

**Stillwater Town Board
Business Meeting & Public Hearing
(Water Dist. 6 ext. 2)
April 15, 2021 7:00 PM
Stillwater Town Hall**

Present: **Councilman Chris D'Ambro
Councilwoman Vomacka
Councilwoman Valerie Masterson
Supervisor Ed Kinowski**

Also Present: **Sue Cunningham, Town Clerk
Supt of Highways, Matt Harris
Joe Lanaro, Engineer for the Town
James Trainor, Attorney for the Town**

Via Phone: **Councilman Artie Baker**

Supervisor Kinowski called the meeting to order and led everyone in the Pledge to the Flag.

Sue Cunningham, Stillwater Town Clerk took the roll call.

Public Hearing Water Dist. 6 ext.2

Purpose: To consider the MPR and the formation of Extension 2 to the District

Supervisor Kinowski called the public hearing to order and opened up the hearing for public input.

Public Input: No public input

With everyone having the opportunity to comment Supervisor Kinowski closed the public hearing at 7:04 pm.

Business Meeting

Adoption of Minutes: Motion by Councilman D'Ambro and seconded by Councilwoman Masterson to adopt the minutes of April 1, 2021. **Motion carried.**

Agenda Items **Amended Resolution #26 & Resolutions #28--#32**

**Resolution #26 Authorize the Supervisor to Sign Proposal for
Repair and Replacement of Kitchen Floor Work at
Brown's Beach Restaurant Building**

Introduced by: Supervisor Kinowski

WHEREAS, it has become necessary to repair and replace the kitchen floor area at the Brown's Beach restaurant building; and

WHEREAS, the repairs are necessary for the full utility of the building as currently licensed; and

WHEREAS, these items fall under the monetary threshold required for competitive bidding under General Municipal Law § 103;

Now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to accept the proposal submitted by and pay Empire State Tile to repair and replace the kitchen floor area at the Brown's Beach Building, in an amount of \$9,578.34.

Motion by Councilwoman Vomacka and seconded by Councilman D’Ambro to Adopt Resolution No. 26 of 2021.

A roll call was taken on Resolution No. 26 of 2021 as follows:

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

Motion carried. Resolution No. 26 of 2021 was adopted unanimously.

**Resolution #28 Endorsement of the Roptizky Farm 1
Farmland Protection Implementation Grants Program Application
to be Submitted to NYSDAM by Saratoga PLAN**

Introduced By: _____

WHEREAS, Steven Roptizky is the owner of certain real property (the “Property”) consisting of approximately 108 acres of viable agricultural land in tax map parcels 232.-1-88 and 232.-1-17.13, located at 13.1, 232.-1-13.2 and 232.-1-9.2, located on Durham Road in the Town of Stillwater, Saratoga County, New York. The landowner desires to protect the Property for agricultural purposes by conveying a permanent conservation easement on the land; and

WHEREAS, the Property features approximately 90 acres in active agricultural production, with approximately 51 acres of Prime soils and approximately 30 acres of Soils of Statewide Importance as defined by the U.S. Department of Agriculture Natural Resources Conservation Services; and

WHEREAS, the Town of Stillwater Farmland Protection and Green Infrastructure Plan of December 2007, identifies the Property as being within an Agricultural Resource Hub, identifies the Property as having excellent soils for agricultural purposes, sets goals for conservation of “high quality” farmland, recommends taking part in regional farmland conservation efforts, and recommends partnering with Saratoga PLAN to achieve conservation goals; and

WHEREAS, the Farmland Protection Implementation Grants (FPIG) Program RFA0238 intends to “fund the implementation of certain farmland protection activities intended to maintain the economic viability of the State’s agricultural industry and its supporting land base and to protect the environmental and landscape preservation values associated with agriculture” and specifically “to cover a portion of total eligible project costs for Conservation Easement Projects with owners of viable agricultural lands that are at risk of conversation to non-farm uses.” ; and

WHEREAS, Saratoga PLAN is a New York Not-For-Profit Conservation Organization dedicated to preserving the rural character, natural habitats and scenic beauty of Saratoga County, ancestral homelands of the Mohican, Mohawk and Abenaki people, so that these irreplaceable assets are accessible to all and available for present and future generation; now, therefore, be it

RESOLVED, that the Town of Stillwater Board, at a regular Town Board meeting on April 15, 2021 voted to endorse the application by Saratoga PLAN to NYSDAM for funding to purchase development rights of the Property, to be known as the Ropitzky Farm 1 Conservation Easement Project.

Motion by Councilwoman Vomacka, seconded by Councilman D’Ambro to Adopt Resolution No. 28 of 2021.

A roll call was taken on Resolution No. 28 of 2021 as follows:

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

Motion carried. Resolution No. 28 of 2021 was adopted unanimously.

**Resolution #29 Endorsement of the Ropitzky Farm 2
Farmland Protection Implementation Grants Program Application
to be Submitted to NYSDAM by Saratoga PLAN**

Introduced by: _____

WHEREAS, Steven Ropitzky, Carol (Ropitzky) Miller and Diane (Ropitzky) Kerr are the owners of certain real property (the "Property") consisting of approximately 135 acres of viable agricultural land in tax map parcel 232.-1-89.11 located on Durham Road, with additional frontage on Dunn Road, in the Town of Stillwater, Saratoga County, New York. The landowner desires to protect the Property for agricultural purposes by conveying a permanent conservation easement on the land; and

WHEREAS, the Property features approximately 102 acres of farmland in active agricultural production, with approximately 28 acres of Prime soils and approximately 26 acres of Soils of Statewide Importance as defined by the U.S. Department of Agriculture Natural Resources Conservation Services; and

WHEREAS, the Town of Stillwater Farmland Protection and Green Infrastructure Plan of December 2007, identifies the Property as being within an Agricultural Resource Hub, identifies the Property as having excellent soils for agricultural purposes, sets goals for conservation of "high quality" farmland, recommends taking part in regional farmland conservation efforts, and recommends partnering with Saratoga PLAN to achieve conservation goals; and

WHEREAS, the Farmland Protection Implementation Grants (FPIG) Program RFA0238 intends to "fund the implementation of certain farmland protection activities intended to maintain the economic viability of the State's agricultural industry and its supporting land base and to protect the environmental and landscape preservation values associated with agriculture" and specifically "to cover a portion of total eligible project costs for Conservation Easement Projects with owners of viable agricultural lands that are at risk of conversation to non-farm uses." ; and

WHEREAS, Saratoga PLAN is a New York Not-For-Profit Conservation Organization dedicated to preserving the rural character, natural habitats and scenic beauty of Saratoga County, ancestral homelands of the Mohican, Mohawk and Abenaki people, so that these irreplaceable assets are accessible to all and available for present and future generation; now, therefore, be it

RESOLVED, that the Town of Stillwater Board, at a regular Town Board meeting on April 15, 2021 voted to endorse the application by Saratoga PLAN to NYSDAM for funding to purchase development rights of the Property, to be known as the Ropitzky Farm 2 Conservation Easement Project.

Motion by Councilwoman Vomacka and seconded by Councilman D'Ambro to Adopt Resolution No. 29 of 2021.

A roll call was taken on Resolution No. 29 of 2021 as follows:

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

Motion carried. Resolution No. 29 of 2021 was adopted unanimously.

Resolution #30 Endorsement of the Questroyal North Farmland Protection Implementation Grants Program Application to be Submitted to NYSDAM by Saratoga PLAN

WHEREAS, Questroyal 2 LLC (Barry Ostrager, sole member) is the owner of certain real property (the “Property”) consisting of approximately 290 acres of viable agricultural land in tax map parcels 232.-1-13.1, 232.-1-13.2 and 232.-1-9.2, located at 58 Dunn Road and having additional frontage on Blizzard Road, in the Town of Stillwater, Saratoga County, New York. The landowner desires to protect the Property for agricultural purposes by conveying a permanent conservation easement on the land; and

WHEREAS, the Property features approximately 200 acres of farmland in active agricultural production, and approximately 97 acres of Prime soils and approximately 113 acres of Soils of Statewide Importance as defined by the U.S. Department of Agriculture Natural Resources Conservation Services; and

WHEREAS, the Town of Stillwater Farmland Protection and Green Infrastructure Plan of December 2007, identifies the Property as being within an Agricultural Resource Hub, identifies the Property as having excellent soils for agricultural purposes, sets goals for conservation of “high quality” farmland, identifies the equine industry as a major agricultural resource within the Town, and recommends taking part in regional farmland conservation efforts and also partnering with Saratoga PLAN to achieve conservation goals; and

WHEREAS, the Farmland Protection Implementation Grants (FPIG) Program RFA0238 intends to “fund the implementation of certain farmland protection activities intended to maintain the economic viability of the State’s agricultural industry and its supporting land base and to protect the environmental and landscape preservation values associated with agriculture” and specifically “to cover a portion of total eligible project costs for Conservation Easement Projects with owners of viable agricultural lands that are at risk of conversation to non-farm uses.” ; and

WHEREAS, Saratoga PLAN is a New York Not-For-Profit Conservation Organization dedicated to preserving the rural character, natural habitats and scenic beauty of Saratoga County, ancestral homelands of the Mohican, Mohawk and Abenaki people, so that these irreplaceable assets are accessible to all and available for present and future generation; now, therefore, be it

RESOLVED, that the Town of Stillwater Board, at a regular Town Board meeting on April 15, 2021 voted to endorse the application by Saratoga PLAN to NYSDAM for funding to purchase development rights of the Property, to be known as the Questroyal North Conservation Easement Project.

Motion by Councilwoman Vomacka and seconded by Councilman D’Ambro to Adopt Resolution No. 30 of 2021.

A roll call was taken on Resolution No. 30 of 2021 as follows:

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

Motion carried. Resolution No. 30 of 2021 was adopted unanimously.

Resolution #31 Authorize the Supervisor to Renew Board of Assessment Review Grievance Intermunicipal Agreement

Introduced by: Supervisor Kinowski

WHEREAS, members of the Board of Assessment Review (“BARs”) of the Towns of

Malta and Stillwater at times may wish to challenge assessments of real property they own in their respective Towns; and

WHEREAS a conflict of interest exists with respect to BARs hearing challenges to assessments of real property owned by their members; and

WHEREAS the Town of Malta is willing to enter into an agreement allowing the BARs of the respective Towns to hear such assessment challenges of BAR members from the other Town;

Now, therefore, be it

RESOLVED, that the Town Supervisor is authorized and directed to renew the attached Board of Assessment Review Grievance Intermunicipal Agreement with the Town of Malta annexed hereto for another five years.

Motion by Councilwoman Vomacka and seconded by Councilman D'Ambro to Adopt Resolution No. 31 of 2021.

A roll call was taken on Resolution No. 31 of 2021 as follows:

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

Motion carried. Resolution No. 31 of 2021 was adopted unanimously.

**Resolution #32 Authorize the Supervisor to Sign
Proposal for Subfloor Repairs to the Restaurant
and Attached Deck at Brown's Beach Restaurant**

Introduced by: Councilman Baker

WHEREAS, it has become necessary to repair the subfloor and attached deck to effect finishing floor repairs at the Brown's Beach Restaurant building at the recommendation of Councilman Baker; and

WHEREAS, because these items fall under the monetary threshold required for competitive bidding under General Municipal Law § 103 and a proposal was received from Ken Ingersoll, an experience general contractor;

Now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to accept the proposal submitted by Ken Ingersoll, General Contractor, to repair the subfloor to the restaurant kitchen and attached deck, in an amount not to exceed \$10,000.00, for the restaurant at Brown's Beach;

Motion by Councilwoman Vomacka and seconded by Councilman D'Ambro to Adopt Resolution No. 32 of 2021.

A roll call was taken on Resolution No. 32 of 2021 as follows:

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

Motion carried. Resolution No. 32 of 2021 was adopted unanimously.

**Resolution #33 Authorize the Supervisor to Accept a Contract for
Repair and Replacement of Browns Beach Restaurant Bar Area Flooring**

Introduced by: Supervisor Kinowski

WHEREAS, it has become necessary to repair and replace the Bar Floor area at the Brown's Beach restaurant building; and

WHEREAS, the repairs are necessary for the full utility of the building as currently licensed; and

WHEREAS, these items fall under the monetary threshold required for competitive bidding under General Municipal Law § 103;

Now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to accept proposals, for the repair and replacement of the Bar area floor, and approve a contract for an amount not to exceed \$5,000.

Motion by Councilman Baker and seconded by Councilwoman Vomacka to Adopt Resolution No. 33 of 2021.

A roll call was taken on Resolution No. 33 of 2021 as follows:

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

Motion carried. Resolution No. 33 of 2021 was adopted unanimously.

Supervisor Kinowski gave a brief explanation on the purpose for Resolution #26 being amended and what fund the monies would be coming from to pay for work being done and the Grant program.

Reports Town Board & Dept Heads

Councilwoman Vomacka

Cemeteries: Councilwoman Vomacka gave a brief update on a cemetery project she has been working on. She is working on identifying owners of the smaller cemetery and there is a plan to hold a joint meeting in June.

Building Dept. Councilwoman Vomacka reported that they are bring in a lot of work

Supervisor Kinowski

Community Center: Supervisor Kinowski stated that the Community Center would be coming to the May 6th meeting to present their budget and to discuss work needed on the building.

Public Input

Richard D inquired about Resolution #32 in regard to the deck.
Supervisor Kinowski stated that it was the deck off of the kitchen.

Sara G commented on internet service not being available on Route 32. She stated that she has called spectrum, Councilman Baker & Councilman D'Ambro, assemblyperson, senator, and attorney general.

Supervisor Kinowski requested her to supply her with documentation of what she has done so he can put a package together to try and get service in that area.

Audited Claims

Motion by Councilman D'Ambro and seconded by Councilwoman Masterson to pay the audited claims.

General	\$31,850.59
Town Outside	\$24,209.02
Highway	\$41,174.11
Water & Sewer	\$2,501.43 & 37.75
Capital Projects	\$16,257.69

Motion carried.

Motion by Councilwoman Vomacka and seconded by Councilman D'Ambro to adjourn into executive session to discuss personnel, litigation & contractual matter. **Motion carried.** (Note: The Town Board will not resume the regular scheduled meeting).

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk