

**Stillwater Town Board
Business Meeting
March 18, 2021 7:00 PM
Stillwater Town Hall**

Present: Councilman Artie Baker
Councilman Chris D'Ambro
Councilwoman Ellen Vomacka
Councilwoman Valerie Masterson
Supervisor Ed Kinowski

Also Present: Barbara McManus, Deputy Town Clerk
Supt of Highways Matt Harris
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.

Barbara McManus, Deputy Town Clerk took the roll call.

Adoption of Minutes: Motion by Councilman D'Ambro and seconded by Councilwoman Vomacka to adopt the minutes of March 4, 2020. **Motion carried.**

Fuel Bid Opening: Supt of Highways, Matt Harris opened 2 Bids.
GA Bove
John Ray & Sons
Supt of Highways will review the bids.

Agenda Items **Resolutions #17 – 19**

Resolution #17 **Police Reform and Reinvention Collaboration**
Introduced by: Supervisor

WHEREAS, the Town has performed a comprehensive review of current police force deployments, strategies, polices, procedures and practices; and

WHEREAS, the Town has developed a plan, attached hereto, to improve such deployments, strategies, polices, procedures, and practices (the "Plan"); and

WHEREAS, the Town has consulted with Stakeholders (including but not limited to: membership and leadership of the local police force; members of the community, the emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the local office of the district attorney; the local public defender; and local elected officials) regarding the Plan; and

WHEREAS, the Town has offered the Plan in draft form for public comment to all citizens in the Town and, prior to adoption of the Plan by the Town, has considered comments submitted.

Now, therefore, be it

RESOLVED, the Town hereby adopts the Plan attached hereto on Police Reform and Reinvention Collaborative Group.

Motion by Councilwoman Masterson and seconded by Councilman Baker to Adopt Resolution No. 17 of 2021.

A roll call was taken on Resolution No. 17 of 2021 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES

Councilman D'Ambro YES
Councilwoman Masterson YES
Councilwoman Vomacka YES

Motion carried. Resolution No. 17 of 2021 was adopted unanimously.

**Resolution# 18 Accepting and Setting a Public Hearing Regarding
the Map, Plan and Report Dated March 10, 2021
Regarding the Establishment of Extension 2 to
Consolidated Water District 6**

Introduced by: Supervisor _____

WHEREAS, the Town Board established an escrow account for 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, which provides for the Formation of Extension 2 to Consolidated Water District #6; and

WHEREAS, a Public Hearing is required to consider the MPR and the formation of Extension 2 to the District, 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 and §209-d of the Town Law; and be it further

RESOLVED, that the cost of preparing the MPR reimbursed by the Developer; and be it further

RESOLVED, this Resolution may be subject to a Permissive Referendum in accordance with §209-b of the New York State Law but that should Extension 2 be established, the cost of the MPR may be assessed to Extension 2 of Water District 6; and be it further

RESOLVED, that a Public Hearing is hereby scheduled for 7PM on April 15, 2021 at Stillwater Town Hall, 881 Hudson Avenue, Stillwater, New York 12170, to consider the MPR attached hereto and to consider the formation of Extension 2 to Consolidated Water District #6; 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 April 15, 2021 Public Hearing and to file a copy of the Resolution, MPR and Notice with the State Comptroller on or about the date of publication of the Notice of Public Hearing.

Motion by Councilwoman Masterson and seconded by Councilman Baker to Adopt Resolution No. 18 of 2021.

A roll call was taken on Resolution No. 18 of 2021 as follows:

Supervisor Kinowski YES
Councilman Baker YES
Councilman D'Ambro YES
Councilwoman Masterson YES
Councilwoman Vomacka YES

Motion carried. Resolution No. 18 of 2021 was adopted unanimously.

Resolution #19

Authorizing Donation to Stillwater Senior Class

WHEREAS, Councilman Baker recommends that a donation of \$1000.00 be made to the Stillwater Senior Class Fund in recognition of the Class’s resilience over the past year under the Covid restrictions; and

WHEREAS, in making a donation from public funds there are two main things to consider – (1) the taxing district from which the funds are being spent; and (2) the public purpose for the expenditure; and

WHEREAS, because the funds to be used are to be taken from the Town-wide General Fund, the board should articulate a town-wide benefit being achieved so that taxpayers throughout the taxing district can be comfortable that their tax dollars are being used for their benefit; and

WHEREAS, the New York State Constitution, Article VIII, Section 1 prohibits municipalities from giving or loaning any money to aid any individual, or private corporation or association, or private undertaking unless and to the extent the expenditure is in furtherance of a public purpose; and

WHEREAS, the courts afford a great deal of discretion to executive and legislative judgment in making donations from public funds and generally will not disturb an expenditure or appropriation unless there has been a clear abuse of discretion; and

WHEREAS, a variety of expenditures of public funds have been upheld by the courts in situations where the value received in return was a very generalized public benefit and in many upheld cases the expense has been both a public and private benefit, and as long as the benefit is primarily for the public, then the expense has been considered permissible; and

WHEREAS, the Town’s donation should be used for something that benefits the entire senior class rather than using it, for example, for a senior trip which may only benefit those who go on the trip, presumably to defray their expenses.

Now, therefore, be it

RESOLVED, that the Town Board hereby finds that the town-wide public benefit of providing a supportive community atmosphere will help inspire graduating seniors to stay or return to Stillwater to live or work after graduation; and be it further

RESOLVED, that the Supervisor is hereby authorized to make a donation of \$1000.00 from the Town’s General Fund to the Stillwater Senior Class of 2021 Fund, to be used for something that benefits the entire Senior Class, not just some of its members.

Motion by Councilwoman Masterson and seconded by Councilman Baker to adopt Resolution No. 19 of 2021.

A roll call was taken on Resolution No. 19 of 2021 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilman D’Ambro	YES
Councilwoman Masterson	YES
Councilwoman Vomacka	YES

Motion carried. Resolution No. 19 of 2021 was adopted unanimously.

Tabled Resolution #11

A brief discussion was held on Resolution #11. Attorney Jim Trainor said he had changed some of the wording in resolution. Resolution #11 will be brought back up at the agenda meeting in April.

Reports Town Board & Department Heads

Councilwoman Vomacka

Cemeteries: Councilwoman Vomacka reported that the Union Cemetery would like to partner with other cemeteries to form an association which would make them eligible for grant money. Councilwoman Vomacka stated that the goal for the cemeteries is to make a trail for those people interested in history of the area.

Councilman D’Ambro

Stillwater Area Community Center: Councilman D’Ambro and Councilwoman Masterson met with the SACC. They are currently working on their financials which will include their short and long-term plans. They will be presenting it at the April 15, 2021 Town Board meeting.

Council Woman Masterson

Town Wide Clean Up: Councilwoman Masterson stated that the Town wide Clean-up are scheduled for Saturday May 1, 2021 and October 16, 2021.

Supervisor Kinowski

Blockhouse Park: Supervisor Kinowski explained that there was a request to hold a Son Rise Service at the Blockhouse Park on Easter. The party making the request believed that there would be around 300 people. Due to parking and traffic concerns, alternative venues such as the Post 490 Legion and Frog Island Park were offered.

COVID-19 shots: Supervisor Kinowski stated that the vaccine was given by Malta-Stillwater Ambulance for people over 60. More will be available in the future.

Fireworks. Supervisor Kinowski stated he received a call from the Fireworks company to pre-schedule. Currently hoping to have fireworks at Brown’s Beach Saturday July 3 or Sunday July 4th 2021.

Public Input. None

Audited Claims

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

General	\$4787.07
Town Outside	\$8111.56
Highway	\$11695.51
Water & Sewer	\$1796.08

Motion by Councilman D’Ambro and seconded by Councilman Baker to adjourn the Town Board meeting at 7 :26 pm and enter into executive session for a personnel matter.

Motion carried. (NOTE: The Town Board will not resume into regular meeting).

Respectfully submitted by

Barbara McManus
Deputy Town Clerk