

**Stillwater Town Board Meeting
December 4, 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
Matt Harris, Supt of Highways
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, Town Clerk took the roll call.

Adoption of Minutes: Motion by Councilwoman Vomacka and seconded by Councilwoman Masterson to adopt the minutes of November 18, 2021. **Motion carried.**

Agenda Items Resolutions #91--#94

Resolution #91 Authorizing the Supervisor to
Sign a Contract for Sale of the Property
Known as 41 George Thompson Road

Introduced by: Supervisor

WHEREAS, the Town has identified the need to sell land located at 41 George Thompson Road, Stillwater and designated as tax map number 252.-2-40; and

WHEREAS, Eric Rego and Kristina Miller have offered to buy the parcel at a price of \$40,000.00 and stated in the attached contract.

Now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a purchase and sale agreement with Eric Rego and Kristina Miller to sell 41 George Thompson Road (tax map parcel 252.-2-40) for \$40,000.00; and be it further

RESOLVED, that the Supervisor is authorized to do and perform any and all such acts, including execution of any and all documents and certificates, as he shall deem necessary

or advisable, to carry out the purposes and intent of the foregoing resolution; and

RESOLVED, that any actions taken by the Supervisor prior to the date of the foregoing resolution are hereby ratified, confirmed and approved; and be it further

RESOLVED, that the proposed sale by the Town of the above-referenced property is subject to a permissive referendum pursuant to §220 of the NYS Town Law; and be it further

RESOLVED, that the Town Clerk is hereby directed to post and publish a Notice of Adoption of this Resolution, together with a copy of the Resolution, in the Town’s official newspaper or a daily newspaper alternative within 10 days after its adoption; and be it further

RESOLVED that the Town Clerk file a Certificate of No Petition for Referendum with the Saratoga County Clerk no less than 30 days, and no more than 40 days, after the Notice of Adoption of Resolution Subject to Permissive Referendum has been posted and published.

Motion by Councilman Baker and seconded by Councilman D’Ambro to adopt Resolution 91 of 2021.

A roll call was taken on Resolution No. 91 of 2021 as follows:

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

Motion carried. Resolution No. 91 of 2021 was adopted unanimously.

Resolution #92 Approve the 2022 Police Union Contract with UPSEU

Introduced by: Supervisor

WHEREAS, the Town’s contract with the Police Officers Union comes up for renewal on January 1, 2022; and

WHEREAS, the Town Board on behalf of the Town’s citizens and the United Public Service Employees Union (“UPSEU”) on behalf of the Town’s Police Officers have agreed on the contract terms as reflected in the attachment hereto.

Now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign the Agreement by and

between UPSEU and the Town of Stillwater regarding the Town’s Police Department for the period January 1, 2022 through December 31, 2024.

Motion by Councilman Baker and seconded by Councilman D’Ambro to adopt Resolution No. 92 of 2021.

A roll call was taken on Resolution No. 92 of 2021 as follows:

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

Motion carried. Resolution No. 92 of 2021 was adopted unanimously.

**Resolution #93 Declaring Highway Equipment Surplus and
 Authorizing the Highway Superintendent to Purchase
 New Equipment Off State Contract**

Introduced by: Highway Superintendent

WHEREAS, the Highway Superintendent has declared that the following equipment, 2004 Mack Dump Truck and plow equipment, VIN#1M2AG11C04M008866, has no further useful life to the Town Highway Department and therefore declares it to be “surplus” to the Town; and

WHEREAS, in accordance with State Law and the Town’s Procurement Policy, the surplus town equipment should be sold to the highest bidder at public auction but in some instances, the value as a trade-in towards new equipment may exceed what the Town would sell the equipment for at public auction;

WHEREAS, the Highway Superintendent has identified a 2022 Mack Tandem Dump Truck with plow and sander equipment listed on the OGS Contract at a cost not to exceed \$230,000.00; and

WHEREAS, the items selected off the New York State contract are exempt from the competitive bidding requirements of the General Municipal Law

Now, therefore, be it

RESOLVED, that the 2004 Mack Tandem Dump Truck and Plow Equipment VIN# 1M2AG11C04M008866 is hereby declared surplus and the Highway Superintendent is authorized to sell it at auction to the highest bidder or trade in the equipment; and be it further

RESOLVED, that the Highway Superintendent is hereby authorized to purchase a 2022 Mack Tandem Dump Truck with Plow and Sander Equipment as listed on the OGS Contract from 2022 budgeted funds.

Motion by Councilman Baker and seconded by Councilman D’Ambro to adopt Resolution No. 93 of 2021.

A roll call was taken on Resolution No. 92 of 2021 as follows:

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

Motion carried. Resolution No. 93 of 2021 was adopted unanimously.

Resolution #94 Budget Adjustments

WHEREAS, Anne Marie Hallum, Director of Fiscal Management has recommended that the following budget transfers and adjustments be accomplished.

Now, therefore, be it

RESOLVED, that the following budget adjustments be approved.

INCREASE BUDGET			
A-1650.4	Central Webmaster Contractual	Additional web work	850.00
A-3005	Mortgage Tax	Additional web work	850.00
DB-5130.2	Machinery Equipment	To cover new paver	357000.00
DB-2665	Sale of Equipment	To cover new paver	84000.00
DB-599	Fund Balance	To cover new paver	273000.00

Motion by Councilman Baker and seconded by Councilman D’Ambro to adopt Resolution No. 94 of 2021.

A roll call was taken on Resolution No. 94 of 2021 as follows:

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

Motion carried. Resolution No. 94 of 2021 was adopted unanimously.

Public Input

Supervisor Kinowski brought up for public input the option of opting in or out of the Cannabis Law. He stated that the Town has the option of opting out, opting out and then opting back in with restrictions or take no action taken the Town automatically opts in. John N stated that if the Town opts out it could potentially be loss of income where if they opt in they can work on restrictions.

Ann Marie H questioned the opt in or opt out process and stated why opt out when its coming anyways.

Jennifer W commented on issues they had in Massachusetts.

Sue C stated that if they opt out with the option of opting in later they potentially could lose a business(es). Any business thinking off opening will just go to another Town.

Joe H suggested the Town opt out, take care of planning & zoning issues than relook at opting in once a plan is in place.

Discussion was held on Opting out, opting in, putting restrictions in place, resources & public safety and revenue.

Global Fab8.2: Supervisor Kinowski stated that if Global Fab 8.2 comes through it could have a huge impact on the building dept. He submitted a resume on a potential assistant which would be hired by contract not as a Town employee.

Discussion was held on hiring outright vs contract position.

Scannell Properties, LLC: Supervisor Kinowski stated that there is controversy between them and Malta. he doesn't expect any decision to be made until at least January.

Attorney Trainor reported that he has received response from an Attorney representing residents from Saratoga Glen that will be affected by the proposed amendments to the PDD. The question in effect is whether the sunset provision applies or not. If the sunset provisions applies' the applicant needs to start over but if the sunset provision does not the applicant can move forward.

A brief discussion was held on the sunset law, affects, potential litigation, and how to proceed.

Supervisor Kinowski stated that they would close the public hearing at the December 16th meeting and possibly make a decision at the January 20, 2022 Town Board meeting.

Audited Claims

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

General	\$18,339.94
Town Outside	\$16,386.82
Highway	\$20,782.91
Water/Sewer	\$1,709.22

Motion carried.

Motion by Councilwoman Masterson and seconded by Councilman D'Ambro to adjourn the Town Board meeting at 8:40 pm. **Motion carried.**

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk