

**Stillwater Town Board Meeting
August 19, 2021 7:00 PM
Stillwater Town Hall**

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

Also Present: Sue Cunningham, Town Clerk
Supt of Highways, Matt Harris
Joe Lanaro, Engineer for the Town
Ryan Pezzulo, Attorney for the Town

Via Telephone: Councilman Artie Baker

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 Baker and seconded by Councilman D'Ambro to adopt the minutes of July 15, 2021 and July 27, 2021 (Special Meeting).

Motion carried.

Special Presentation

1st Sergeant Ray Cordani commented that Officer Jordan McBride recently responded to a 911 call reporting an unresponsive person that may have overdosed. Officer Jordan was on scene within minutes and found the person laying on the floor, not breathing and with an undetectable pulse. He immediately began administering doses of Narcan and was able to revive the person. For the actions taken by Officer McBride 1st sergeant Ray Cordani presented Officer McBride with a Letter of Commendation and Life Saver Award, which was presented to him during a Stillwater Town Board meeting.

Presentations

Bocrest Field: A representative from CT Male Engineers gave a brief overview on the proposed Planned Development District. The applicant is proposing a PDD to include apartment style residential development, single family lots and a land conservation area.

Hudson Heights Apartments PDD Amendment: A brief presentation was given on the proposed amendments to the Turning Point PDD pertaining to the Hudson Heights Apartments site plan. The proposed PDD amendment makes a series of technical changes to the PDD as it pertains to the Multi-Family Apartment phase, along with provisions for alternate parking scheme.

Saratoga Glen PDD Amendment: A representative from ABD Engineers gave a brief presentation of proposed amendments to the Saratoga Glen PDD. The proposed changes would include construction of 3 apartment buildings with a total of 26 units to accommodate residential demand in the area. The existing land was originally intended for commercial development.

Local Law Presentation-- Adult Use Cannabis Retail Dispensaries and On-site Consumption Sites

Attorney Pezzulo gave a power point presentation of the new state laws regarding Marijuana use.

Agenda Items

Resolutions #61--#68

Resolution #61

**Establish and Open a New Bank Account
with Ballston Spa National for Federal Coronavirus
Local Fiscal Recovery Monies from the State**

Introduced by: Supervisor

WHEREAS, the American Rescue Plan will deliver \$350 billion for eligible state, local, territorial, and Tribal governments to respond to the COVID-19 emergency and bring back jobs; and

WHEREAS, the funds provide a substantial infusion of resources to help turn the tide on the pandemic, address its economic fallout, and lay the foundation for a strong and equitable recovery; and

WHEREAS, the Town of Stillwater will receive the amount of \$370,894.86 from the State of New York and will need to open a new account with Ballston Spa National Bank to deposit these funds into.

Now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to open the new bank account with Ballston Spa National Bank and deposit the amount of \$370,894.86 into the account, representing the funds received from New York State under the American Rescue Plan.

Motion by Councilman Baker and seconded by Councilwoman Vomacka to Adopt Resolution No. 61 of 2021.

A roll call was taken on Resolution No. 61 of 2021 as follows:

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

Motion carried. Resolution No. 61 of 2021 was adopted unanimously.

Resolution #62

**Authorizing the Supervisor
to Sign A Shared Services Agreement
With the Town of Cambridge
Regarding Use of Highway Department Equipment**

Introduced by: Supervisor Kinowski

WHEREAS, the Town of Cambridge has requested to use the Town's Highway Department Equipment; and

WHEREAS, the Town is willing to share the use of its highway equipment on the terms provided in the attached Agreement;

Now, therefore, be it

RESOLVED, that the Town Board hereby ratifies and accepts all actions taken by the Supervisor and authorizes him to sign the attached Shared Services Agreement with the Town of Cambridge for shared use of the Town's Highway Department equipment with crews.

Motion carried. by Councilman Baker and seconded by Councilwoman Vomacka to Adopt Resolution No. 62 of 2021.

**Resolution #64 Schedule a Public Hearing Regarding the
Turning Point PDD Amendment**

Introduced by: Supervisor

WHEREAS, Lansing Engineering has proposed to amend the Turning Point PDD; and

WHEREAS, the application will be evaluated under the Town’s new PDD approval regulations adopted by the Town Board on May 17, 2018;

Now, therefore, be it

RESOLVED, that the application by Lansing Engineering regarding the amendment of Turning Point Planned Development District, be scheduled for a Public Hearing on September 16, 2021 at 7:05PM at the Town Hall, 881 Hudson Avenue, Stillwater, New York; and be it further

RESOLVED, that the Town Clerk publish appropriate notice of the Public Hearing at least 10 days, but not more than 20 days, prior to the September 16, 2021 Public Hearing; and be it further

RESOLVED, that the Director of the Building, Planning and Development Department ensure that individual mailings are sent in accordance with §210-138 of the Stillwater Town Code and that the Town Board members are each supplied with a complete copy of the PDD application packet including the proposed local law and related comments, at least 10 days before the public hearing; and be it further

RESOLVED, that if appropriate, the Director of the Building, Planning and Development Department submit the proposed Local Law, EAF and Application to the Saratoga County Planning Board pursuant to General Municipal Law §239-m for its review and comment prior to the Town Board’s final action on the PDD Amendment, if not done so already.

Motion by Councilman Baker and seconded by Councilwoman Vomacka to Adopt Resolution No. 64 of 2021.

A roll call was taken on Resolution No. 64 of 2021 as follows:

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

Motion carried. Resolution No. 64 of 2021 was adopted unanimously.

**Resolution #65 Scheduling a Public Hearing
Regarding the Bocrest Fields PDD**

Introduced by: Supervisor

WHEREAS, Bocrest Fields LLC has submitted an application to establish the Bocrest Fields PDD at the southeast corner of Brickyard road and Halfway House Road; and

WHEREAS, the application will be evaluated under the Town’s new PDD approval regulations adopted by the Town Board on May 17, 2018;

Now, therefore, be it

RESOLVED, that the application by Bocrest Fields LLC, regarding the amendment of Bocrest Fields Planned Development District, be scheduled for a Public Hearing on September 16, 2021 at 7:05PM at the Town Hall, 881 Hudson Avenue, Stillwater, New York; and be it further

RESOLVED, that the Town Clerk publish appropriate notice of the Public Hearing at least 10 days, but not more than 20 days, prior to the September 16, 2021 Public Hearing; and be it further

RESOLVED, that the Director of the Building, Planning and Development Department ensure that individual mailings are sent in accordance with §210-138 of the Stillwater Town Code and that the Town Board members are each supplied with a complete copy of the PDD application packet including the proposed local law and related comments, at least 10 days before the public hearing; and be it further

RESOLVED, that if appropriate, the Director of the Building, Planning and Development Department submit the proposed Local Law, EAF and Application to the Saratoga County Planning Board pursuant to General Municipal Law §239-m for its review and comment prior to the Town Board's final action on the PDD Amendment, if not done so already.

Motion by Councilman Baker and seconded by Councilwoman Vomacka to Adopt Resolution No. 65 of 2021.

A roll call was taken on Resolution No. 65 of 2021 as follows:

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

Motion carried. Resolution No. 65 of 2021 was adopted unanimously.

Resolution #66 Consider to Opt-Out of Retail Cannabis Dispensaries

Introduced by: Supervisor

WHEREAS, the Town identified a need to consider a new local law regarding establishment of cannabis retail outlets in the Town of Stillwater; and

WHEREAS, the Local Law will be adopted pursuant to Cannabis Law §131 which expressly authorizes the Town Board to adopt a local law requesting Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and/or on-side consumption licenses within the jurisdiction of the Town of Stillwater.

Now, therefore, be it

RESOLVED, the Town of Stillwater will conduct a Public Hearing on September 16, 2021 to Consider a Local Law Regarding Adult Use Cannabis Retail Dispensaries and On-site Consumption Sites, at 7:15 PM at the Stillwater Town Hall, 881 Hudson Avenue, Stillwater, New York; and be it further

RESOLVED, that the Town Clerk publish appropriate notice of the Public Hearing at least 10 days, but not more than 20 days, prior to the September 16, 2021 Public Hearing; and be it further

RESOLVED, that the Town Clerk make the proposed Local Law Available at her office for public inspection during normal business hours.

Motion by Councilman Baker seconded by Councilwoman Vomacka to Adopt Resolution No. 66 of 2021.

A roll call was taken on Resolution No. 66 of 2021 as follows:

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

Motion carried. Resolution No. 66 of 2021 was adopted unanimously.

**Resolution #67 Approve the Purchase of a Foul Ball Netting System
for the Riverside Ball Field**

Introduced by: Supervisor Kinowski

WHEREAS, the Town constructed a new little league ball field at the Riverside Park with donations, grants, volunteers and Town Funds; and

WHEREAS, The Ball Field is located adjacent to two Town Streets being Best Avenue and East Street; and

WHEREAS, there is a concern for both vehicle and pedestrian safety that necessitates the need for a more rigorous and taller foul ball netting system; and

WHEREAS, Quotes were obtained from three different vendors with Nets of America being the best possible price;

Now, Therefore, be it

RESOLVED, the Town Board here by authorizes the Supervisor to enter into a contract with Nets of America for the purchase and installation of a Foul Ball Netting System at the River Side Ball Field in the amount not to exceed: \$17,000.

Motion by Councilman Baker and seconded by Councilwoman Vomacka to Adopt Resolution No. 67 of 2021.

A roll call was taken on Resolution No. 67 of 2021 as follows:

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

Motion carried. Resolution No. 67 of 2021 was adopted unanimously.

**Resolution #68 Approve the Purchase of a
Foul Ball Netting System for the Ball Field
Located at the Veterans Post 490 Legion
in the Village of Stillwater**

Introduced by: Supervisor Kinowski

WHEREAS, the Veterans 490 Post constructed a new ball field on their premises; and

WHEREAS, the Town is in need of additional ball fields for teams and resident use; and

WHEREAS, the Town has an agreement for use of their fields providing for sharing of services and expenses;

Now, therefore, be it

RESOLVED, that area sports baseball teams and residents will have additional space to conduct sports games, practice and play thru the use of the Veterans Post 490 Legion as

scheduled; and be it further,

RESOLVED, to insure the safety of all pedestrians near game play, the Town will construct a Foul Ball Netting System as part of a shared expense with the Post 490 building the Ball Field; and be it further

RESOLVED, the Town Board here by authorizes the Supervisor to enter into a contract with Nets of America for the Purchase and installation of a Foul Ball Netting System at said Veterans Post 490 for a sum not to exceed: \$11,000.

Motion by Councilman Baker and seconded by Councilwoman Vomacka to Adopt Resolution No. 68 of 2021.

A roll call was taken on Resolution No. 68 of 2021 as follows:

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

Motion carried. Resolution No. 68 of 2021 was adopted unanimously.

Public Input

Richard D commented on the times of the public hearings and the Cambridge agreement.

Katherine K commented on the Federal Coronavirus Fiscal Recovery Monies from NYS. She congratulated Board on the amount received and also inquired on the process in obtaining the monies and asked if there were tentative plans for spending the funds. Supervisor Kinowski stated that they had to apply for the monies, there were many changes made to the application process and at this time there is no policy or restrictions on how to spend the money. The Town Board has made no decision on how to spend the money and it will be administered in house.

Audited Claims

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

	August 3 rd	August 20 th
General	13,926.09	11,355.72
Town Outside	18,639.88	42,970.81
Highway	5,629.32	270,458.36
Water & sewer	0	803.27
Capital Projects	674.65	6,330.00
T & A Agency	1,632.00	0

Motion carried.

Motion by Councilman D’Ambro and seconded by Councilwoman Vomacka to adjourn into executive session to discuss 3 personnel matters and 1 litigation matter at 7:45pm.

Motion carried. (Note: The Town Board will not resume the regular meeting).

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk