

**Stillwater Town Board  
Re-Organization Meeting  
January 17, 2019     7:00 PM  
Stillwater Town Hall**

**Present:**     **Councilman Chris D'Ambro  
Councilwoman Ellen Vomacka  
Supervisor Ed Kinowski**

**Also Present:** **Sue Cunningham, Town Clerk  
Joe Lanaro, Engineer for the Town  
James Trainor, Attorney for the Town**

**Absent:**     **Councilman Artie Baker  
Councilwoman Lisa Bruno  
Mark Minick, Supt of Highways**

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 Vomacka and seconded by Councilman D'Ambro. **Motion carried.**

**Agenda Item**                      **Resolution #1--Re-Organizational Resolution**

**2019 Organizational Resolution**

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 2019; and

Now therefore, be it

RESOLVED, because a Board Member quorum was not available for regularly scheduled Reorganizational Meeting on January 3, 2019, certain actions and decisions were required prior to the formal appointments contained herein. The Town Board has reviewed those actions and decisions heretofore done and made since January 1, 2019, finds them to be reasonable and necessary, and hereby ratifies those decisions and actions without exception. Additionally, the below actions and appointments shall be effective January 1, 2019; and

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 Fourth Monday of each month at 6:30 p.m., with an alternate on the Third Monday (if needed) 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 Second

Monday of each month at 7:00 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 2019; and if exigencies of service are needed or a more broad range of advertisement is deemed necessary, other local newspapers may be used such as the Saratogian, Gazette and Times Union ; and

The Ballston Spa National Bank, Stillwater branch, is hereby designated as the official depository of all Town of Stillwater funds for the year 2019; and

The Financial Manager is authorized to pay in advance for public utility services (water, sewer, electric, gas, phone), postage, freight, and express charges as necessary for the year 2019; and

The Supervisor is authorized to establish petty cash funds and authorize petty cash payments in advance of audit as required to conduct regular and recurring Town business at a sum for each account not to exceed \$500 (Examples: Town Clean up, Brown’s Beach, Block House, Court and other Park activities as required), additionally, the Town Credit Card can be used in lieu of Cash to purchase necessary items for these activities; and

For the year 2019, Mrs. Ellen Vomacka 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, with the salaries for these employees and all others required by law in accordance with the 2019 adapted budget and posted on the Town Website:

Supervisor, Confidential Secretary, Bookkeeper, Committee Chairpersons, Highway employees, Superintendent of Highways, Historian, Assessor, Assessor’s Clerk, Town Clerk, Deputy Town Clerk, Court Clerks, employees (Including contract employees) of the Building Department-Code Enforcement Office, Chairman of Parks and Recreation Committee 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 individuals identified below are appointed/re-appointed, by their appointing authorities, for the year 2019 to the positions specified and salaries indicated in the 2019 budget; and

Confidential Secretary to the Supervisor	Tiara Brown
Registrar of Vital Statistics, Foil Officer	
Handicapped Parking Permit Issuing Agent	Town Clerk
Deputy Town Clerk	Barb McManus
Deputy Tax Collector	Tiara Brown
Court Clerk	Lorraine Buchal
Court Clerk	Carrie Urdang
Town Hall Cleaner	Mildred Collette
Canine Control Officer	Clayton Russom
*Town Historian	Vacant
*Deputy Town Historian	Vacant

(\*Note: The duties of Town Historian will be temporarily accomplished by the Confidential Secretary to the Supervisor until the Town Board determines a final direction for this department.)

Planning Board Positions:

Chairperson and re-appointment:	Peter Buck	Exp: 12/31/19/20
Member	Randy Rathbun –	Exp: 12/31/21
Member –	Heather Ferris –	Exp: 12/31/25
Member	Carol Marotta –	Exp: 12/31/22
Member	Marybeth Reilly –	Exp: 12/31/19
Member – Vice C. D’Ambro	Frank Bisnett –	Exp: 12/31/24
Member – Remaining Term of J. Winchell	Dale Smith–	Exp: 12/31/23
Alternate Member	Kimberlee J. Marshall –	Exp: yearly

Zoning Board Positions:

Chairperson and re-appointment:	Donald D’Ambro –	Exp: 12/31/19/21
Member	Joseph Urbanski –	Exp: 12/31/23
Member	Christine Kipling–	Exp: 12/31/20
Member	Richard Rourke –	Exp: 12/31/19
Member	Timothy Scrom –	Exp: 12/31/22
Alternate Member	Charles Dyer–	Exp: yearly

All elected officials and appointed employees as designated by the Town Board are authorized to attend annual training as required for their position or approved by the Town Board; and

Ed Kinowski is hereby designated as the official voting delegate and Ellen Vomacka is designated as the alternate voting delegate for the 2019 annual training conference conducted by the Association of Towns when approved to attend; and

The official mileage reimbursement rate for the Town of Stillwater is \$.58 per mile for 2019 rate changes are in accordance with current IRS regulations; and

The individuals identified below are appointed/re-appointed for the year 2019 and compensation is indicated by an (\*); and

Chair of Ethics Board : Re appointments as necessary:

Chairman:	Michael Caufield
Member Appointment	Pending
(*)Board of Assessment Review – 5 year appointments:	
Chairman:	Francis Zagorski
Member:	Fran Beninati – Expires 9/30/21
Emergency Management – Appointments as necessary:	
Co-Chairmen:	Bill Valosin & Tom Rinaldi
Saratoga County Office of the Aging Advisory Board:	
Appointments:	Sue Petronis
Saratoga County Youth Advisory Board (2)	
Appointments:	Pending

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, \$10,000.00 and \$10,000.00 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 throughout the calendar year 2019; and

The Supervisor is authorized to enter into a contract with Mr. Paul Male, Licensed Engineer, to perform the duties of Acting Director of the Building, Planning and Zoning Department and shall be compensated in accordance with engagement agreement submitted for the 2019 budget; and

The Supervisor is authorized to enter into a contract, with BAS computer Support Company, to provide for the Town’s computer network. The cost of the contract shall not exceed \$20,000 as a base cost. Additional fees may be charged on an hourly basis for additional work as required; and,

The Supervisor is authorized to enter into a contract, with Spectrum Cable for Internet access paid on a monthly basis and further authorized to enter into an annual maintenance contract with Allied Telcom for our Samsung phone equipment at a cost not to exceed \$3,000, plus hourly charges for any necessary additional work; 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 2018. The audit is to be completed no later than June 30, 2019 at a cost not to exceed \$20,400 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 2019 and additional committees can be established with appropriate charters developed; and

Capital Projects- Includes Town Infrastructure	Ed Kinowski (Chairman) Art Baker Ellen Vomacka (Alternate)
*Buildings, Grounds, Parks and Recreation:	Art Baker (Chairman) Ellen Vomacka
Community Center Liaison	Chris D’Ambro Lisa Bruno
*Administration, Promotions, Public Relations And NYS Grant Gateway Administrator:	Lisa Bruno (Chairwoman) Ellen Vomacka
Police Commission	Lisa Bruno (Chairwoman) Ray Cordani (Commissioner of Police) Lawrence Whalen Ed Kinowski

The Chairpersons of each committee will meet at their discretion and provide a written or verbal summary of minutes to be presented at agenda meetings, as needed, to update the board and make any recommendations for required actions; and

The Chairperson of the Buildings, Grounds, Parks and Recreation will be compensated for all necessary duties to keep the parks maintained and secured. The stipend for these duties is set at \$10,000 for the 2019. A listing of duties and responsibilities is on file in the Supervisors office; and

The Chairperson of Administration, Promotions and Public Relations will be compensated for all necessary duties to assist the Supervisor with programs, plan, grants, State legislator coordination and general administration. The stipend for these duties will be set by separate Town Board resolution when submitted by the Supervisor; and

Pursuant to Town Law, &29(16), the Town Board hereby authorizes and delegates to the Town Supervisor powers and duties of day-to-day administration and supervision of all town and special district facilities and employees consistent with and in furtherance of any and all state and federal laws applicable thereto and with any and all local laws, resolutions and policies heretofore or hereafter adopted by the Town Board.

**Town Clerk:** Sue Cunningham, Town Clerk wanted it noted that the appointment of the Deputy Town Clerk was not the Town Boards but it was solely at the discretion of the Town Clerk.

## Resolution #2                      Accepting Dedication of the Walden Circle Within the Winding Brook PDD

Introduced: Supervisor Kinowski

WHEREAS, the Amedore Homes, Inc. has requested to dedicate a roadway within the Winding Brook PDD to the Town of Stillwater to satisfy a condition of their subdivision approval; and

WHEREAS, the applicant has substantially complied with the Town's standard procedure for acceptance and dedication of roads as reviewed by the engineers and attorneys for the Town;

Now, therefore, be it

RESOLVED, that the Town hereby accepts the dedication of Walden Circle in the Winding Brook Subdivision from Amedore Homes, Inc.

**Motion** by Councilman D'Ambro and seconded by Councilwoman Vomacka to adopt Resolution No. 2 of 2019.

A roll call was taken on Resolution No. 2 of 2019 as follows:

Supervisor Kinowski	YES
Councilman Baker	ABSENT
Councilwoman Bruno	ABSENT
Councilman D'Ambro	YES
Councilwoman Vomacka	YES

**Motion carried.** Resolution No. 2 of 2019 was adopted unanimously.

## Resolution #3      Approving Employee Health Benefits for Domestic Partners Instruction Sheet

Introduced by: Supervisor

WHEREAS, the Employee Health Benefits for Domestic Partners contains Instructions for Enrolling Domestic Partners of Active Employees; and

WHEREAS, a revision was made to the Paragraph entitled Coverage of Domestic Partner’s Children;

Now, therefore, be it

RESOLVED, that the Town Board hereby approves Employee Health Benefits for Domestic Partners instruction sheet.

**Motion** by Councilman D’Ambro and seconded by Councilwoman Vomacka to adopt Resolution No. 3 of 2019.

A roll call was taken on Resolution No. 3 of 2019 as follows:

Supervisor Kinowski	YES
Councilman Baker	ABSENT
Councilwoman Bruno	ABSENT
Councilman D’Ambro	YES
Councilwoman Vomacka	YES

**Motion carried.** Resolution No. 3 of 2019 was adopted unanimously.

**Resolution #4            Accepting the Map, Plan and Report dated January 11, 2019  
and  
Setting a Public Hearing Regarding  
the Map, Plan And Report Dated January 11, 2019  
Regarding The Establishment of Extending the Boundaries of  
Water District No. 5, Ext. 1**

Introduced by: Supervisor

WHEREAS, the Town Board requested the preparation of a Map, Plan and Report (“MPR”), drafted by The Chazen Companies, a copy of which MPR is attached hereto, made a part thereof and incorporated by reference herein, and is on file at the Town Clerk’s Office, the cost of the MPR is considered de minimus and is included as part of basic expense to the Town with no cost to District, which provides for the extension of the boundaries of Water District No. 5, Ext. 1; and

WHEREAS, the MPR reflects a Total Annual Cost per Typical Single Family Home of \$515, which is well below the NYS Comptroller’s threshold of \$898; and

WHEREAS, a Public Hearing is required to amend the boundaries of Water District No. 5, Ext. 1, and the attached Notice of Public Hearing is made a part hereof and incorporated by reference herein;

Now, therefore, be it

RESOLVED, that the Town Board hereby accepts the attached Map, Plan and Report, finds that it has been filed with the Town Clerk, it adequately describes the project and meets the requirements of §209-c of the Town Law and no additional appropriation is necessary for the cost of the MPR to comply with §209-b of the Town Law; and be it further

RESOLVED, that the cost of preparing the MPR and this Resolution are subject to a Permissive Referendum in accordance with §209-b of the New York State Town Law but should the extension of the District boundaries be established, the cost of the MPR shall be assessed to Extension 1 of Water District 5; and be it further

RESOLVED, that a Public Hearing is hereby scheduled for 7PM on February 21, 2019 at Stillwater Town Hall, 881 Hudson Avenue, Stillwater, New York 12170, to consider the

MPR attached hereto and to consider the Amendment of Water District #5, Extension 1 to extend its boundaries per §209-d of the NYS Town Law; and be it further

RESOLVED, that the Town Clerk is directed to maintain a copy of the MPR in her office for public review, to post a copy of this Resolution on the Town’s sign-board, to publish the attached Notice of the Public Hearing at least once in the Town’s Official Newspaper at least 10 days, but no more than 20 days, before the February 21, 2019 Public Hearing and to file a copy of the Resolution, MPR and Notice with the Village of Stillwater Clerk and with the State Comptroller on or about the date of publication of the Notice of Public Hearing.

**Motion** by Councilman D’Ambro and seconded by Councilwoman Vomacka to adopt Resolution No. 4 of 2019.

A roll call was taken on Resolution No. 4 of 2019 as follows:

Supervisor Kinowski	YES
Councilman Baker	ABSENT
Councilwoman Bruno	ABSENT
Councilman D’Ambro	YES
Councilwoman Vomacka	YES

**Motion carried.** Resolution No. 4 of 2019 was adopted unanimously.

**Resolution #5                    Authorizing the Supervisor to Sign  
The Community Development Block Grant Fund**

Presented By: Supervisor

WHEREAS, the Town has been working with Chazen to progress the Community Development Block Grant funds to replace the existing water mains in District #6;

WHEREAS, the grant provides up to \$750,000.00 in funds for water main replacement in the Riverside area along West Street;

WHEREAS, there are specific requirements and regulations governing the expenditure of these funds;

Now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign the New York State Community Development Block Grant Agreement for project number 1116PW128-18 – Town of Stillwater Water District #6 Water Line Replacement.

**Motion** by Councilman D’Ambro and seconded by Councilwoman Vomacka to adopt Resolution No. 5 of 2019.

A roll call was taken on Resolution No. 5 of 2019 as follows:

Supervisor Kinowski	YES
Councilman Baker	ABSENT
Councilwoman Bruno	ABSENT
Councilman D’Ambro	YES
Councilwoman Vomacka	YES

**Motion carried.** Resolution No. 5 of 2019 was adopted unanimously.

**Resolution #6                      Required Audit/Examination of the Town Court**

WHEREAS, the Stillwater Town Board is required to do an annual audit/examination of the Town Court of the Town of Stillwater; and

WHEREAS, an audit/examination of the Town Court’s records was completed on January 15, 2019 and a copy of the results of the examination and this Resolution must be presented to the State of New York Unified Court System;

Now, therefore, be it

RESOLVED, that the Town Board has completed the necessary audit/examination and the results will be emailed or mailed to the New York State Office of Court Administration.

**Motion** by Councilman D’Ambro and seconded by Councilwoman Vomacka to adopt Resolution No. 6 of 2019.

A roll call was taken on Resolution No. 6 of 2019 as follows:

Supervisor Kinowski	YES
Councilman Baker	ABSENT
Councilwoman Bruno	ABSENT
Councilman D’Ambro	YES
Councilwoman Vomacka	YES

**Motion carried.** Resolution No. 6 of 2019 was adopted unanimously.

**Appointment of Deputy Town Clerk:** Sue Cunningham, Town Clerk appointed Barbara McManus as the Deputy Town Clerk for 2019.

**Public Input**

Russell B commented on the Bocrest PDD in regard to it being passed without further notification to area residents or public meetings. He felt that the residents were led to believe they would be notified of further action.  
Supervisor Kinowski stated that there were no significant changes to the PDD which would lead to another public hearing. He also stated that no residents came into the Town Hall inquiring as to the status of the development.  
Further discussion was held notification, adoption of the PDD and benefit units.  
Supervisor Kinowski stated that there would be more public hearing through the Planning Board. They can’t change what was adopted but they will mitigate the plan.

John V requested that his property behind his home, which has been designated by DEC & Town as wetland, be reduced to .1acre conservation easement.  
Engineer Lanaro stated that he would have to have a legal description of conservation easement in his deed and filed.  
Attorney Trainor stated that a conservation easement would lock up property from any development and gave a quick review of process.

Peter Buck, Planning Board Chair commented in regard to being informed. He stated that anyone can come into the Town Hall and speak to anyone and receive the information they are looking for.

**Audited Claims**

**Motion** by Councilwoman Vomacka and seconded by Councilman D’Ambro to pay the audited claims.

2018	General	\$16,277.12
	Town Outside	\$14,350.21
	Highway	\$23,180.75
	Water & Sewer	\$2,011.47
	Capital Projects	\$6,260.00



2019	General	\$14,710.89
	Town Outside	\$2,537.12
	Highway	\$18,322.88
	Water	\$291.00

**Motion carried.**

**Motion** by Councilwoman Vomacka and seconded by Councilman D’Ambro to adjourn the Town Board meeting and enter into executive session to discuss a personnel matter at 7:50 pm. **Motion carried.** (Note: The Town Board will not resume the regular Town Board meeting).

Respectfully submitted by

Sue Cunningham  
Stillwater Town Clerk