



Councilman Petronis            YES  
Councilwoman Whitman        YES  
Councilwoman Bruno           YES

**Motion carried.** Resolution #103 of 2012 was unanimously adopted.

**Resolution #104        Adopting the Audit of the Justice Court**

Introduced by: Supervisor

WHEREAS, pursuant to the request of the Office of Court Administration, the Town's Office of Fiscal Management will conduct a financial audit of the Town's Justice Court for the period of August 1, 2008 through July 31, 2012; and

WHEREAS, the Office of Fiscal Management will complete its audit and will submitted its audit report and recommendations to the Town Board not later than March 31, 2013;

Now, therefore, be it

RESOLVED, that the Town Board authorizes the Office of Fiscal Management to conduct the financial audit of the Town Justice Court for the period of August 1, 2008 through July 31, 2012 and to forward the report to the Town Board and the Town Justices not later than March 31, 2013; and

RESOLVED, that the Town Justices are requested to review the audit report and to provide the Town Board with a written response to the audit report and recommendations on or before July 31, 2013.

**Motion** by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #104 of 2012.

Discussion: Councilwoman Whitman inquired as to the purpose of this resolution when the Office of Fiscal Management conducted the audit.

Supervisor Kinowski stated that this was just a housekeeping issue.

A roll call vote was taken on Resolution #104 of 2012 as follows:

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

**Motion carried.** Resolution #104 of 2012 was unanimously adopted.

**Resolution #105        Approving a Lease with Roman Catholic Community of All Saints on the Hudson for Town Hall Space**

Introduced by: Supervisor

WHEREAS, the Town Court, Town Board and other agencies at Town Hall have experienced safety problems and concerns resulting from inadequate space available to conduct their operations; and

WHEREAS, the Town Supervisor has negotiated a proposed lease for space at St. Paul's Catholic Church from Roman Catholic Community of All Saints on the Hudson to conduct most Town Government operations with the exception of the Highway Department beginning in 2013; and

WHEREAS, the terms of the proposed lease are contained in the attachment hereto;

Now, therefore, be it



**Resolution #107      Authorizing the Chazen Companies  
To Conduct Survey Services on Mitchell Road**

Introduced by: Supervisor

WHEREAS, the Town Board has requested an estimate from the Town's engineers to survey access areas along Mitchell Road for access to the multiuse pathway; and

WHEREAS, The Chazen Companies have provided the attached engagement letter estimating their survey services to cost \$3,400.00; and

WHEREAS, the Town Board finds the estimate to be reasonable for the services to be rendered;

Now, therefore, be it

RESOLVED, that the Town Board authorizes the Supervisor to sign the attached Engagement Agreement Number 29 with The Chazen Companies for land survey services along Mitchell Road at a cost not to exceed \$3,400.00.

**Motion** by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #107 of 2012.

Discussion: Councilman Baker inquired if this was for the trail and the reason for this. Supervisor Kinowski stated that the purpose of the survey was because the road was not where it was supposed to be. It was correcting the property markings. Discussion was held on highway by use, road ownership, maintenance, deed descriptions, define area to the hydrant and access to the multi-use trail.

A roll call vote was taken on Resolution #107 of 2012 as follows:

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

**Motion carried.** Resolution #107 of 2012 was unanimously adopted.

**Resolution #108      Authorizing The Chazen Companies  
Regarding the Champlain Canal Multi-Use Trail  
Professional Services**

Introduced by: Supervisor

WHEREAS, the Town Board has requested an estimate from the Town's engineers with regard to the Champlain Canal Multi-Use Trail; and

WHEREAS, The Chazen Companies have provided the attached engagement agreement estimating their survey services to cost \$24,385.00; and

WHEREAS, the Town Board finds the estimate to be reasonable for the services to be rendered;

Now, therefore, be it

RESOLVED, that the Town Board authorizes the Supervisor to sign the attached Engagement Agreement Number 27 with The Chazen Companies regarding Champlain Canal Multi-Use Trail at a cost not to exceed \$24,385.00.

**Motion** by Supervisor Kinowski and seconded by Councilwoman Bruno to table Resolution #108.

A brief discussion was held on the location of the trail and parking lot.

A roll call vote was taken on Resolution #108 of 2012 as follows:

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

**Motion carried.** Resolution #108 of 2012 was unanimously tabled.

### **Resolution #109      Adopt Year End Budget Transfers and Corrections**

Introduced by: Supervisor

WHEREAS, certain year end budget transfers and corrections to contingent appropriations must be undertaken to maximize the use of 2012 appropriated funds; and

WHEREAS, the Office of Fiscal Management will work with the Supervisor to finalize all transactions for fiscal close-out, insure the necessary transfer and use of unexpended balances to balance the 2012 budget, make corrections to contingent appropriations with the 2012 budget, adjust the distribution of sales tax revenues between B and DB Funds, as required by the board, and encumber the necessary funds to pay unpaid 2012 obligations;

Now, therefore, be it

RESOLVED, that the Town Board hereby approves year end budget transfers, corrections to contingent appropriations and adjustment to the distribution of sales tax revenues; and be it further

RESOLVED that the Town Board hereby directs the Office Fiscal Management to work with the Supervisor to make the appropriate transfers and corrections and annotate the same in the Town's financial records.

**Motion** by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #109 of 2012.

Discussion: Councilwoman Whitman inquired if they would be given the total dollar amount of transfers.

Supervisor Kinowski stated that they would receive a full account of all transfers.

A roll call vote was taken on Resolution #109 of 2012 as follows:

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

**Motion carried.** Resolution #109 of 2012 was unanimously adopted.

Supervisor Kinowski requested a break in the Resolution that under consideration by the Town Board.

Supervisor Kinowski introduced Madeline Patterson the new Executive Director of the community center.

M Patterson gave a brief overview of the six weeks she has been director. She informed the Board members that they applied for a grant and they are also applying for a grant for a community garden. The community garden will be on land owned partially by the Town and the American Legion. They may also need help clearing the area.

Supervisor Kinowski requested her to bring back to the Town Board a map of the area and something from the American Legion giving permission to use the area.

Supervisor Kinowski recognized a boy scout in attendance that was there just to observe.

**Additional Resolutions #110-#116**

**Resolution #110 Rescinding Resolution No. 98 and  
Accepting Dedication of the Gurba Drive Extension from  
Camelot Associates Corporation**

Introduced: Supervisor Kinowski

WHEREAS, Resolution No. 98 of 2012 was proposed for approval at the November 16, 2012 Town Board Meeting and was “Tabled”; and

WHEREAS, Camelot Associates has requested to dedicate a roadway named “Gurba Drive Extension” within the Revolutionary Heights Subdivision to the Town of Stillwater to satisfy a condition of their subdivision approval; and

WHEREAS, the applicant has now substantially complied with the Town’s procedures 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 rescinds Resolution No. 98 of 2012 in its entirety; and be it further

RESOLVED, that the Town accepts the dedication of Gurba Drive Extension in the Revolutionary Heights Subdivision from Camelot Associates Development, LLC subject to the following conditions being met before the filing of the Deed of Dedication:

1. Payment of 2013 Town and County Taxes before January 1, 2013 unless Deed of Dedication is recorded before then;
2. Receipt of pre-paid signed original Fee Title Insurance Policy re-dated as of date Deed of Dedication is recorded;
3. Search by Title Insurance Company for judgments or liens in the name of Camelot Associates Corporation which were, are, or may become encumbrances on the dedicated property or Title Insurance Company’s certificate that there are none; and
4. Removal of Exception No. 9 from Title Insurance Policy after re-dated and certified survey is provided, certified to both the Town of Stillwater and to First American Title Insurance Company, after the completion of Top Course Paving in the Spring of 2013; and be it further

RESOLVED, that the acceptance of this dedication of infrastructure and property shall be subject to the approval of, and conditions required by, the Town Supervisor, and the Highway Superintendent as well as the engineers and attorneys for the Town as they deem appropriate; and be it further

RESOLVED, that the Supervisor is hereby authorized to sign and the attorneys and engineers to the Town are directed to prepare and file all necessary documents to effectuate the transfer of the Gurba Drive Extension.

**Motion** by Councilman Petronis and seconded by Councilwoman Whitman to adopt Resolution #110 of 2012.

A roll call vote was taken on Resolution #110 of 2012 as follows:

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

**Motion carried.** Resolution #110 of 2012 was unanimously adopted.

**Resolution #111      Authorizing the Town Board to Create a New Position of Planner for the Building, Planning and Development Department**

Introduced: Supervisor Kinowski

WHEREAS, the Town recognizes a need to add a full time Planner position to the Building, Planning and Development Department to meet the needs of current and future Town growth; and

Now, therefore, be it

RESOLVED, that the Town Board has budgeted appropriate funds for the Planner position to the Building, Planning and Development Department and authorizes the creation of the position; and be it further

RESOLVED, that the Town Board hereby request that Saratoga County create the Planner position in the Town of Stillwater.

**Motion** by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution #111 of 2012.

A roll call vote was taken on Resolution #111 of 2012 as follows:

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

**Motion carried.** Resolution #111 of 2012 was unanimously adopted.

**Resolution #112      Regarding Health Insurance for Town Hall Employees**

Introduced by: Supervisor

WHEREAS the Town Board has reviewed options under both the Union contract and for other Town employees and has determined that the High Deductible EPO Plan is the most appropriate for all Town employees beginning January 1, 2013. Such healthcare plan is substantially similar to the health insurance plan provided through the current CSEA Union Contract with highway employees; and

WHEREAS, the Plan will provide overall savings to health insurance costs; and

WHEREAS, it is anticipated that dental and optical coverage will become available through CSEA;

Now, therefore, be it

RESOLVED, that that the Town Board hereby approves the provision of the High Deductible EPO Health Insurance Plan to all Town employees beginning January 1, 2013; and be it further

RESOLVED, that the Supervisor is authorized to sign all documents to effectuate the same.

**Motion** by Councilman Petronis and seconded by Councilman Baker to adopt Resolution #112 of 2012.

A roll call vote was taken on Resolution #112 of 2012 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES



Morris Ford at the bid price of \$43,991.00; and be it further RESOLVED, that the Town Supervisor is hereby authorized to enter into an agreement with Morris Ford for the stated equipment and at the stated price and to disburse the needed funds as appropriate.

**Motion** by Councilman Petronis and seconded by Councilwoman Bruno to adopt Resolution #114 of 2012.

A roll call vote was taken on Resolution #114 of 2012 as follows:

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

**Motion carried.** Resolution #114 of 2012 was unanimously adopted.

**Resolution #115      Approve the 2013 Police Contract**

Introduced by: Supervisor

WHEREAS, the Town's contract with the Police Officers comes up for renewal on January 1, 2013; and

WHEREAS, the Town Board on behalf of the Town's citizens and the Police Officers have agreed on the contract as reflected in the attachment hereto;

Now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign the attached Agreement by and between Stillwater Town Organized Police and the Town of Stillwater.

**Motion** by Councilman Petronis and seconded by Councilwoman Whitman to adopt Resolution #115 of 2012.

A roll call vote was taken on Resolution #115 of 2012 as follows:

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

**Motion carried.** Resolution #115 of 2012 was unanimously adopted.

**Resolution #116      Adopting Additional Pension Benefits  
Of Section 41-j of the NYS Retirement System Amendments**

Introduced by: Supervisor

Now, therefore, be it

RESOLVED, the Town Board of the Town of Stillwater does hereby elect to provide the additional pension benefits of Section 41-j to all Town Employees of the Retirement and Social Security Law, as presently or hereafter amended; and be it further

RESOLVED, that the effective date of such shall be the 1<sup>st</sup> day of January 2013.

**Motion** by Councilwoman Bruno and seconded by Councilman Petronis to adopt Resolution #116 of 2012.

A roll call vote was taken on Resolution #116 of 2012 as follows:

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

**Motion carried.** Resolution #116 of 2012 was unanimously adopted.

Councilman Baker and Councilman Petronis requested to be notified when Engineer Lanaro goes to the Parish Center to prepare for site plan approval that would need to be done.

### **Public Input**

Marty D inquired about the status of the Camelot sewer connection.

Supervisor Kinowski stated that the work is completed and has been accepted by the County.

The Town needs to maintain for one year than the County takes over.

Attorney Trainor stated that this was a mutual effort and a promissory note by Camelot was due around summer.

Supervisor Kinowski stated that he did not have all the information in front of him regarding this but if anyone wanted to stop by his office he would be glad to go over the information with them.

Coke C stated that he agreed with Councilman Baker regarding the lease with the Parish Center.

Art F inquired if Resolution #103 and Resolution #113 were the same resolution, what they would do with the Town Hall building if they leased the parish center and difference between Highway employees and Town Hall employees.

Supervisor Kinowski stated that we have outgrown this building and it has many faults, the Town has options to sell or lease the building out, and when he came on board the Highway and Town Hall employees were treated differently and with the new personnel policy everyone will be treated equally.

Councilwoman Whitman commented on the present personnel policy that was prepared in 2008. She stated that with this new policy it will cover everyone, there will be no favoritism and it will be followed.

Supervisor Kinowski relooked at the Resolutions #103 & #113 and realized that they were one and the same. (See Resolution #113)

### **Audited Claims**

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

General	#440—455	\$7,806.61
Town Outside	#270--#284	\$15,101.80
Highway	#453--#467	\$7,341.88
Water & Sewer	#51--#54	\$1,439.74
Capital Projects	#4	\$14,450.40

### **Motion carried.**

**Motion** by Councilman Baker and seconded by Councilman Petronis to adjourn into executive session at 8:45 pm to discuss personnel issues. **Motion carried.** (Note: The Town Board will not enter back into the regular Town Board Meeting).

Respectfully submitted by

Sue Cunningham  
Stillwater Town Clerk