



# TOWN OF STILLWATER

ESTABLISHED 1788 – SITE OF THE TURNING POINT OF THE AMERICAN REVOLUTION

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## Stillwater Town Board Meeting Minutes January 06, 2022, 7:00 PM at Stillwater Town Hall

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

**Also Present:** Danielle Cowin, Town Clerk  
Matt Harris, Superintendent of Highways  
James Trainor, Attorney for the Town  
Joe Lanaro, Engineer for the Town

**Absent/Excused:** Councilwoman Valerie Masterson  
Councilman Artie Baker

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

Danielle Cowin, Town Clerk took the roll call.

### **Adoption of Minutes:**

**Motion** by Councilwoman Vomacka and seconded by Councilman D'Ambro to adopt the minutes of December 16, 2021. **Motion carried.**

### **Reports (Town Board & Dept Heads)**

#### **Supervisor Kinowski**

Town employee mileage has been increased to \$.585 per mile effective January 1, 2022.  
Parks and Recreation: Sue Cunningham has been appointed as a Part Time employee with expanded duties to include the ball parks under committee assignments.  
Artie Baker- Committee Chair  
Matt Harris- Grounds  
Ellen Vomacka- Snack bar- The Pony Paddock  
Sue Cunningham- Lifeguards  
Clayton Russom- Canine  
Bob Morris and Tiara Brown- Marina  
Vivi E. Basta- Private rental boats business on Saratoga Lake  
Browns Beach has installed security gates, therefore, rates will increase.

Ethics Board- In need of a committee.

Youth Advising Board- Ed Kinowski will contact Patti Morris, Superintendent at Stillwater School, for recommendations of students who may be of interest.

Valerie Masterson would like to increase her duties as town board member by initiating green days and garbage collections, to name a few.

#### **Police Commission-**

Ray Cordini will remain as the commissioner on the committee.

### **Agenda Items (Resolution No.1, 2 and 3)**

#### **Appointment of Deputy Town Clerk (By Town Clerk)**

Danielle Cowin, Town Clerk, Appointed Barbara McManus as the Deputy Town Clerk

Audited Claims

### **Resolution No.1 Re-Organization Resolution**

Presented By: \_\_\_\_\_ Supervisor \_\_\_\_\_

WHEREAS, the Town Board of the Town of Stillwater does hereby take certain actions for the purpose of organizing and administering the Town government for the year 2022; and

Now therefore, be it

RESOLVED, that the below actions and appointments shall be effective January 1, 2022, with the following exception: The 2022 payroll will be effective the first pay period of 2022:

The Town Board shall meet at Town Hall on the first Thursday of each month at 7:00 p.m. to prepare the agenda for the monthly business meeting, hear reports, conduct public hearings, and other town business that may be deemed appropriate to include important or time sensitive resolutions; unless changed or rescheduled and appropriate notice posted or is published; and

The Town Board shall meet at Town Hall on the third Thursday of each month at 7:00 p.m. to conduct the Business Meeting of the Town, conduct public hearings, and other Town business that may be deemed appropriate; unless otherwise changed or rescheduled and appropriate notice is posted or published; and

Executive Sessions shall be conducted in accordance with Chapter 23 of the Town Code and Section 105 of the NYS Public Officers Law; and

The Town Planning Board shall meet at Town Hall on the Fourth Monday of each month at 6:00 p.m., with an alternate on the Third Monday (if needed) unless otherwise changed or rescheduled and appropriate notice is posted or published; and

The Town Zoning Board of Appeals shall meet at the Town Hall on the Second Monday of each month at 6:00 p.m., unless changed or rescheduled and appropriate notice is posted or published; and

The Express Weekly Newspaper is hereby designated as the official newspaper for the Town of Stillwater for 2022; and if exigencies of service are needed or a broader range of advertisement is deemed necessary, other local newspapers may be used such as the Saratogian, Gazette and Times Union; and

The Ballston Spa National Bank, Stillwater branch, is hereby designated as the official depository of all Town of Stillwater funds for the year 2022; and

The Financial Manager (Bookkeeper) is authorized to pay in advance for public utility services (water, sewer, electric, gas, phone), postage, freight, express charges, other regular and recurring budget items and emergency items approved by the Supervisor, with notification to the Town Board Members, as necessary for the year 2022; and

The Supervisor is authorized to establish petty cash funds and authorize petty cash payments in advance of audit as required to conduct regular and recurring Town business at a sum for each account not to exceed \$500 (Examples: Town Clean up, Brown's Beach Admissions, Pony Paddock, Block House, Court and Town Parks & Recreation activities as required), additionally, the Town Credit Card can be used in lieu of Cash to purchase necessary items for these activities and others approved by the Supervisor; and

For the year 2022, Mrs. Ellen Vomacka is hereby appointed to the office of Deputy Supervisor, and in the absence of the Supervisor will exercise his or her duties as specified in NYS Town Law; and

For the year 2022, Mrs. Ellen Vomacka is hereby appointed as the Town Fair Housing Officer in accordance with Town Code, chapter 93-7A; and

The following Town employees shall be paid on a biweekly basis, with the salaries for these employees and all others required by law in accordance with the 2022 adapted budget and posted on the Town Website:

Supervisor, Confidential Secretary, Bookkeeper, Committee Chairpersons, Highway employees, Superintendent of Highways, Historian, Assessor, Assessor's Clerk, Town Clerk, Deputy Town Clerk, Court Clerks, employees (Including contract employees), employees conducting Parks and Recreation duties and employees of the Police Department; and

The remaining Town employees shall be paid on a monthly basis and / or upon presentation of a voucher for services rendered, except for Planning and Zoning board members who are paid at the end of each year; and

The individuals identified below are appointed/re-appointed, by their appointing authorities, for the year 2022 to the positions specified and salaries indicated in the 2022 budget; and

Confidential Secretary to the Supervisor	Tiara Brown
Registrar of Vital Statistics, Foil Officer	Danielle Cowin
Handicapped Parking Permit Issuing Agent	
Deputy Tax Collector - Part Time	Heather Lesson
Court Clerk	Lorraine Buchal
Court Clerk – Part Time	Cassidy Doescher
Town Hall Cleaner	Donna Gage
Canine Control Officer & General Town Maint.	Clayton Russom
Parks and Recreation Supervisor – Part Time	Sue Cunningham
*Town Historian -Part Time	TBD

(\*Note: The duties of Town Historian will be temporarily accomplished by The Deputy Supervisor, with assistance from an appointed Part-Time employee)

Planning Board Positions: (Note: The Chairpersons term is appointed Annually)

Chairperson (For FY 2022):	Peter Buck Exp: 12/31/26
Member (Pending Re-Appointment)	Randy Rathbun – Exp: 12/31/21
Member	Heather Ferris – Exp: 12/31/25
Member	Carol Marotta – Exp: 12/31/22
Member	Marybeth Reilly – Exp: 12/31/24
Member	Frank Bisnett – Exp: 12/31/24
Member	Dale Smith– Exp: 12/31/23
Alternate Member – For the Year 2022	Kimberlee J. Marshall – Exp: yearly

Zoning Board Positions:

Chairperson (For FY 2022)	Donald D'Ambro – Exp: 12/31/26
Member	Joseph Urbanski – Exp: 12/31/23
Member – Re-appointed	Christine Kipling – Exp: 12/31/25
Member	Richard Rourke – Exp: 12/31/24
Member	Timothy Scrom – Exp: 12/31/22
Alternate Member – for the year 2022	Charles Dyer– Exp: yearly

All elected officials and appointed employees as designated by the Town Board are authorized to attend annual training as required for their position or approved by the Town Board; and

Ed Kinowski is hereby designated as the official voting delegate and Ellen Vomacka is designated as the alternate voting delegate for the 2022 annual training conference conducted by the Association of Towns when approved to attend; and

The official mileage reimbursement rate for the Town of Stillwater will be the official IRS reimbursement rate set for 2022 at \$.585 per mile and is in accordance with current IRS regulations; and

The individuals identified below are appointed/re-appointed for the year 2022 and compensation is indicated by an (\*). The compensation for the BAR chair is \$100 per meeting and the BAR members are \$80 per meeting; and

Chair of Ethics Board : Re appointments as necessary:

Chairman:	Michael Caufield
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Member Appointment	Pending
*Board of Assessment Review – 5-year appointments:	
Chairman:	Francis Zagorski - 9/30/23
Member	Scott C. Gresens - 9/30/25
Member	Jennifer Weaver – 9/30/26
Member	Barbara Raymond – 9/30/22
Member	Judith Russell - 9/30/24

Emergency Management – Appointments as necessary:	
Co-Chairmen:	Bill Valosin & Tom Rinaldi
Town Board Liaison	Valerie Masterson
Saratoga County Office of the Aging Advisory Board:	
Appointments:	Sue Petronis
Saratoga County Youth Advisory Board (2)	
Appointments:	Pending

The Supervisor is authorized to enter into a contract with James P. Trainor, Esq. and the law firm of Trainor Law PLLC to serve as attorney for the Town and shall be compensated in accordance with engagement agreements agreed upon by the board throughout the calendar year 2022; and

The Supervisor is authorized to enter into a contract with a Bond counsel, in accordance with applicable Town Law, to meet any and all financial requirements for current and future Bonds obtained by the Town; and

The Supervisor is authorized to enter into a contract with the Labella Companies to provide basic engineering services for the Town and shall be compensated in accordance with engagement agreements agreed upon by the board throughout the calendar year 2022; and

The Supervisor is authorized to enter into a contract with Mr. Paul Male, Licensed Engineer, to perform the duties of Acting Director of the Building, Planning and Zoning Department and shall be compensated in accordance with engagement agreement submitted for the 2022 budget; and

The Town Board approves an additional two-year extension (2023 & 2024), to the 2018 Town Contract with Mr. Robert Morris, for the Management of the Browns Beach Marina Operations; and

The Supervisor is authorized to enter into a contract, with Edmonds computer Support Company, to provide for the Town’s computer network. The cost of the contract shall not exceed \$20,000 as a base cost. Additional fees may be charged on an hourly basis for additional work as required; and,

The Supervisor is authorized to enter into a contract, with Spectrum Cable for Internet access paid on a monthly basis and further authorized to enter into an annual maintenance contract with Allied Telcom for our Samsung phone equipment at a cost not to exceed \$3,000, plus hourly charges for any necessary additional work; and

Pursuant to Section 284 of the New York State Highway Law, the Town Board hereby requires a written agreement with the Highway Superintendent for the expenditure of budgetary funds related to the repair and improvement of all roadways, sluices, culverts and bridges having a span of less than 5 feet and boardwalks and renewals thereof; and, pending approval of said agreement, the Highway Superintendent can approval expenditures on vouchers up to \$10,000 to be paid out by the Supervisor; and

The Supervisor is authorized to enter into contract with Cusack & Company to conduct a financial audit of the Town for the fiscal year 2021. The audit is to be completed no later than June 30, 2022 at a cost not to exceed \$21,000 for the general audit. Additional fees may be charged at an hourly rate for other services as requested; and

The Supervisor is authorized to enter into contract with the Stillwater Area Community Center for the use of the Town Building. The contract will specify all requirements for the use

of the Town Facility and expenditures of tax payer funds. Additionally, The Board of Directors of the Stillwater Area Community Center is authorized, by the Town Board, to seek funding opportunities, to improve the Community Center Facility and grounds, with the understanding that all improvements are to be coordinated with the Town Board via assigned Town Board Committee Representatives and become the property of the Town of Stillwater; and

The Standing Committees and other special duty assignments, shown below, are here-by assigned, as indicated below, for the year 2022 and additional committees can be established with appropriate charters developed; and

Capital Projects- Includes Town Infrastructure Ed Kinowski (Chairman)  
(Other members of this committee are: Town Art Baker  
Engineer, Town Attorney, Director of Building & Ellen Vomacka (Alternate)  
Planning, Senior Planner, Village Rep, Others as Required)

\*Buildings, Grounds, Parks and Recreation: Art Baker (Chairman)  
(Other members assigned are Barb McManus, Ellen Vomacka  
Clayton Russom, Sue Cunningham, Bob Morris,  
Matt Harris, Greg Pecora, plus others as determined by Chairman)

Community Center Liaison Chris D'Ambro  
Valerie Masterson

Administration, Promotions, Public Relations  
And NYS Grant Gateway Administrator: Ellen Vomacka (Chairwoman)  
Ed Kinowski

Police Commission John Nett (Chairman)  
Ray Cordani (Commissioner of  
Police)  
Jennifer Weaver  
Ed Kinowski

Special Duty Assignments:

1. Organize Annual Band concerts and Valerie Masterson Town Wide Clean-ups
2. Oversee Brown's Beach Operations Chris D'Ambro

The Chairpersons of each committee and Council member(s) assigned special duties will meet at their discretion and provide a written or verbal summary of minutes to be presented at agenda meetings, as needed, to update the board and make any recommendations for required actions; and

\*The Chairperson of the Buildings, Grounds, Parks and Recreation will be compensated for all necessary duties to keep the parks maintained and secured. The stipend for these duties is set at \$10,500 for the 2022. Additionally, a Part-time Parks and Recreations Supervisor is created to assist the Chairperson and accomplish all necessary administration and coordination. The initial salary for the position is \$6,000. A listing of duties and responsibilities is on file in the Supervisors office; and

To comply with Chapter 211 Zoning Planned Development Districts, Article XI, Luther Forest Technology Campus, section 211-164, the following Planning Board members are appointed to the Malta / Stillwater Joint Planning Board: Mrs. Carol Marotta and Mr. Frank Bisnett; and

Pursuant to Town Law section 29(16), the Town Board hereby authorizes and delegates to the Town Supervisor powers and duties of day-to-day administration and supervision of all town and special district facilities and employees consistent with and in furtherance of any and all state and federal laws applicable thereto and with any and all local laws, resolutions, labor & union requirements and policies heretofore or hereafter adopted by the Town Board.

A motion by Councilman D'Ambro, seconded by Councilwoman Vomacka, to adopt Resolution No. 1 of 2022.

A roll call vote was taken on Resolution No. 1 of 2022 as follows:

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

Resolution No. 1 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on January 6, 2022.

**Motion** by Councilman D'Ambro and seconded by Councilwoman Vomacka to adopt Resolution No. 1 of 2022.

A roll call vote was taken on Resolution No. 1 of 2022 as follows:

**Motion carried.**

**Resolution No. 2      A Resolution to hire a Police Officer**

Introduced by: Supervisor \_\_\_\_\_

WHEREAS the Police Commission interviewed Donald J. Thompson for the position of Patrol Officer and found him to be highly qualified; and

WHEREAS Officer Thompson has over six years as a deputy with the Saratoga County Sheriff's Department and received his training at the Zone 5 Academy.

Now, therefore, be it

RESOLVED that the Town Board hereby hires and appoints Donald J. Thompson as a part-time Patrol Officer with the Town of Stillwater Police Department effective immediately.

A motion by Councilman D'Ambro seconded by Councilwoman Vomacka to adopt Resolution No. 2 of 2022.

A roll call vote was taken on Resolution No. 2 of 2022 as follows:

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

Resolution No. 2 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on January 6, 2022.

**Motion carried.**

**Resolution No. 3      A Resolution Adopting a Notice of Nondiscrimination and an ADA Grievance Procedure**

Introduced by: Deputy Supervisor \_\_\_\_\_

WHEREAS Title II of the federal Americans with Disabilities Act of 1990 ("ADA") prohibits discrimination on the basis of disability in the provision of services, activities, programs or benefits by public entities including, but not limited to, the Town of Stillwater; and

WHEREAS the ADA also requires that the Town adopt a Grievance Procedure by which complaints alleging discrimination on the basis of disability in the provision of services, activities, programs or benefits may be filed, handled and resolved.

Now, therefore, be it

RESOLVED that the Town Board hereby adopts the attached Notice under the Americans with Disabilities Act and directs the Town Clerk to publish the entire text of the Notice in the Town's official newspaper and obtain an affidavit of publication therefore; and be it further

RESOLVED that the Town Board hereby adopts the attached Grievance Procedure under the American with Disabilities Act and designates Deputy Supervisor Vomacka as the Town's ADA Coordinator to field, handle and resolve any complaints filed in accordance therewith.

A motion by Councilman D'Ambro, seconded by Councilwoman Vomacka, to adopt Resolution No. 3 of 2022.

A roll call vote was taken on Resolution No. 3 of 2022 as follows:

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

Resolution No. 3 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on January 6, 2022.

**Motion** by Councilman Baker and seconded by Councilman Petronis to adjourn into executive session to discuss personnel and contracts.

**Motion carried.**

**Audited Claims**

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

General \$19,174.58	Town Outside \$32,819.92
Highway \$32,084.30	Water/Sewer \$5,239.20
Capital Projects \$195.00	

**Motion carried.**

Respectfully submitted by

Danielle Cowin  
Stillwater Town Clerk