



# TOWN OF STILLWATER

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

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## Town Board Meeting Minutes March 3, 2022, 7:00 PM at Stillwater Town Hall

**Present:** Supervisor Ed Kinowski  
Councilman Artie Baker- via Phone  
Councilman Chris D'Ambro  
Councilwoman Ellen Vomacka  
Councilwoman Valerie Masterson

**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:** None.

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

Danielle Cowin, Town Clerk took the roll call.

3.) **Adoption of Minutes: Motion** by Councilperson Baker and seconded by Councilperson Masterson to adopt the minutes of February 17, 2021

**Motion carried.**

4.) **Agenda Items**

### PUBLIC HEARINGS / LOCAL LAWS

Public Hearing re: Local Law 1 of 2022 re: Town Board Meeting Schedule

### BID OPENINGS

Bids for Highway Fuel, Diesel and Heating Oil

Town Clerk opened bids. GA Bove & John Ray & Sons

Supt of Highways will review the bids.

Resolution No. 15 A Resolution Awarding Bid for Highway Fuel Supply

Resolution No. 16 A Resolution Adopting Local Law 1 of 2022 Regarding the  
Town Board Meeting Schedule

- Resolution No. 17     A Resolution Amending Resolution 5-2022 to Limit Labella Engagement Agreement #11 To Inspections of Woodworth and McCrea Roads
- Resolution No. 18     A Resolution Authorizing the Highway Superintendent to Purchase a Crack Sealer
- Resolution No. 19     A Resolution Declaring Certain Highway Equipment as Surplus and Authorizing its Sale
- Resolution No. 20     A Resolution Approving the Highway Section 284 Plan

**2022 RESOLUTION NO. 15**  
**A Resolution Awarding Contracts**  
**For Gas, Diesel Fuel and Heating Oil**

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

WHEREAS, as authorized by Resolution No. 13 of 2022 adopted on February 17, 2022, Highway Superintendent Harris solicited bids for Gas, Diesel Fuel and Heating Oil; and

WHEREAS the Town received 2 responsive bid(s) from John Ray and Sons and GA Bove.

Now, therefore, be it

RESOLVED, the Town Board finds \_\_\_\_\_ to be the lowest and most responsive bidder for Diesel at \_\_\_\_\_ cents markup; and be it further

RESOLVED, the Town Board finds \_\_\_\_\_ to be the lowest and most responsive bidder for #2 Heating Oil at \_\_\_\_\_ cents markup; and be it further

RESOLVED, the Town Board finds \_\_\_\_\_ to be the lowest and responsive bidder for Non-ethanol 91 Octane at \_\_\_\_\_ cents markup and 89 Octane at \_\_\_\_\_ cents markup; and be it further

RESOLVED, that the Town Board hereby awards contracts for the supply of Diesel Fuel to \_\_\_\_\_ and Heating Oil to \_\_\_\_\_ and Gas to \_\_\_\_\_ at their respective bid prices; and be it further

RESOLVED, that the Supervisor is authorized to sign Agreements with \_\_\_\_\_ at their respective prices listed.

**Motion** by Councilperson Masterson, seconded by Councilperson Vomacka to Table Resolution No. 15 of 2022 for further review.

A roll call was taken on Resolution No. 15 of 2022 as follows:

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

**Motion carried.** Resolution No. 15 of 2022 was adopted unanimously.

**2022 RESOLUTION NO. 16**  
**A Resolution to Adopt**  
**Local Law No. 1 of 2022 to Amend**  
**The Town Board Meeting Schedule**

Introduced by: Supervisor

WHEREAS, Supervisor Kinowski has recommended that the Town Board amend Article 1, § 23-2 of the Town Code, as proposed in the attachment hereto, to accurately reflect how the Board generally conducts its business under the New York State Town Law; and

WHEREAS the Town Board conducted a Public Hearing on March 3, 2022, where the Proposed Amendments to the Town Code were reviewed and comments from the public were received.

Now therefore be it

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

RESOLVED, that the Town Board hereby adopts Local Law No. 1 of 2022, a Local Law to amend Article 1, § 23-2 of the Town Code; 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 Local Law Amendment within 5 days 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 2022 with the New York Secretary of State within 20 days of its adoption; 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 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 Councilperson Masterson, seconded by Councilperson Vomacka to adopt Resolution No. 16 of 2022.

A roll call was taken on Resolution No. 16 of 2022 as follows:

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

**Motion carried.** Resolution No. 19 of 2022 was adopted unanimously.

**2022 RESOLUTION NO. 17**  
**A Resolution Amending Resolution 5 of 2022 to**  
**Limit LaBella Engagement Agreement #11 of 2022 to**  
**Woodworth and McCrea Roads in the**  
**Revolutionary Heights Subdivision**

Introduced by: Supervisor

WHEREAS LaBella Associates has presented the Town with 2022 Engagement Agreement #11 which is to authorize professional engineering services related to road and drainage work in the Revolutionary Heights subdivision; and

WHEREAS by Resolution 5 of 2022 adopted on January 20, 2022, the Town Board authorized the Supervisor to sign LaBella Engagement Agreement #11 regarding services for at least three roads in the Revolutionary Heights Subdivision; and

WHEREAS subsequent to January 20<sup>th</sup>, a meeting was held with the developer, resulting in the narrowing of the scope of professional services needed.

Now, therefore, be it

RESOLVED, that the Town Board hereby amends Resolution 5 of 2022 and authorizes the Supervisor to sign a revised 2022 Engagement Agreement #11 with LaBella Associates to provide professional engineering services related to road and drainage work in the Revolutionary Heights subdivision which is limited to services at Woodworth and McCrea Roads.

**Motion** by Councilperson Masterson, seconded by Councilperson Vomacka, to adopt Resolution No. 17 of 2022.

A roll call was taken on Resolution No. 17 of 2022 as follows:

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

**Motion carried.** Resolution No. 17 of 2022 was adopted unanimously.

**2022 RESOLUTION NO. 18**  
**A Resolution Authorizing Highway Superintendent**  
**To Purchase 2022 CrafcO Super Shot 125 Crack Sealer**

WHEREAS, Highway Superintendent Harris has requested to purchase a new 2022 CrafcO Super Shot 125 Crack Sealer from the NYS OGS Contract List for \$62,000.00; and

WHEREAS purchases of equipment from the NYS OGS Contract List are exempt from GML 103 competitive bidding requirements.

Now, therefore, be it

RESOLVED, that Highway Superintendent Harris is hereby authorized to purchase a new 2022 CrafcO Super Shot 125 Crack Sealer from the NYS OGS Contract List for an amount not to exceed \$62,000.00.

**Motion** by Councilperson Masterson, seconded by Councilperson Vomacka to adopt Resolution No. 18 of 2022.

A roll call was taken on Resolution No. 18 of 2022 as follows:

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

**Motion carried.** Resolution No. 18 of 2022 was adopted unanimously.

**2022 RESOLUTION NO. 19**  
**A Resolution Declaring Highway Equipment Surplus and**  
**Authorize the Highway Superintendent**  
**to Conduct an Auction for Surplus Equipment**

Introduced by: Highway Superintendent

WHEREAS, the Highway Superintendent has declared that the following equipment, a LANDA portable pressure washer, 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.

Now, therefore, be it

RESOLVED, that the LANDA portable pressure washer is hereby declared surplus and the Highway Superintendent is authorized to conduct an auction for the sale of the surplus equipment to the highest bidder.

**Motion** by Councilperson Masterson, seconded by Councilperson Vomacka to adopt Resolution No. 19 of 2022.

A roll call was taken on Resolution No. 19 of 2022 as follows:

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

**Motion carried.** Resolution No. 19 of 2022 was adopted unanimously.

**2022 RESOLUTION NO. 20**  
**A Resolution Regarding A Contract**  
**For the Expenditures of Highway Monies**

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

WHEREAS, pursuant to Section 284 of the New York State Highway Law, the Town Board is required to have 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,

WHEREAS, the Highway Superintendent has proposed the attached Agreement for the Town Board’s consideration; and

WHEREAS, pending approval of said agreement, the Highway Superintendent has and will submit proposed expenditures on vouchers for Town Board approval prior to the expenditure being made except in cases of actual emergencies.

Now, therefore, be it

RESOLVED, that the Town Board hereby approves the attached 2022 written agreement with the Highway Superintendent pursuant to Section 284 of the New York State Highway Law 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 be it further

RESOLVED, that each of the Town Board Members are to sign the Section 284 Agreement indicating the Board's support of its terms.

**Motion** by Councilperson Masterson, seconded by Councilperson Vomacka to adopt Resolution No. 20 of 2022.

A roll call was taken on Resolution No. 20 of 2022 as follows:

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

**Motion carried.** Resolution No. 20 of 2022 was adopted unanimously.

5.) Public Input- No input

6.) Other Business

Dick D. resident of Stillwater, asked about the change in Town Board meetings. Supervisor Kinowski replied, "the meetings that are held the first and third Thursday of each month are conducted as both business meetings, where as in the past it was one meeting a planning meeting and second a business meeting.

**Supervisor Kinowski-**

John Nett is working on lighting at entrance ways into Browns Beach, and Glen Hollow Park. We are contracted with National Grid.

Mechanicville Senior Center hosts/serves meals for Seniors. See their website or call the center for more information. Judy Wood-Zeno commented, "the flyer for the Senior meals has an incorrect phone number. The correct phone number is 518-664-7877.

Stillwater has some very talented athletes. Sisters, Kara and Kelly Moran and Giana Locci will be at the New York State Track & Field Championships to be held March 5 at Ocean Breeze (Staten Island). Kelly Moran will represent Section 2 as the top triple jumper and also qualified in the long jump. Gianna Locci will compete in the long jump, triple jump, and the 55-meter dash. Gianna is the solid favorite at states in the long jump (ranked #1 in the state all season). She is also ranked #2 in the entire nation currently! Good Luck to all!

**Councilperson Vomacka-**

Kudos to Coach Shawn McClements as the Head Coach for Stillwater’s Track & Field. Best of Luck to all!

**Councilperson Masterson-**

Announced Stillwater Town Clean up days are April 30th and October 22<sup>nd</sup> from 7am-2pm (Saturdays). Still waiting to hear back about Electronics etc.

7.) Audited Claims

**Motion** by Councilperson D’Ambro and seconded by Councilperson Baker to pay the audited claims.

General-	\$12801.33
Town Outside-	\$19406.08
Highway-	\$15267.53
Water & Sewer-	\$ 1575.00
<u>Capital Projects-</u>	<u>\$ 2240.00</u>
Total-	\$51289.94

**Motion carried.**

8.) Adjournment (Executive Session if Necessary)

**Motion** by Councilperson Masterson and seconded by Councilperson Baker to adjourn the Town Board meeting at 7:30 pm

**Motion carried.**

**Executive session**

Supervisor Kinowski requested an executive session to discuss a contractual matter.

**Motion** by Councilperson Vomacka and seconded by Councilperson D’Ambro to enter into executive session at 7:35 pm. (NOTE: The Town Board will not go back into regular schedule meeting).

Respectfully submitted by

\_\_\_\_\_  
Danielle Cowin  
Stillwater Town Clerk