



**Stillwater Town Board Meeting  
Thursday~ July 21, 2022~ 7:00 PM  
Stillwater Town Hall**

**Town Board Meeting Minutes**

**Present:** Councilman Artie Baker  
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  
John Nett, Police Commissioner

**Absent/Excused:** Supervisor Ed Kinowski

- 1). Deputy Supervisor Vomacka called the meeting to order and led everyone in the Pledge to the Flag.
- 2). Danielle Cowin, Town Clerk took the roll call.

**3.) Adoption of Minutes:**

**Motion** by Councilperson Chris D'Ambro and seconded by Councilperson Ellen Vomacka to adopt the minutes of January 6, 2022.

**Motion carried.**

**Public Hearing-** Local Law No. 2 Re: Metal Detecting on Town Property

Attorney James Trainor explained the purpose of protecting town property by establishing a local law governing the permitting and regulation of metal detecting on Town owned property. If you are wishing to metal detect you will need to obtain a valid permit issued by the Town Clerk along with a fee. More information can be obtained from the Local Law No. 2 of 2022, Town of Stillwater.

**Public Input**

Resident concerned with letting people metal detect, artifacts lose their value, why would we allow this? Re High chances that artifacts will be of value. Suggested a limit of the ground measurement of digging.

Jim Trainor, Attorney- stated the local laws is in place.

With everyone having the opportunity to comment Deputy Supervisor Vomacka closed the public hearing at 7:10pm

**1. Agenda Items Resolutions No. 56-65**

**Resolution No. 56** A Resolution Authorizing the Supervisor to Sign LaBella Engagement Agreement #19 of 2022 regarding the Route 4 Sewer District MPR

Introduced by: Supervisor

WHEREAS LaBella Associates has presented the Town with 2022 Engagement Agreement #19 which is to authorize professional engineering services related to preparing a Map, Plan and Report (“MPR”) for the proposed Route 4 Sewer District in the Town of Stillwater; and

WHEREAS the engineering services are needed to estimate the costs involved with the construction of infrastructure and operating the special district once the construction is complete.

Now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to sign 2022 Engagement Agreement #19 with LaBella Associates to provide a Map, Plan and Report (“MPR”) for the proposed Route 4 Sewer District in the Town of Stillwater.

A motion by Councilperson Valerie Masterson, seconded by Councilperson Christopher D’Ambro, to adopt Resolution No. 56 of 2022.

A roll call was taken on Resolution No. 56 of 2022 as follows:

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

Resolution No. 56 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on July 21, 2022.

**Resolution No. 57** A Resolution Authorizing the Supervisor to Sign a License Agreement with Verizon Wireless for a Temporary Monopole

WHEREAS, the Town has previously approved the demolition of the Riverside Water Tank and Tower on West Street and it is no longer needed for water supply purposes; and

WHEREAS, the Riverside Tank currently has telecommunications equipment on it owned and operated by Verizon Wireless (“VZW”) which needs to be moved to a temporary monopole and then to a more permanent monopole in order to ensure continuous coverage in the future; and

WHEREAS, a License Agreement between the Town and VZW is appropriate to allow VZW to utilize a portion of the Town’s property on West Street to install the temporary monopole.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to negotiate and sign a License Agreement so Verizon Wireless can utilize a portion of the Town's West Street property for a temporary monopole in order to continue utilizing its telecommunications equipment currently located on the Riverside Water Tower.

A motion by Councilperson Valerie Masterson, seconded by Councilperson Christopher D'Ambro, to adopt Resolution No. 57 of 2022.

A roll call was taken on Resolution No. 57 of 2022 as follows:

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

Resolution No. 57 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on July 21, 2022.

**Resolution No. 58** A Resolution Authorizing the Supervisor to Sign a Consolidation Deed for the Public Safety Building Parcels

Introduced by: Supervisor

WHEREAS, the Town purchased the property at 266 County Route 76 in 2019 for the purpose of making site improvements and constructing a public safety facility; and

WHEREAS, the property was subdivided and a site plan was approved by the Town Planning Board after environmental investigation, referral to the County Planning Board and appropriate SEQRA determination(s) were made; and

WHEREAS, the Town proposes to consolidate the two parcels, make further site improvements and construct a public safety facility; and

WHEREAS, Town Engineer Paul Male, P.E. has investigated the potential environmental impacts of the proposed actions, has compiled the attached Environmental Assessment Form ("EAF") and recommends the proposed actions be classified as Unlisted Actions and a negative declaration be issued.

Now, therefore, be it

RESOLVED, that the Town Board has compared the proposed action with the criteria for determining significance in 6 NYCRR 617.7 (SEQRA), has duly considered the attached Environmental Assessment Form, classifies the parcel consolidation, the site improvements and the building construction as Unlisted Actions, and finds the environmental impact of those actions not to be significant and hereby issue a negative declaration.

A motion by Councilperson Valerie Masterson, seconded by Councilperson Christopher D'Ambro, to adopt Resolution No. 58 of 2022.

A roll call was taken on Resolution No. 58 of 2022 as follows:

Supervisor Kinowski	ABSENT
Councilman Baker	YES

~Agenda subject to change~

Councilwoman Vomacka	YES
Councilman D'Ambro	YES
Councilwoman Masterson	YES

Resolution No. 58 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on July 21, 2022.

**Resolution No. 59** A Resolution Adopting Local Law No. 2 of 2022 Regarding Metal Detecting on Town Property

Introduced by: Supervisor

WHEREAS, the attorneys for the Town have recommended that the Town Board adopt Local Law 2 of 2022, as proposed in the attachment hereto, to regulate metal detecting on Town property; and

WHEREAS the Town Board conducted a Public Hearing on July 21, 2022, where the proposed local law was reviewed and any comments from the public and board members were considered.

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. 2 of 2022, a Local Law regulating metal detecting on Town property; and be it further

RESOLVED, that the Town Clerk file a certified copy of Local Law No. 2 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 include the text of the local law within or attached to the minutes of this Town Board meeting per Town Law § 265 (2).

A motion by Councilperson Valerie Masterson, seconded by Councilperson Christopher D'Ambro, to adopt Resolution No. 59 of 2022.

A roll call was taken on Resolution No. 59 of 2022 as follows:

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

Resolution No. 59 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on July 21, 2022.

**Resolution No. 60** A Resolution Authorizing the Supervisor to Negotiate and Sign a Temporary License and Easement Agreement Regarding the Riverside Water Tower Demolition

WHEREAS, the Town has previously approved the demolition of the Riverside Water Tank and Tower on West Street by DSA Services as it is no longer needed for water supply purposes; and

WHEREAS, because of the small size of the parcel, DSA Services requires a separate area to laydown materials and equipment while the water tower and tank are being dismantled; and

WHEREAS, the driveway into the Town’s Riverside parcel is shared with an adjacent property owner; and

WHEREAS, the owners of the adjacent parcel have agreed to exchange driveway easements and to provide the Town with a portion of their property for the temporary laydown area.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to negotiate and sign a License Agreement with the Ciulla Family at 47 West Street for a temporary laydown area for materials and equipment during the demolition of the Riverside Water Tank and Tower; and be it further

RESOLVED, that the Supervisor is also authorized to negotiate and sign easement agreements with the Ciulla Family at 47 West Street for shared use of the driveway that straddles both properties; and be it further

RESOLVED, that this resolution is subject to permissive referendum under the New York State Town Law, such that the Town Clerk is required to post a Notice of the adoption of this resolution in the Town’s official newspaper, on its website and on the Town bulletin board within 5 days of its adoption.

A motion by Councilperson Valerie Masterson, seconded by Councilperson Christopher D’Ambro, to adopt Resolution No. 60 of 2022.

A roll call was taken on Resolution No. 60 of 2022 as follows:

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

Resolution No. 60 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on July 21, 2022.

**Resolution No. 61** A Resolution Scheduling a Public Hearing Regarding Enforcement of Violations at Brown’s Beach

Introduced by: Supervisor

WHEREAS, the Town Board is considering adopting a local law with regard to the enforcement of rules at Brown’s Beach regarding the parking of cars, mooring of boats and other needed measures; and

WHEREAS, the Town Board is required to hold a Public Hearing where the public is allowed to review and comment on the proposed law.

Now, therefore, be it

RESOLVED, that the Town Board hereby schedules a public hearing to consider Local Law \_\_\_ of

2022, on Thursday, August 18, 2022 at 7:00 p.m. at the Town Hall, 881 Hudson Avenue, Stillwater, New York; and be it further

RESOLVED, that the Town Clerk should publish appropriate notice of the Public Hearing at least 5 days, but not more than 10 days, prior to August 18, 2022; and be it further

RESOLVED, that the Town Clerk is asked to ensure the Town Board members are each supplied with a copy of the proposed Local Law prior to the meeting; and be it further

RESOLVED, that the Town Clerk is also asked to ensure that the Stillwater Town website is updated with a copy of the proposed Local Law for the public to review prior to the public hearing.

A motion by Councilperson Valerie Masterson, seconded by Councilperson Christopher D'Ambro, to adopt Resolution No. 61 of 2022.

A roll call was taken on Resolution No. 61 of 2022 as follows:

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

Resolution No. 61 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on July 21, 2022.

**Resolution No. 62** A Resolution Regarding the Completion of the Town's Audit of Court Records

WHEREAS, the Town Board is required to do an annual audit/examination of the Town Court's records; and

WHEREAS, an audit/examination of the Town Court's records was completed on January 24, 2022 and a copy of the results of the examination and this Resolution must be presented to the State of New York Unified Court System;

Now, therefore, be it

RESOLVED, that the Town Board has completed and accepts the necessary audit/examination and the results will be emailed or mailed to the New York State Office of Court Administration along with a copy of this Resolution.

A motion by Councilperson Valerie Masterson, seconded by Councilperson Christopher D'Ambro, to adopt Resolution No. 62 of 2022.

A roll call was taken on Resolution No. 62 of 2022 as follows:

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

~Agenda subject to change~

Resolution No. 62 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on July 21, 2022.

**Resolution No. 63** A Resolution Approving Budget Transfers

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

BUDGET ADJUSTMENTS			
A 1420.41	Attorney Contractual	Increase in Attorney FEES	20,000.00
A 599	Fund Balance	Increase in Attorney Fees	20,000.00
A 9950.9	Transfer to capital projects	Ems building	134,000.00
A-599	Fund Balance committed funds ems	Ems building	134,000.00
B-7140-2	Parks Contractual	Playground equipment riverside park	33,998.00
B-599	Parks and Rec Fund Balance	Playground equipment riverside park	33,998.00
B-7140.2	Parks Contractual	Additional Fencing for the walking trails and riverfront parks	9000.00
B-599	Park and Rec Fund Balance	Additional Fencing for the walking trails and river front parks	9000.00
BUDGET ADJ			

BUDGET IMPACT STATEMENT: as stated below.

NOW, THEREFORE, BE IT

RESOLVED, that the proposed budget adjustments are hereby approved.

A motion by Councilperson Valerie Masterson, seconded by Councilperson Christopher D’Ambro, to adopt Resolution No. 63 of 2022.

A roll call was taken on Resolution No. 63 of 2022 as follows:

Supervisor Kinowski	ABSENT
Councilman Baker	YES
Councilwoman Vomacka	YES

~Agenda subject to change~

Councilman D'Ambro                    YES  
Councilwoman Masterson            YES

Resolution No. 63 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on July 21, 2022.

**Resolution No. 64**    A Resolution Authorizing the Supervisor to Sign a Consolidation Deed for the Public Safety Building Parcels

WHEREAS, in 2019 the Town acquired property at 266 County Route 76 and later subdivided the parcel for potential sale and other purposes; and

WHEREAS, the design of the proposed public safety facility now requires the use of both parcels to accommodate the septic system for the facility;

Now, therefore, be it

RESOLVED, that Supervisor is hereby authorized to sign a deed consolidating both Town parcels at 266 County Route 76 (Tax ID Numbers 232.-1-43.21 and 232.-1-43.22) into one parcel.

A motion by Councilperson Valerie Masterson, seconded by Councilperson Christopher D'Ambro, to adopt Resolution No. 64 of 2022.

A roll call was taken on Resolution No. 64 of 2022 as follows:

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

Resolution No. 64 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on July 21, 2022.

**Resolution No. 65**    A Resolution That the Town of Stillwater will Submit an Application and Serve as Lead Agency for a Joint Application for BOA Designation, in Cooperation WHEREAS, The Town of Stillwater, New York, herein called the "Applicant", after thorough consideration, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable; and

WHEREAS, §970-r of the General Municipal Law authorizes State assistance to eligible parties for Brownfield Opportunity Areas Program grants by means of a State Assistance Contract (the contract); and

WHEREAS, the Town of Stillwater, New York deems it to be in the public interest and benefit to enter into a contract therewith.

NOW, THEREFORE, BE IT RESOLVED BY

The Stillwater Town Board



1. That Ed Kinowski, Supervisor of the Town, is the representative authorized to act on behalf of all applicants in all matters related to State assistance under §970-r of the General Municipal Law for the Project. The representative is also authorized to: sign and submit the application; execute the contract; request payment advances and reimbursements; redistribute contract reimbursements as appropriate; submit Project documentation; and otherwise act for all applicants in all matters related to the Project and to State assistance;
2. That the Applicant intends to complete Nomination for an approximate 450-acre area characterized with approximately 7 to 9 potential brownfield sites, along with numerous vacant and underutilized sites, in both the Town and Village of Stillwater, hereafter to be referred to as the Stillwater Riverview BOA.
3. That the Applicant requests funds in the amount of \$200,000, representing no more than 90% of the total Project costs;
4. That the Applicant agrees that it will fund the Applicant's minimum required 10% share of the Project;
5. That the Applicant agrees to complete the BOA Nomination in a timely manner and to seek official Designation of the Brownfield Opportunity Area by the Secretary of State upon completion of the Nomination; and
6. That this Authorization take effect immediately.

A motion by Councilperson Valerie Masterson, seconded by Councilperson Christopher D'Ambro, to adopt Resolution No. 65 of 2022.

A roll call was taken on Resolution No. 62 of 2022 as follows:

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

#### CERTIFICATE OF RECORDING OFFICER

That the attached Resolution is a true and correct copy of the Resolution, as regularly adopted at a legally convened meeting of the Town of Stillwater duly held on the 21st day of July 2022; and further that such Resolution has been fully recorded in the Minutes in my office.

(Title of Record Book)

In witness thereof, I have hereunto set my hand this 21st day of July 2022.

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Signature of Recording Officer – Danielle Cowin

If the Applicant has an Official Seal, Impress here.

Title of Recording Officer  
with the Village of Stillwater

2. **Public Input**

Resident questioned what is used for the notices for road closures?

Matt Harris- Highway Superintendent, answered with: Facebook, letters/notices to local residencies and Town Hall Electronic signage.

Matt mentioned he will look into word signs to start using for notices such as this.

Resident distributed a booklet about state department street signs for board to review.

Parcel subdivided and now back together again.

Questioned why Planning Board meetings moved to 5pm, and is questioning why so early. Not resident friendly. Suggested to make it available on the website per PDF for review.

Town Board member Chris D'Ambro replied with "documents are changing constantly even an hour prior to the meeting".

3. Other Business

**Town Board Reports**

Councilperson Masterson – Summer Concert Series

Alexandria Scarchilli is playing at the legion for free. Valerie would like to do something down the road and was questioning the fund balances.

Highway Superintendent, Matt Harris- More paving going on next week with two road closures- bottom of Vanness Hill and George Thompson Rd.

Councilperson Baker- Pickleball Wall Request for Glen Hollow Park

It has been requested to add a wall for a pickleball area by the bench. They would need to add backwall which can be a removal. The residents will put it in, however, they will need \$500.00 for the materials. Board is concerned with it being used other than for pickleball and getting damaged and wearing away. The town board would like more information and further discussion. Tabled until next meeting on August 18<sup>th</sup>, 2022

Military Banner Request (Executive session)

4. Audited Claims

**Motion** by Councilperson D'Ambro and seconded by Councilperson Masterson to pay the audited claims.

Prepays

General	\$75293.45
Town Outside	\$56625.67
Highway	\$77939.63
Lighting	\$998.27
Water & Sewer	\$26933.51
Capital Projects	\$107127.50
Trust & Agency Fund	<u>\$9781.37</u>
	\$354699.40

General	\$ 22912.39
Town Outside	\$ 72532.74
Highway	\$261044.79
Water/Sewer	\$ 4628.05

**Motion carried.**

**Motion** by Councilperson D'Ambro and seconded by Councilperson Masterson to adjourn the Town Board Meeting and enter into executive session to discuss a personnel matter at 7:45pm.

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

Respectfully submitted by

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Danielle Cowin  
Stillwater Town Clerk