Board took in consideration that the Town has used the building on several occasions and not paid for anything. He also stated that he was forming a citizen committee regarding shared services and asked him to consider being put on the committee.

John V. commented on Resolution #10 as to why they were not naming a director instead of acting director and commented on trailer park zoning laws being grandfathered in.

**Audited Claims**

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

|                           |         |            |
|---------------------------|---------|------------|
| General                   | #22-#53 | \$18527.61 |
| Highway                   | #18-#36 | \$7102.64  |
| Town Outside              | #12-#23 | \$9010.03  |
| Water & Sewer             | #1-#6   | \$7502.26  |
| Capital Projects<br>(CSR) | #3-#9   | \$24457.04 |

**Motion carried.**

**Motion** by Councilman Baker and seconded by Councilman Petronis to adjourn into executive session for personnel reasons at 8:05 PM. **Motion carried.**

Respectfully submitted by

Sue Cunningham  
Stillwater Town Clerk.