

**Stillwater Town Board Meeting
October 7, 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: Sue Cunningham 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.

Sue Cunningham, Town Clerk took the roll call.

Special Presentation & Ceremony

Supervisor Kinowski gave a brief introduction to tonight's presentation and introduced Resolution #72.

Resolution #72 Promoting Officer Pecor to Chief of Police

Introduced by: Entire Town Board

WHEREAS, due to the retirement of Chief of Police Cordani effective September 29, 2021 an officer must be promoted to Chief of Police; and

WHEREAS, the position of Chief of Police accepts the responsibility of planning and maintaining efficient administration of the Town Police Department; and

WHEREAS, per the recommendation of outgoing Chief Cordani, Officer Pecor has been a member of Town Police Department for 12 years and meets and exceeds all necessary training requirements for promotion to higher levels of rank within New York State; and

RESOLVED, that Paul Pecor be appointed to Chief of Police of the Town of Stillwater and his compensation and benefits shall be in accordance with the existing Agreement and the appointment shall begin effective October 7, 2021.

Motion by Councilman Baker and seconded by Councilman D'Ambro to Adopt Resolution No. 72 of 2021.

A roll call was taken on Resolution No. 72 of 2021 as follows:

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

Motion carried. Resolution No. 72 of 2021 was adopted unanimously.

Supervisor Kinowski swore Sgt. Paul Pecor in as the new Chief of Police for the Town of Stillwater.

Ray Cordani, retired Police Chief, pinned new chief pins on Chief Paul Pecor. Ray Cordani gave a brief speech on Paul Pecor in regard to his background training, rise in the Police Department and his role in the department over the last several years.

Supervisor Kinowski than many for coming tonight and congratulated Paul Pecor on his promotion to Chief of Police.

Reg. Meeting

Supervisor Kinowski stated they do not have the answers to the questions for the Glen Hollow PDD Amendment and BoCrest Field PDD Amendment. The public hearings will be extended until the 2nd meeting in November and comments are still being received by the building dept.

Adoption of Minutes: Motion by Councilwoman Masterson and seconded by Councilwoman Vomacka to adopt the minutes of September 16, 2021. **Motion carried.**

Agenda Items

Resolutions #73--#79

Resolution #73 Making a SEQRA determination regarding Turning Point PDD Amendment

Introduced by: Supervisor

WHEREAS, Lansing Engineering has submitted an application to amend the Turning Point PDD Amendment via Local Law 1 of 2021, to be known as the Turning Point PDD Amendment; and

WHEREAS, a public hearing was held on September 16, 2021 to consider the proposed local law as well as the Full EAF ;

Now, therefore, be it

RESOLVED, that the Town Board has determined that the proposed Turning Point PDD Amendment is an Unlisted action pursuant to 6 NYCRR Part 617 (SEQRA), finds pursuant to the criteria in Part 617.7 that the proposed action will not have a significant adverse environmental impact and hereby issues a negative declaration.

Motion by Councilwoman Masterson and seconded by Councilwoman Vomacka to adopt Resolution No. 73 of 2021.

A roll call was taken on Resolution No. 73 of 2021 as follows:

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

Motion carried. Resolution No. 73 of 2021 was adopted unanimously.

**Resolution #74 Approve the Turning Point PDD Amendment and
 Adopt Local Law No. 1 of 2021**

Introduced by: Supervisor

WHEREAS, Lansing Engineering has proposed to amend the Turning Point PDD via the attached Local Law No. 1 of 2021, to be known as the Turning Point PDD Amendment; and

WHEREAS, the Town Board conducted a Public Hearing on September 16, 2021, where the Proposed Local Law and Amendment to the Turning Point PDD was reviewed and comments from the public were received; and

WHEREAS, the Public Hearing was left open for additional comments and submissions until the Local Law was to be voted on; and

WHEREAS, the County Planning Board referral pursuant to the Town Law §239-m was done and no negative comments were received;

WHEREAS, the Full Environmental Assessment Form was duly considered and the Town Board previously determined there to be no significant environmental impact as a result of the adoption of the Local Law; and

Now therefore be it

RESOLVED, that the time period for receiving public comments and submissions, as well as the extended public hearing, is now closed; and be it further

RESOLVED, that the Town Board hereby adopts Local Law No. 1 of 2021, a Local Law Approving the Turning Point PDD Amendment and amending Local Law No. 1 of 2001 and Chapter 211 of the Town Code; if N/A then “Conditional upon satisfaction of each of the comments contained in Paul Male’s latest review letter; and be it further

RESOLVED, that the Town Clerk shall immediately post and publish notice of the adoption of this Resolution in the Express or Gazette with a descriptive summary or extract of the PDD Amendment within 5 days pursuant to Article 16 of the Town’s Zoning Code and obtain Affidavits of Publication therefore; and be it further

RESOLVED, that the Town Clerk file a certified copy of Local Law No. 1 of 2021 with the New York Secretary of State within 20 days of its adoption and shall file a copy of the local law with the County Planning Agency and the Town Planning Board; and be it further

RESOLVED, that the Town Clerk shall complete, file and maintain in the Office of the Town Clerk the Affidavits of Posting/Publication, and maintain a separate file for zoning changes, and be it further

RESOLVED, that the Town Clerk shall include the text of the local law within or attached to the minutes of this Town Board meeting per Town Law §265(2).

Motion by Councilwoman Masterson and seconded by Councilwoman Vomacka to adopt Resolution No. 74 of 2021.

A roll call was taken on Resolution No. 74 of 2021 as follows:

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

Motion carried. Resolution No. 74 of 2021 was adopted unanimously.

Local Law #1 of 2021

Local Law Amending the Turning Point
Planned Development District
Local Law No. 1 of 2001

**LANGUAGE [Adopted 2-16-1989 by Ord. No. 1-1989]
§ 211-31. Title.**

This ordinance shall be known as "Turning Point Planned Development" and amends the Town of Stillwater Zoning Ordinance, enacted September 30, 1974, as amended, and the Zoning Map of the Town of Stillwater.

§ 211-32. Zoning amendment authorized.

The Zoning Ordinance and Zoning Map of the Town of Stillwater are hereby amended by changing the "Subject Premises" hereinafter described from its existing zoned district

designated of "R-1" Residential District and "ID" Industrial District to a Planned Development District- Residential to be known as "Turning Point Planned Development District"; and

The Zoning Ordinance and Zoning Map of the Town of Stillwater for the "Turning Point Planned Development District" as most recently amended by the Stillwater Town Board on March 15, 2018 is hereby further amended by the provisions set forth herein.

§ 211-33. Description and location. [Amended 2-19-2004 by L.L. No. 1-2004]

- A. The area of the "Turning Point Planned Development District" consists of 136.24 acres located along Saratoga Route 75 and Stillwater Avenue in the Town of Stillwater, New York. The subject premises are designated on the Tax Map of the Town of Stillwater as:
 - Section 252.00, Block 02, Lot 31
 - Section 262.00, Block 01, Lot 12
 - Section 261.02, Block 01, Lot 09
 - Section 262.00, Block 01, Lot 13
 - Section 261.02, Block 01, Lot 10

- B. The additional 16.77 acres being added to the Turning Point, formerly referred to as the "Abele Parcel," is designated as Phase 4(A) of the project. The developer will be required to comply with all applicable Town laws, rules and regulations. The application by the developer to the Planning Board for subdivision approval shall include a street and road configuration that provides for traffic flow that does not adversely affect the surrounding area.

§ 211-34.

Purpose.

The purpose of this ordinance is to establish the parameters and limits of residential and commercial growth on the subject premises currently part of the property known as "Turning Point." It is the further purpose of this ordinance to promote flexibility in the development and design of the subject premises by creating a single-family townhouse-cluster type of residential and Multi-Family Apartment development that will result in subsequent phases, and further provided that the Town Board finds that the developer has completed Phase III(A) as provided above so as to entitle the developer to proceed with the Multi-Family Apartment development in accord with this ordinance as amended.

§ 211-35. Land use.

There shall be constructed within the boundaries of the "Turning Point Planned Development District" (hereinafter referred to as the "development") in the first Four (4) Phases of the development 187 single family homes and 10 townhomes for a maximum of 197 dwelling units (reduced from the originally approved 250 units) and the area previously approved for commercial development shall include no more than 144 Multi-Family Apartment Units.

§ 211-36. Roads.

- A. The interior roads within the development shall be 24 feet in width and shall be physically constructed in accordance with the regulations and specifications of the current standards for the Town of Stillwater. All the interior roads within the development shall be dedicated to the Town of Stillwater.
- B. In order to upgrade the quality of Sirchia Road to adequately serve the increased traffic resulting from the new homes being constructed in the Turning Point Development, the Town of Stillwater shall rebuild the subbase of Sirchia Road from County Road No. 75 to the street to be known as Cannon Court, and the developer shall pay for the cost of materials for applying a three-and-one-half-inch blacktop surface on the rebuilt road. The width of the new pavement shall be 20 feet, and the maximum cost for which the developer shall be liable is \$15,000. The Town of Stillwater shall place the \$15,000 sum paid by the developer in an escrow savings account in the name of the Town of Stillwater and any interest earned on the account shall be the property of the Town of Stillwater. The \$15,000 sum shall be delivered to the Town of Stillwater within 60 days after this ordinance is published and posted in accordance with the Town Law. Any monies collected by the Town of Stillwater from other developers who construct dwellings on Sirchia Road shall be prorated among the Turning Point developers and such other developers on the basis of the number of houses built by each developer divided by the total number of houses built by all the developers.

§ 211-37. Sewer, water and storm drainage systems.

- A. The entire development shall be serviced by on-site municipal sewer service, to wit, the Saratoga County Sewer District No. 1 and all sewer hookups to the said municipal sewer system shall be in accordance with the specifications of the Town of Stillwater and the Saratoga County Sewer District No. 1. The Multi-Family Apartment Unit Phase of the development will connect to the existing sanitary system along Brickyard Road which is serviced by the Riverside 2 Pump Station (a.k.a. Mulberry Street Pump Station).
- B. The water system serving the development shall be private and shall be constructed by the developer and owned, operated and maintained by the developers of "Turning Point," in accordance with the rules, regulations, standards, and specifications of the New York State Department of Health and the New York State Department of Environmental Conservation.
- C. The storm drainage system serving the development shall be constructed by the developer and dedicated to the Town of Stillwater as a part of the overall roadway in accordance with the standards and specifications of the Town of Stillwater. As appropriate, a Drainage District will be established for the ongoing operation and maintenance expenses associated with the drainage system.

- D. The developer shall upgrade the Mulberry Street Pump Station to provide the additional capacity required to process the sewage from the Turning Point Planned Development District Phases I through IV. The upgrading of the Mulberry Street Station must be completed before any building permits are issued for construction of dwellings in Phases III and IV. **§ 211-38. Development phasing. [Amended 5-20-1993 by Ord. No. 1-1993]**

The "Turning Point Planned Development District" shall be developed by the developer, its successors or assigns, in phases as shown on the revised townhouse plan made by Brewer Engineering dated December 21, 1992, and the Subdivision Map Revised Phase III revised by Brewer Engineering dated April 1, 1993, and depending on the demand of the area for additional housing units. Phase I will be developed first and Phase III immediately thereafter in alphabetical order commencing with Subphase "A" (and possibly I and III A contemporaneously), and in additional Phases as approved by the Town Board and Planning Board.

§ 211-39. Approval process. [Amended 5-20-1993 by Ord. No. 1-1993]

- A. Site plan approval for each development phase as required by Section 15.4 of the Town of Stillwater Zoning Ordinance shall be valid for a period of two years from the granting of such site plan approval. Upon the granting of site plan approval for each phase of development, building permits shall be issued for that said phase.
- B. The developer, its successors or assigns, may, upon notice to and approval by the Town of Stillwater Planning Board, alter or modify or change the number of types of dwelling units to be constructed within a particular phase of the development; provided, however, that such alteration, modification or change does not result in any increased density in the total number of allowable dwelling units, to wit: 187 single-family residences, 10 townhome units and 144 Multi-Family Apartment units within the entire development. At the site plan review, the Planning Board shall establish the standards, conditions and details for the Park within the complex.
- C. The planned development district zoning change for the "Turning Point Planned Development District" project shall expire as to a development phase and all subsequent development phases if any said development phase is not completed within two years of the granting of the site plan approval for each said phase of the development, provided however, as to the Multi-Family Apartment development, the zoning change shall expire two years from the date this ordinance is last amended if site plan approval has not been granted for the Multi-Family Apartment development. The developer of the Multi-Family Apartments in Phase IV will comply with the changes, comments and recommendations contained within the Town Engineer's review letter by Paul Male, P.E., dated January 11, 2018, a copy of which is attached hereto and made a part hereof.
- D. A public benefit fee of \$500.00 shall be paid for each dwelling unit within an apartment building prior to the issuance of the certificate of occupancy for each

respective building. The developer shall further be responsible for all construction, maintenance and upkeep of the boulevard area at the entrance to Multi-Family Apartment development within the PDD, and for construction and maintenance of the trail running from Artillery Approach to the Private Drive in the Multi-Family Apartment as generally shown on the Concept plan for the development prepared by Lansing Engineering dated January 8, 2018.

211 -40- Area and Bulk -regulations.

- A. The area and bulk regulations for the single family and town house residential units in the development will comply with all standards as required in Section 15.8 "Planned Development-Residential Standards" and the Multi-Family Apartment development will comply with Section 210-16 "General Requirements"; Sections 15.8 was part of the prior version and 210-16 is a portion of the current version of the Town of Stillwater Zoning Ordinance. In addition, the Multi-Family Apartment development shall not exceed 144 Units and shall comply with any Site Plan Approval granted with respect to such Development.

Phase IV of the Turning Point Planned Development, specifically for the apartment complex project, shall have a range of buffers within between 20 feet and 100 feet. The minimum buffer from the apartment complex building to the property line shall be 20 feet. The minimum buffer for the project shall be outlined on the final site plans approved by the Town of Stillwater Planning Board.

- B. In Phase IV of the Turning Point Planned Development, specifically for the apartment complex project, two parking spaces are required per each apartment unit (288 parking spaces). 10 parking spaces are provided inside each building footprint consisting of six internal and four external spaces for a total of one hundred twenty parking spaces. (One hundred sixty-eight additional exterior parking spaces are included on the site plan thus providing the two spaces per apartment unit requirement.). The total number of parking spaces will be 318 spaces.
- C. As an alternative to the parking provision in this Section 211-39(B) above, the developer, at his sole discretion, may comply with the parking requirements for the Multi-Family Apartments contemplated by this amendment by providing a minimum of three (3) surface parking spaces for every two apartments (the Minimum Parking Requirement) and a maximum of 20% of surface parking spaces over and above the Minimum Parking Requirement.

§ 211-40A. Lighting, Landscaping and Trees for Phase IV (Multi-Family Apartment Development Area).

Street lighting shall be placed along the roadways, sidewalks, and parking lots. The street lighting intervals shall be coordinated with the Town of Stillwater Planning Board during the site plan review phase.

Street landscaping shall be designed and placed at proper intervals so as to not affect the mobility of the pedestrians and motorists, and to not affect the aesthetics of the roadway layout. Additional trees and landscaping shall be placed throughout the apartment complex project in proper locations to enhance the project area. Trees and landscaping shall conform to Town of Stillwater standards and shall be approved by the Town of Stillwater Planning Board.

§ 211-41. Filing of plans.

Copies of the final approved site plan for each phase of the development shall be filed with the Planning Board, the Town Clerk and the Enforcement Officer of the Town of Stillwater.

§ 211-42. Severability.

Each separate provision or section of this ordinance shall be deemed independent of all other provisions or sections herein, and if any provision or section shall be deemed or declared invalid, all other provisions or sections hereof shall remain valid and enforceable.

§ 211-43. When effective.

This ordinance shall take effect 10 days after publication thereof in accordance with § 265 of the Town Law.

§ 211-44. Modifications; extensions. [Added 5-20-1993 by Ord. No. 1-1993]

The Town Board may, upon the request of the then owners of the site, modify any of the provisions of this local law upon such terms as the Town Board shall determine to be reasonable. The Town Board may also extend the time period provided for in this ordinance within such additional period as the Town Board may subsequently provide without a further public hearing, commencement of the construction of the Turning Point Development District has not begun, or if, after construction has begun, substantial progress, weather permitting, is not continued without interruption.

§ 211-45. Construction requirements. [Added 5-20-1993 by Ord. No. 1-1993]

Prior to issuing building permits for each phase, the developer will execute a construction escrow agreement with the Town and will be responsible for the construction inspections for engineers for the Town for the infrastructure improvements, including roads and utilities, that are to be dedicated to the Town. All roads will be built and maintained to Town standards.

§ 211-46. Drainage work. [Added 5-20-1993 by Ord. No. 1-1993]

The developer will be required to complete the drainage work on Lots 5 and 7 in Phase II so as to tie those lots into the Town stormwater management area, prior to the issuance of any certificate of occupancy for any of the new buildings in Phase III(A).

§ 211-47. Maintenance bond. [Added 5-20-1993 by Ord. No. 1-1993]

The developer will be required to supply to the Town for all infrastructure to be dedicated to the Town, upon completion thereof, a maintenance bond or Letter of Credit for one year or until 75% of those lots developed in each phase, whichever is greater in an amount to be determined by developer's engineer and to be approved by Clough, Harbour & Associates, engineers for the Town. The bond or Letter of Credit is to be provided as security for the benefit of the Town to insure all work is completed in accordance with the approved Plans.

§ 211-48. Construction traffic. [Added 5-20-1993 by Ord. No. 1-1993]

All construction traffic for the phases of Turning Point Development will use Brickyard Road for access and no construction traffic shall exit over any of the other roads being developed by Turning Point or in any predecessor phase of Turning Point. Prior to construction in Phase III, access to Battery Boulevard via Revere Run and Powder Horn Pass will be restricted to the satisfaction of the Town Engineer and Code Enforcement Officer.

§ 211-49. Water requirements. [Added 5-20-1993 by Ord. No. 1-1993; amended 4-23-2003 by L.L. No. 1-2003; 2-19-2004 by L.L. No. 1-2004]

The developer shall opt into the Town's Water District No. 3 to provide municipal water to Phase 3, Phase 4 and Phase 4(A) of the project. However, before the developer connects Phase 3, Phase 4 and Phase 4(A), to Water District No. 3, and before any additional building permits are issued, the developer shall first obtain New York State Health Department approval to connect to Water District No. 3. The developer shall also provide the Town with as-built drawings for all water system infrastructure within the existing Phase 3, with associated no cost conveyance documents for the infrastructure. Further, the developer shall obtain approval from the Town regarding how the current Phase 3 water system is to be disconnected from the Camfield/Purcell water system. The developer will then connect to the Town's water system, at no cost to the Town, and, thereafter, shall convey all such infrastructure to the Town, at no cost. The Town shall also release the bond posted by the developer, in the amount of \$149,040, for the cost of

constructing a new water tank. The Town shall also waive the requirement to construct a water tank upon the completion of the 61st lot.

Specifically with respect to Phase IV of the project, for the apartment complex, it is noted that construction is underway for connection of the Town of Stillwater Consolidated Water District

#6 to the Saratoga County Water Authority water supply. Based on conversations with town officials, this connection will be in service by the end of 2017. This connection will provide the additional supply required to service the proposed apartment complex development. The proposed water main within the apartment complex development will connect to the water main lines at Artillery Approach and Brickyard Road. The proposed water main system will establish a loop through the apartment complex development. The primary water service will be provided by the Artillery Approach connection. A PRV valve will be installed at the Brickyard Road connection and will be established as the secondary water service. The PRV valve will be installed such that water can be drawn from the Brickyard Road connection if necessary. The water line layout shall be designed to the Town of Stillwater Consolidated Water District standards and shall be approved by the Town of Stillwater Planning Board.

§ 211-50. Certain front yard setbacks. [Added 5-20-1993 by Ord. No. 1-1993; amended 3-18-2004 by L.L. No. 2-2004]

The front yard setback on lots 60 through 67 located along Cavalry Course, and on lots 81 through 100 located along Liberty Loop, shall be 15 feet from the Town's roadside right-of-way. A copy of the final approved survey map is annexed hereto and made a part of this local law.

§ 211-51. Accessory Structures [Added 7-2017 by Ord. No.-2017 LL. No.-2017]

- A. An accessory structure is defined as a building subordinate and clearly incidental to the principal building(s) on the same lot and used for a purpose customarily incidental to those of the principal building(s). Examples of accessory structures include, but are not limited to, garden sheds, play houses, shop buildings, wooden & metal sheds, non-commercial greenhouses, pools, pool houses, gazebos, antenna & satellite dishes, chicken coops, dog houses, portable canopies & shelters and solar/heating/ventilation/utility equipment as well as structures in a Multi-Family Apartment development that include some or all of the following accessory uses: management functions or activity functions solely for the residents of the building. Accessory uses specifically include, without limitation, (i) management offices, (ii) rental offices, (iii) maintenance, janitorial and storage rooms, (iv) utility rooms, (v) laundry rooms, (vi) community rooms for use by tenants, (vii) a clubhouse, (viii) workout rooms for use by tenants, and (ix) activity rooms for use by tenants.

All accessory structures in all Phases will require a building permit.

For single family lots there shall be a maximum of 2 accessory structures on a lot. The accessory structures must be located in the side or rear yards; they are not allowed in the front yard. The maximum height of an accessory structure is 15 feet. The maximum area of an accessory structure is 144 square feet and the minimum side yard and rear yard setback is 5 feet. The minimum distance between an accessory structure and any other structure shall be 10 feet.

For Multi-Family Apartment developments, there shall be a maximum of 3 accessory structures of which 1 structure shall be a maximum of 3,000 square feet and the remaining 2 structures shall each be a maximum of 750 square feet. The structures are permitted in front, side or rear yards and shall be set back 10 feet from the property line. The maximum height of the structures shall be 25 feet.

Separation distances from an accessory structure and any other structure shall be 5 feet.

- B. With respect to Phase IV of the Turning Point Planned Development, specifically for the apartment complex, enclosed dumpsters shall be placed at strategic locations throughout the apartment complex development. Waste shall be hauled away by a licensed waste management company. The required dumpster enclosures shall be designed per Town of Stillwater standards and approved by the Town of Stillwater Planning Board.
- C. All existing accessory structures will be grandfathered and not be subject to this Section.

CERTIFICATION

I hereby certify that the local law designated as Local Law No. 1 of 2021 of the Town of Stillwater was duly adopted by the Town Board of the Town of Stillwater on October 7, 2021, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding Local Law No. 1 of 2021 with the original local law on the file in this office, and that the same is a correct transcript therefrom and of the whole of such original local law, and that such local law was finally adopted by the Town Board of the Town of Stillwater on October 7, 2021.

**Resolution #75 Authorizing Reimbursement to
The American Legion Post 490 and the American Legion Post 1644
for their Veteran Programs**

Introduced by: Supervisor

WHEREAS, In the 2021 Saratoga County budget, \$52,500 was allocated (\$2,500 per town/city) to assist Saratoga County Communities with the funding of Veteran’s program, events and projects; and

WHEREAS, some examples of intended use include but are not limited to expenses related to parades, ceremonies, or other recognition events for Veterans and Military; and

WHEREAS, The American Legion Post 490 held three special Veterans Honor programs and The American Legion Post 1644 held four events and purchased wreaths for monuments; and

WHEREAS, both organizations met the intent of the County Veteran’s programs through their many volunteer efforts giving honor, praise and distinction to our Community Veterans.

Now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the reimbursement of \$1,250.00 to The American Legion Post 490 and the reimbursement of \$1,250.00 to The American Legion Post 1644.

Motion by Councilwoman Masterson and seconded by Councilwoman Vomacka to adopt Resolution No. 75 of 2021.

A roll call was taken on Resolution No. 75 of 2021 as follows:

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

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 2022 Budget;

Now, therefore be it

RESOLVED, that a public hearing is hereby scheduled for November 4, 2021 at 7:05 p.m. at Town Hall 881 Hudson Avenue, Stillwater, New York, to receive comments from the public regarding the attached Local Law to Override the Tax Cap; and be it 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 4, 2021.

Motion by Councilwoman Masterson and seconded by Councilwoman Vomacka to adopt Resolution No. 77 of 2021.

A roll call was taken on Resolution No. 77 of 2021 as follows:

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

Motion carried. Resolution No. 77 of 2021 was adopted unanimously.

**Resolution #78 Authorizing the Supervisor to Sign
a Listing Agreement for the Sale of the Town's
Property on George Thompson Road SBL 252.-2-40**

Introduced by: _____ Supervisor _____

WHEREAS, the Town has identified the need for selling its surplus property on George Thompson Road, SBL 252.-2-40; and

WHEREAS, Joseph D'Agostino of Howard Hanna Real Estate Services has proposed to list and market the property for the Town per the attached Listing Agreement for the parcel.

Now therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to sign the attached Listing Agreement for the sale of the Town's parcel of land on George Thompson Road SBL 252.-2-40 with Joseph D'Agostino of Howard Hanna Real Estate Services; and be it further

RESOLVED, that the eventual sale contract for the Town's surplus real estate on George Thompson Road SBL 252.-2-40 will be subject to a permissive referendum in accordance with the New York State Town Law.

Motion by Councilwoman Masterson and seconded by Councilwoman Vomacka to adopt Resolution No. 78 of 2021.

A roll call was taken on Resolution No. 78 of 2021 as follows:

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

Motion carried. Resolution No. 78 of 2021 was adopted unanimously.

Resolution #79

Budget Adjustments

SL-5182-423	Lighting dist. 3	Resolution #36 LED lights	3,112.00
SL-5182-424	Lighting dist. 4	Resolution #36 LED lights	1,950.00
SL-599	Fund Balance	LED Lights	9,215.00
SW-8340-461	Water transm Dist.1	Underbudget	8,600.00
SW-2140	Metered Sales Dist. 1	Underbudget	8,600.00
SW-8340-463	Water Transm Dist. 3	Underbudget	1,000.00
SW-2141	Metered Sales Dist. 3	Underbudget	1,000.00
SW-8340-464	Water Transm Dist. 4	Underbudget	3,000.00
SW-2143	Metered Sales Dist. 4	Underbudget	3,000.00
SW-8340-465	Water Transm Dist. 5	Underbudget	750.00
SW-2146	Metered Sales Dist. 5	Underbudget	750.00
SW-8340.466	Water Transm Dist. 6	Underbudget	3,000.00
SW-2147	Metered Sales Dist. 6	Underbudget	3,000.00
SW-8310.463	Water Operations Dist3	Underbudget	1,000.00
SW-2141	Metered Sales Dist. 3	Underbudget	1,000.00
BUDGET ADJUSTMENTS			
A-1920.4	Municipal Dues	Capital Region Chamber	465.00
A-1620.461	New Town Hall	Transfer	-465.00
B-7140-4681	Blockhouse	Transfer	700.00
B-7140-4682	Brown’s Beach	Transfer	-700.00
SL-5182.421	Lighting dist. 1	Resolution #36 LED Lights	3,460.00
SL-5182-422	Lighting dist. 2	Resolution # 36 LED lights	693.00

Motion by Councilwoman Masterson and seconded by Councilwoman Vomacka to adopt Resolution No. 79 of 2021.

A roll call was taken on Resolution No. 79 of 2021 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilman D’Ambro	YES

Councilwoman Masterson YES
Councilwoman Vomacka YES

Motion carried. Resolution No. 79 of 2021 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on October 7, 2021.

Public Input

Karen L commented on the NYS Highway Code for size and color of the highway signs and the process of site plan review and enforcing those regulations.

Matt Jones representing the Turning Point PDD amendment thanked the Town Board and stated it was a pleasure to work with the Town Board and Planning Board.

Rich B commented on the Library vote and felt it was waste of taxpayer money. Councilwoman Masterson stated that the Town or School was not responsible for the library. The community voted for the new building.

Audited Claims

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

General	\$50,861.84
Town Outside	\$23,364.61
Town Highway	\$44,022.34
Water & Sewer	\$1,740.29
Capital Projects	\$2,452.50

Motion carried.

Motion by Councilman Baker and seconded by Councilwoman Vomacka to adjourn the Town Board meeting at 7:45 and enter into executive session to discuss a litigation matter. (Note: The Town Board will not resume the regular meeting). **Motion carried.**

Respectfully submitted by

Sue Cunningham, Town Clerk