

**Stillwater Town Board
Business Meeting
October 1, 2015
Stillwater Town Hall**

Present: Councilman Artie Baker
Councilman Ken Petronis
Councilwoman Lisa Bruno
Councilwoman Ellen Vomacka
Supervisor Ed Kinowski

Also Present: Sue Cunningham, Town Clerk
Mark Minick, Supt of Highways
Joe Lanaro, Engineer for the Town
James Trainor, Attorney 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.

Adoption of Minutes: **Motion** by Councilman Petronis and seconded by Councilwoman Bruno to adopt the minutes of September 17, 2015. **Motion carried.**

Guest: Marissa MacKay of Saratoga Water Services requested an extension of the Saratoga Water Service Franchise Area for inclusion of the Grace Moore Road water main extension to RM Dalrymple.

Supervisor Kinowski inquired if this would prohibit other water authorities in the area from supplying water.

M. MacKay stated that this would be a nonexclusive extension.

After a brief discussion the consensus was a public hearing is required and would be held on November 1st.

Reports **Town Board & Dept Heads**

Councilman Petronis

Councilman Petronis reported that he attended a ceremony up at Ketchums Corners where a plaque (marker) was placed honoring the 656 squadron. They were part of the early warning system during World War II and the Cold War Era.

Councilman Baker

Councilman Baker gave a brief update on repairs being made at Browns Bach and what is being done to winterize the buildings.

Councilman Baker reported that a timer was installed for an exhaust fan in the basement at the community center.

Councilwoman Bruno

Councilwoman Bruno reported that the fall clean-up would be Oct 17th from 7am to 2pm and TV's will not be accepted. She also commented that perhaps in the future they can work with other municipalities on having an electronic recycling program.

Councilwoman Bruno reported that the police department would be holding a domestic violence program at the end of the month here at the Town Hall.

Councilwoman Bruno reported that in talking with residents the Town may need to readdress the jake breaking.

Discussion was held on jake breaking.

Supervisor Kinowski commented on the Stillwater Library board being in attendance. He asked if anyone wanted to speak at this time.

A representative for the board spoke on the library seeking to re-charter as a school district public library which will have to go on the ballot for residents to vote on.

A brief discussion was held on doing an education campaign and ways to help the library with this.

Supt of Highways—Mark Minick

Supt Minick requested a resolution to declare the 2M and 16 trucks as surplus equipment.

Agenda Items

Resolutions #68--#72

Resolution # 68

**Authorizing the Supervisor to
Enter into a Contract with the
Stillwater Area Community Services Center**

Introduced by: Supervisor

WHEREAS, the Stillwater Area Community Services Center (hereafter “SACC”) conducts various educational, recreational and social programs for the residents of the Town of Stillwater; and

WHEREAS, the Town of Stillwater owns and maintains the building that houses the SACC; and

WHEREAS, the Town Board has determined that the activities conducted by the SACC are of benefit to the residents of the Town of Stillwater; and

WHEREAS, for the year 2015-2016, the Town Budget appropriates funds for the support of programs provided by and through the SACC; and

WHEREAS, the Attorney for the Town has reviewed the contract between the Town and the SACC to provide for the disbursement of Town funds to the SACC for the years 2015-2016; and

WHEREAS, the Town Board has reviewed the contract and approves of its execution;

Now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a contract with the Stillwater Area Community Center, Inc. for the distribution of Town funds as approved in the Final 2016 Town Budget to the SACC for the years 2015-2016; and be it further

RESOLVED, that the disbursement of funds shall occur contemporaneously with the filing of a quarterly financial and program report by the SACC with the Town Board.

Motion by Councilman Petronis and seconded by Councilman Baker to adopt Resolution No. 68 of 2015.

A roll call vote was taken on Resolution No. 68 of 2015 as follows:

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

Motion carried. Resolution No. 68 of 2015 was adopted unanimously.

Resolution #69

Setting a Public Hearing Regarding 2016 Budget

Introduced by: Supervisor

WHEREAS, Supervisor Kinowski has recommended that a Workshop and Public Hearing be set for taking public input on the proposed 2016 Budget;

Now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for November 5, 2015, at 7:00 p.m. at Town Hall 881 Hudson Avenue, Stillwater, New York, to receive comments from the public regarding the proposed 2016 Budget; and be it further

RESOLVED, that Budget Workshops are hereby scheduled for 6:30 pm on October 27th and 29th , 2015 at Town Hall; and be it further

RESOLVED, that Town Clerk is hereby directed to publish appropriate notice of the workshop and public hearing.

Motion by Councilman Petronis and seconded by Councilman Baker to adopt Resolution No. 69 of 2015.

A roll call vote was taken on Resolution No. 69 of 2015 as follows:

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

Motion carried. Resolution No. 69 of 2015 was adopted unanimously.

Resolution #70

**Setting a Public Hearing
Regarding Local Law 5 of 2015
A Local Law to Override the Property Tax Cap**

Introduced by: Supervisor

WHEREAS, effective in 2012, local governments are subject to a tax levy limitation as a result of the New York State Property Tax Cap Legislation set forth in General Municipal Law Article 2, §3-c; and

WHEREAS, there is a provision within the legislation that requires the Town to pass a local law by a 60% majority vote that states that it wishes to override said tax cap limit if the tax levy limit established by this preliminary budget will exceed the tax cap limit; and

WHEREAS, Paragraph 5 of §3-c of Article 2 of the General Municipal Law reads in full: “A local government may adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, not including any levy necessary to support the expenditures pursuant to subparagraphs (i) through (iv) of paragraph g of subdivision two of this section, only if the governing body of such local government first enacts, by a vote of sixty percent of the total voting power of such body, a local law to override such limit for such coming fiscal year only, or in the case of a district or fire district, a resolution, approved by a vote of sixty percent of the total voting power of such body, to override such limit for such coming fiscal year only.” And

WHEREAS, Supervisor Kinowski has recommended that a Public Hearing be set for taking public input on the proposed Local Law to Override the Property Tax Cap because it may be needed to exceed the tax cap of approximately two percent (2%) for the 2016 Budget;

Now, therefore be it

RESOLVED, that a public hearing is hereby scheduled for November 5, 2015 at 7:00 p.m. at Town Hall 881 Hudson Avenue, Stillwater, New York, to receive comments from the public regarding the proposed Local Law to Override the Tax Cap; and be it further

Water Franchise Area to encompass the Grace Moore Road Water Main Extension along Grace Moore Road;
and it is further

RESOLVED, that Town Clerk is hereby directed to publish appropriate notice of the Public Hearing a minimum of five (5) days prior to the Public Hearing on November 5, 2015.

Motion by Councilman Petronis and seconded by Councilman Baker to adopt Resolution No. 72 of 2015.

A roll call vote was taken on Resolution No. 72 of 2015 as follows:

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

Motion carried. Resolution No. 72 of 2015 was adopted unanimously.

Public Input

Tom M inquired about the Town having a hazardous waste clean-up. Supervisor Kinowski stated that the County has been researching and have received many quotes. There has been no final decision yet due to budgetary concerns. Usually more is paid out than what is taken in.

Ann Marie H inquired about tax cap override and if scheduling a public hearing was a just in case.

Supervisor Kinowski stated the tentative budget was slightly over the 2% and that it is actually a formula used not a percentage. It has a lot to do with growth factor.

Councilwoman Bruno commented on people's tax bills and the mandates that the Town & County are faced with from the State.

Mayor Nelson reported that the United Church will be holding a free breakfast on Saturday honoring the Fire Depts. and they will also be holding a movie night on Saturday featuring Frozen.

Coke C inquired about the amount of the proposed water rate increase and who signed the water purchase contract with the Village.

Supervisor Kinowski stated that it was a former Supervisor and Mayor and he was unsure of who signed. It was a long term contract and had provisions for raising the rate. They are moving forward with the proposed water dist. 6. Hopefully they will be going out to bid in Dec or Jan, open bids in Feb or March and start construction in Apr or May.

Coke C inquired if the Town Board was violating the ethic law by attending the free breakfast.

Attorney Trainor stated that they would be violating the ethic law if the breakfast was intended to influence one.

Supervisor Kinowski stated that the breakfast is open to the general public and we are all part of the general public.

Patrick N stated that he had a conversation with a resident from the Riverside section of Town. The resident had complained of too much chlorine in the water.

He also spoke PCB's and the dredging.

Supervisor Kinowski explained some of his meeting with different officials and offices regarding the dredging. He is not sure of end result or who has final say, Federal or State. Supt Minick spoke on the chlorine residue and said that they may have smell and taste of chlorine but test results show that it really is not high in levels.

Audited Claims

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

General	\$13,035.93
Town outside	\$5,727.18
Highway	\$171,722.77
Water & Sewer	\$944.90
Capital Projects	\$10,763.11

Motion carried.

Motion by Councilman Baker and seconded by Councilwoman Vomacka to adjourn into executive session to discuss contract and personnel matter at 7:55PM. **Motion carried.**
(Note: the Town Board will not return into the regular agenda meeting.)

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk