

**Stillwater Town Board
Re-Organizational Meeting
January 7, 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
Ray Abbey, Building Inspector/Code Enforcement
Anne Robyck, Tax Collector

Note: Swearing-in-Ceremony was held on December 28, 2009. The following were sworn in by Judge Lawrence Whalen:

Edward Kinowski	Supervisor
Ken Petronis	Town Councilman
Artie Baker	Town Councilman
Mark Minick	Superintendent of Highways
Sue Cunningham	Town Clerk
Ralph Peluso	Town Justice
Anne Robyck	Tax Collector

January 7th 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.

Councilman Baker welcomed Supervisor Kinowski as the new Supervisor.

Adoption of Minutes: Motion by Councilwoman Whitman and seconded by Councilman Baker to adopt the minutes of the December 3, 2009 Agenda Meeting, December 17, 2009 Business Meeting and the December 28, 2009 Special Meeting of the Stillwater Town Board. **Motion carried.**

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 2010;

Now therefore, be it

RESOLVED, that the following actions and appointments shall be effective January 1, 2010:

In accordance with NYS Town Law §23, all newly elected officers have been administered the oath of office on December 29, 2009 with said oath being filed in the office of the Town Clerk; and

In accordance with NYS Town Law §25 and Public officers Law §11(2), all elected or appointed officials or employees have executed and filed an official undertaking or have been covered under a Blanket undertaking to faithfully perform their duties; 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 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 2010 and IAW Policy for daily newspaper publication; and

The Ballston Spa National Bank, Stillwater branch, is hereby designated as the official depository of all Town of Stillwater funds for the year 2010; and

For the year 2010, Councilman Arthur Baker 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, Highway employees, Superintendent of Highways, Historian, Assessor, Assessor's Clerk, employees of the Office of Fiscal Management, 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, with no increase from 2009 and as set forth in the 2010 budget; and

Supervisor:	15,500
Confidential Secretary to the Supervisor:	23,660 *
Deputy Supervisor and Councilman (1):	7,250
Councilman and Councilwomen (3):	6,750
Town Justices (2):	11,500
Court Clerks (2) <u>20</u> hrs. each:	27,040 *
Court Security:	4,845 *
Tax Collector:	6,000
Deputy Tax Collector:	1,500 *
Sole Assessor:	35,500 *
Clerk to the Assessor:	16,900 *
Members of the Board of Assessment Review:	2,500
Superintendent of Highways (HW):	54,900
Water Superintendent (Also HW Supt):	8,100
Secretary to HW Supt:	25,245
Billing Clerk Water/Sewer (Also HW Sec.)	2,400/650
Town Clerk:	32,000
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:	20,000 *
Town Hall Custodian (48 hrs. per month): (See note #3)	5,400 *

Canine Control Officer:	6,500 *
Director of Fiscal Management:	36,000 *
Budget Officer:	2,250 *
Town Historian:	23,700 *
Deputy Town Historian:	2,000 *
Building Inspector-Code Enforcement Officer:	52,000 *
Administrative Assistant to Building Inspector:	23,660 *
Secretary to Zoning and Planning Boards (See Note 1):	23,660 *
Chairman's for Planning & Zoning per meeting:	80/80
Members of Planning & Zoning per meeting:	60/60
Fire Marshall:	4,800
911 Coordinator:	4,800

(Note 1: The New position of Secretary to Zoning and Planning is a temporarily established position for the first three months of 2010. Upon conclusion of the three month period, the board will, by resolution, recommend the position be continued or abolished. If this position is abolished, the board may re-instate the positions of Planning and Zoning Secretaries at a rate of \$2,060 per year each)

(Note 2: An (*) indicates a change in salary of 3% will be added to the indicated salary upon approval of this resolution, for the 2010 budget, with an overall yearly increase of \$8,672.00.)

(Note 3: The Town Hall Custodian Position is being abolished as identified below.)

The position of Town Hall Custodian is hereby abolished; and

A new position, yet to be titled and classified by the County, will be created to provide cleaning services for the Town Hall, at the same salary as the old Custodian position; and

A temporary Cleaning position for the Town Hall is hereby created for a period of 30 days or no later than the establishment of the replacement position of the Town Hall Custodian by the County; and

Clayton Russom is appointed to the temporary Cleaning position for the period of time indicated above; and

The individuals identified below are appointed/re-appointed for the year 2010 to the positions specified and salaries indicated above; and

Confidential Secretary to the Supervisor	Deanna Stickney
Court Clerk (<u>20 hrs. week</u>)	Lorraine Buchal
Court Clerk (<u>20 hrs. week</u>)	Susan Petronis
Secretary to the Highway Superintendent	Margaret McGuire
Town Hall Cleaning Attendant (Temp)	Clayton Russom
Canine Control Officer	Clayton Russom
Director of Fiscal Management	Barbara Witcher
Town Historian	Linda Palmieri
Deputy Town Historian	Linda Sanders
Building Inspector-Code Enforcement Officer:	Ray Abbey
Administrative Assistant to the Building Inspector:	Christine Robbins
Secretary to Zoning and Planning Boards	Jessica Valcik
Planning Chairman vice Joanne Winchell	Robert Barshied
Planning Member vice Robert Barshied	Richard Butler
Zoning Chairman (Re-appointment)	James Ferris
Zoning Member vice Joe Urbanski	Robert Garrett
Fire Marshall:	Peter Hughes
911 Coordinator:	Andrew Walts

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 Arthur Baker is designated as the alternate voting delegate for the 2010 annual training conference conducted by the Association of Towns; and

The official mileage reimbursement rate for the Town of Stillwater is \$.50 per mile in accordance with current IRS regulations; and

The individuals identified below are appointed/re-appointed for the year 2010

Chair of the Board of Assessment Review:	Francis Zagorski
Board of Assessment Review – Re-appointment	Judith Russell
Five year term beginning 1 Oct 2009	
Chairman, Emergency	
Management vice John Nett	Robert Palmieri
Emergency Management Member	To be determined
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
	Daniel Dunn
Mechanicville / Stillwater Industrial Development	
Agency (IDA) (5):	Pam Butler
	Larry Rinaldi
	William Jordan
	Gene Cook
	Scott Ronda (CFO)

A Global Foundries Committee is hereby created, without compensation, and will consist of three members, one being the Town Supervisor, one the Superintendent of Stillwater Schools and one other a resident of the Town of Stillwater, as indicated below; and

Town Supervisor: Edward D. Kinowski vice Shawn Connelly
Stillwater Superintendent of Schools: Dr. Stanley Mazicjka
Stillwater resident: Yet to be determined by separate resolution

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 \$26,000.00, \$7,000.00 and \$7,000.00 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 the Chazen Companies to provide basic engineering services for the Town and shall be paid annual retainers of \$26,000.00, \$14,000.00 and \$6,500.00, payable monthly, for personal services rendered to the Town Board, Planning Board and Zoning Board of Appeals, respectively; and

Additional engineering services by the Chazen Companies shall be further provided for as specified in the aforementioned contract; and

Spa.Net is hereby designated as the Town of Stillwater Web Administrator for the year 2010 at a yearly cost of \$385.00 plus the cost of periodic Web updates; and

The Supervisor is authorized to enter into a contract with BAS to provide for and service the Town's computer network, computer Support and associated equipment for a base cost of \$8,700 and on an as needed hourly basis as set forth in aforementioned contract; and

The position of Deputy Highway Superintendent is hereby abolished; and

The Supervisor is authorized to enter into contract with Cusack & Company to conduct a financial audit of the Town for the fiscal year 2009, to be completed no later than June 30, 2010 at a cost not to exceed \$14,200; and

The Board of Directors for 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 become the property of the Town of Stillwater; and

The Standing Committees, shown below, are here-by consolidated, realigned and/or abolished as indicated; and Town Board members are hereby reassigned, as indicated below, for the year 2010; and

Town Infrastructure: (formerly Water, Sewer, Lighting & Highway)	Ed Kinowski (Chairman) Ken Petronis Ginger Whitman
Capital Projects:	Ed Kinowski (Chairman) Ken Petronis Ginger Whitman
Buildings, Grounds, Parks and Recreation: (Combined two committees)	Art Baker (Chairman) Lisa Bruno
Planning & Zoning:	Abolished

(Note: A formal communication plan will be established to exchange necessary information between the Planning/Zoning Boards and Town Board. Additionally, the Supervisor will coordinate information flow as needed to all Town Board members.)

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) Art Baker Ed Kinowski
Elections:	Abolished
Landfill, Refuse & Recycling: (The yearly Town wide clean-ups will be accomplished through resolutions)	Abolished

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 or special or improvement district functions to be performed on behalf of such board in accordance with Town Law 29(16).

Motion by Councilman Petronis and seconded by Councilwoman Whitman to adopt Resolution #1 of 2010.

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

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

Motion carried.

Discussion:

Councilwoman Whitman stated that there were amendments that needed to be corrected on Resolution #1.

Board of Assessment review- change non-compensated to compensated.

Salary of Highway Secretary should be \$24,515 & remove asterisk. (Falls under union contract)

Court Clerk hours should be 20 hours not 22 hours

Court Clerks should be paid Bi-Weekly not monthly.

Attorney Trainor recommended the Town Board designate a daily paper along with the local paper do to time frame for public hearings.

A discussion was held on this and the consensus at this time was to advertise in the daily paper as needed for public hearing purposes.

Motion by Councilwoman Bruno and seconded by Councilwoman Whitman to adopt Resolution #1 as amended.

A roll call vote was taken on Resolution #1 as amended:

Councilman Baker	
Councilman Petronis	
Councilwoman Bruno	
Councilwoman Whitman	
Supervisor Kinowski	

Motion carried. Resolution #1 was adopted as amended. (Copy attached and made part of the minutes)

Resolution #2 (Expenditures of Highway Monies)

Motion by Councilwoman Whitman and seconded by Councilman Baker to adopt Resolution #2.

WHEREAS, 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, WHEREAS, pending approval of said agreement, the Highway Superintendent can approve expenditures on vouchers up to \$5,000.00; and

Now, therefore, be it

RESOLVED, that the Town Board hereby requires a written agreement with the Highway Superintendent pursuant to Section 284 of the New York State Highway Law 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 be it further RESOLVED, that the Highway Superintendent is hereby authorized to approve expenditures on vouchers up to \$5,000.

Discussion: Councilman Petronis inquired if this was similar to what was adopted in the past. Supervisor Kinowski stated that it was similar to what they adopted in the past.

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

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

Motion carried. Resolution #2 was adopted unanimously. (Copy attached and made part of the minutes)

Public Input

Supervisor Kinowski reported that the Saratoga County Public Health would be holding H1N1 clinics on January 8, 15, 22, & 29 from 9:30 a.m. – 12:00 p.m. and 1:00 p.m. – 3:45 p.m. at 31 Woodlawn Avenue, Saratoga Springs, NY. All clinics are walk in and free of charge.

Tony B. questioned Resolution #1, note #2 in regard to the 3% raises.

Supervisor Kinowski explained how the total amount for the raises was acquired.

Anne Robyck, Tax Collector at this time appointed Elaine D'Ambro as the Deputy Tax Collector.

Art F. questioned the position of the Deputy Supt of Highway position being abolished and if they were hiring a foreman instead.

Supervisor Kinowski stated that they would not be hiring a foreman. He explained that this was a non-compensated position the Town Board created and decided that it was not needed.

Further discussion was held.

Terry S inquired about the hourly cost for BAS and the status of the Highway contract.

Supervisor Kinowski stated that he would get the information on the hourly cost and that the Highway contract has been ratified.

Jim C. questioned the 50 cents reimbursement for mileage, questioned how many Town vehicles were used after hours and commented that when used as personal vehicle they should be given a 1099 for taxable purposes.

Supt Minick stated that it is used as an emergency vehicle after hours in case he is called out.

Supervisor Kinowski stated that it was critical for him to take the vehicle home after hours in case of an emergency.

Mike C. inquired about the IDA in regard to the members, when, where & how often they meet.

Supervisor Kinowski stated they meet quarterly and that he recently met with the IDA members and found them to be a great resource.

Mike C. suggested that the Board take a recess prior to going into executive session.

Bob G. questioned the new position of Secretary to the Planning & Zoning.

Supervisor Kinowski stated that the building dept needed help, this position was created and they will review it after 3 months to see if there is a need for this position.

Art F. questioned the Brownfield grants and the monitoring of the Boilerhouse.

Supervisor Kinowski stated that they have to do quarterly testing.

Jim C. inquired as to the status of the Radar Station Sewer.

Engineer Lanaro stated that this is under the enforcement of NYSDEC.

Terry S. stated that the Radar Base has a conditional certificate of occupancy from the Town, inquired about an ethical agreement employee's sign and the terms of office for Planning & Zoning.

Supervisor Kinowski stated that he would look into the Radar Base situation and explained the terms for Planning & Zoning.

Art G. questioned why reports were not given this evening.

Supervisor Kinowski stated that this meeting was to do the re-organization of the Town Board and time was a factor when they still needed to go into executive session to discuss personnel matters concerning certain departments.

Supervisor Kinowski stated that they would take a ten minute recess before going into executive session.

Motion by Councilwoman Whitman and seconded by Councilman Baker to adjourn the Re-organizational meeting at 8:30 PM. **Motion carried.**

Motion by Councilman Baker and seconded by Councilwoman Bruno to re-open the meeting at 10:34 PM. **Motion carried**

Motion by Councilman Baker and seconded by Councilwoman Bruno to pay the audited claims and to authorize the Supervisor to pull any questionable vouchers for payment.

General	#1-#25	\$12,137.29
Highway	#1-#9	\$10,283.22
Town Outside	#1-#33	\$31,065.91
Water & Sewer	#1-#4	\$3,822.88
Capital Projects (CSR & Water Dist 4 ext 1)	#1-11	\$71,349.58

Motion carried.

Motion by Councilwoman Bruno and seconded by Councilman Baker to adjourn at 10:52 PM.

Motion carried.

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk