

**Stillwater Town Board**  
**Agenda Meeting/Public Hearing**  
*(2011 Budget)*  
**November 4, 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.

Sue Cunningham, Town Clerk took the roll call.

**7:00 PM      Public Hearing      (2011 Budget)**

Supervisor Kinowski gave a brief overview of the budget, workshops held and tax base.

**Public Input**

Art F. inquired if the water districts have been consolidated.

Supervisor Kinowski stated that the BANS have been consolidated into a Bond that reduces the principle and interest which will cut back the years to pay back the loan.

Jim D. questioned the tax rates in the previous budgets regarding Water District #3.

Supervisor Kinowski stated that the amounts are what are shown in the previous budgets which he had no control over and cannot change.

Art F. inquired if the new water line the Town is considering is in the budget and why would residents who are not receiving the service have to pay for this line.

Supervisor Kinowski stated that a capital projects fund will be set up for future build out in hopes of bringing businesses to the Town.

Supt Minick commented on the reapportionment of sales tax which makes it look like the Highway Tax increased. He feels that ultimately lowering his budget will result in repairs to infrastructure and eventually cost the Town more down the road.

Supervisor Kinowski commented on the level that the highway is built up to, what is the intended goal when there is 64 miles of Town road. He stated that with two men retiring it may take a little extra time in maintaining the roads but it the work will get done. He felt that in order

to control the budget and control cost the sales tax needed to be redistributed in order to improve the tax base.

Councilwoman Whitman inquired on the status of the Highway Dept plowing the Fire Departments.

Supervisor Kinowski stated that he spoke with the Fire Commissioner and suggested that in case the Highway couldn't plow them out they should have a back up in place.

Councilwoman Bruno stated that she could not see what the problem was in plowing when they had the same amount of men and roads a few years ago and was still able to plow out the Fire Departments.

Art F. inquired if the two men lost in the Highway Department are due to early retirement.

Supervisor Kinowski stated that they took an early retirement which was offered to save the Town money.

John V inquired why so much money was put in the budget for unemployment when it was never used in the past.

Councilwoman Whitman stated that it was used in the past and budget adjustments were made to cover the expenses.

Supervisor Kinowski stated that amount was put in on the basis of their projection of the 2011 budget.

Mayor Martin of the Village inquired about the Town's increase in healthcare and Retirement.

Supervisor Kinowski stated that Healthcare cost increased about 15% but the cost of the overall new insurance package dropped and he is unsure of the Retirement cost increase.

With everyone having the opportunity to comment on the 2011 Budget Supervisor Kinowski declared the public hearing closed at 7:30.

### **Agenda Meeting**

Supervisor Kinowski called the agenda meeting to order at 7:30 PM.

**Adoption of Minutes: Motion** by Councilman Petronis and seconded by Councilwoman Whitman to adopt the minutes of the September 16, 2010 & October 7, 2010 meeting of the Stillwater Town Board. **Motion carried.**

**Agenda Items**            (Resolution #95---#99)

**Resolution #95**            **Authorizing the Supervisor To Pay Outstanding  
Oil Bill for SACC**

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

WHEREAS, The SACC is utilized for Town government related activities in the winter such that the Town-owned building needs to remain sufficiently heated at additional cost to the SACC; and

WHEREAS, the SACC needs to pay the oil bill by the end of November 2010;

Now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized pay the SACC's outstanding oil bill in an approximate amount of \$15,000.00 by November 30, 2010 to ensure the building is sufficiently heated for the winter.

**Motion** by Councilman Baker and seconded by Councilman Bruno to adopt Resolution #95.

A roll call vote was taken on Resolution #95 as follows:

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

**Motion carried.** Resolution #95 was unanimously adopted.

**Resolution #96**            **Set a Public Hearing to Consider Amendments to the  
Town's Animal Control Law**

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

WHEREAS, New York State Department of Agriculture and Markets will no longer be administering the dog licensing program as of January 1, 2011 due to changes in the 2010-2011 State Budget; and

WHEREAS, amendments are needed to the Town's existing Local Laws in order to assume the State's previous responsibilities;

Now, therefore, be it

RESOLVED, that a Public Hearing is hereby scheduled for November 18, 2010 at 7:00 p.m. at Stillwater Town Hall, 66 East Street, Stillwater, New York to consider the attached Local Law No. \_\_\_\_ - of 2010, a Local Law amending Local Law 5-2004, as amended by Local Laws 2-2006, 1-2008 and 1-2009, regarding amended Licensing and Identification Requirements for Dogs; 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.

**Motion** by Councilman Petronis and seconded by Councilman Bruno to adopt Resolution #96.

A roll call vote was taken on Resolution #96 as follows:

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

**Motion carried.** Resolution #96 was unanimously adopted.

**Resolution #97**      **Authorize Supervisor to Sign Memorandum of Agreement With CSEA Regarding Change in Health Insurance Plans**

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

WHEREAS, the Town and CSEA are parties to a Collective Bargaining Agreement for Highway employees which provides for the MVP EPO 20 health insurance plan; and

WHEREAS, the MVP EPO 20 Plan has been abolished by the carrier and the parties wish to enter into an Agreement which replaces the MVP Plan with the CDPHP EPO 25 Plan;

Now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign the attached Memorandum of Agreement with CSEA on behalf of the Town to replace the MVP EPO 20 health insurance plan with the CDPHP EPO 25 Plan for Town employees

**Motion** by Councilman Petronis and seconded by Councilman Bruno to adopt Resolution #97.

A roll call vote was taken on Resolution #97 as follows:

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

**Motion carried.** Resolution #97 was unanimously adopted.

**Resolution #98      **Authorizing the Supervisor To Sign Grant Agreement****

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

WHEREAS, The Town has received a special grant in the 2010-2011 New York State Budget; and

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 all documents necessary on behalf of the Town to apply for, receive and expend the grant funds for an air conditioner, copier, desk for courtroom office, shredder and courtroom security.

**Motion** by Councilwoman Whitman and seconded by Councilman Bruno to adopt Resolution #98.

A roll call vote was taken on Resolution #98 as follows:

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

**Motion carried.** Resolution #98 was unanimously adopted.

**Resolution #99      **Set a Public Hearing to Consider Implementing a  
Cross Connection Control Program****

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

WHEREAS, the Department of Health has recommended that the Town establish a cross connection control program for water connections in Town; and

WHEREAS, a Public Hearing is needed to consider comments from residents;

Now, therefore, be it

RESOLVED, that a Public Hearing is hereby scheduled for November 18, 2010 at 7:00 p.m. at Stillwater Town Hall, 66 East Street, Stillwater, New York to consider the attached Local

Law No. \_\_\_\_- of 2010, a Local Law enacting a Cross Connection Control Program for water; 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.

**Motion** by Councilman Petronis and seconded by Councilman Bruno to adopt Resolution #99.

A roll call vote was taken on Resolution #99 as follows:

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

**Motion carried.** Resolution #99 was unanimously adopted.

## **Reports (Town Board & Department Heads)**

### **Councilwoman Whitman**

Ethics Committee: Councilwoman Whitman reported that members of the Ethics Committee attended a conference which was beneficial to them.

Lower Parking Lot: Councilwoman Whitman requested signage in the lower parking lot directing people to the building dept and assessor's office.

PCB Litigation: Councilwoman Whitman inquired on the status of the PCB Litigation and the monies the County gave towards Attorney fees.

Supervisor Kinowski stated that not all monies have been spent so the County will be dispersing the leftover monies to the communities involved in the litigation for future expenses. He stated that when the Town receives its portion it will be put in an escrow fund to cover any future Town expenses regarding the litigation.

### **Councilwoman Bruno**

Term Limits: Councilwoman Bruno inquired if a questionnaire has been prepared to put in with the tax bill going out in January regarding term limits on the Supervisor position and Council positions.

Supervisor Kinowski stated that he has not had time to prepare anything as of yet.

### **Superintendent of Highways**

Viall Ave: Supt Minick stated that they have been watching water flow on Viall Ave and it has been found to be ground water and not leaks.

### **Public Input**

John V. commented on Home Rule laws regarding special elections and the location of a kerosene tank at his neighbors trailer.

Supervisor Kinowski stated that he should address the park owners regarding the kerosene tank or put something in writing to the Building Inspector.

Art F inquired if the Village has tested the river for PCBs, status of the water extension on Saratoga Lake, and how the Town ends up with State mandates.

Supervisor Kinowski stated that the Village would not test the river, state agencies would. To his knowledge there is nothing current regarding PCBs but he would look into the matter. He said the water line extension is moving along and as for the mandates they are unfunded and the State makes the decision on the mandates.

**Audited claims**

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

General	#429--#470	\$27,485.91
Highway	#453--#484	\$13,600.27
Town Outside	#146--#163	\$23,951.62
Water & Sewer	#77--#88	\$3,454.78
Capital Projects	#66--#70	\$12,617.80

**Motion carried.**

**Motion** by Councilwoman Whitman and seconded by Councilman Petronis to adjourn the agenda meeting and enter into executive session to discuss personnel and litigation at 8:15 PM.

**Motion carried.** (Noted: the Town Board will not be going back into the agenda meeting).

Respectfully submitted by

Sue Cunningham  
Stillwater Town Clerk