



TOWN OF STILLWATER

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

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

Present: Supervisor Ed Kinowski
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: 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.

Adoption of Minutes: Motion by Councilperson Valerie Masterson and seconded by Councilperson Chris D'Ambro to adopt the minutes of October 20, 2022. **Motion carried.**

Public Hearing Tax Cap

Purpose: To receive comments from the public on the proposed tax cap override.

Ed Kinowski stated The Stillwater Town Board was approved with a final budget for 2023. It did not exceed the states 2% tax cap mandate. He continued on that our budget is very healthy and with sufficient reserves to meet emergencies. Ed invited residents to refer to the Town Web Site to view the full budget, Tax Cap Submission, Fire Dept. Budget, listing of salaries of elected officials and overall appropriations and revenues. Anyone is welcome to get a copy from the Town Clerks office during business hours.

Public Input

B.Russell- Meehan Rd. asked how close are we with override and with the money over the years received.

Supervisor Kinowski explained why and stated we have not exceeded the tax cap in 11 years.

Jeff Benson- Flike Rd.

Questioned why our taxes have not gone down since the Tech park went up.

James Trainor, Town Attorney, explained the process.

B.Russell asked why people are paying for water that do not have water.

K. Meers- asked which account would the Town use from in case of an emergency?

N. Oliver- Groncziak Rd.- Asked what other fiscal actions can you remove from Budget in case of emergencies?

Supervisor Kinowski explained his view but cannot answer for other Board Members.

With everyone having an opportunity to comment Supervisor Kinowski closed the public hearing at 7:36pm.

Public Hearing 2023 Budget

Purpose: To receive comments from the public on the 2023 Budget.

With no other comments Supervisor Kinowski closed the public hearing at 7:37pm.

Regular Meeting

Agenda Items

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| Resolution No. 93 | A Resolution Adopting LL No. 8 of 2022 to Override the Tax Cap |
| Resolution No. 94 | A Resolution Adopting the 2023 Budget |
| Resolution No. 95 | A Resolution Accepting Bids regarding the Public Safety Building |
| Resolution No. 96 | A Resolution Regarding Budget Adjustments |

2022 RESOLUTION NO. 93

A Resolution Adopting Local Law No. 8 of 2022

A Local Law to Override the Property Tax Cap

For the 2023 Budget

Introduced by: Supervisor

WHEREAS, effective in 2012, local governments are subject to a tax levy limitation as a result of the New York State Property Tax Cap Legislation set forth in General Municipal Law Article 2, §3-c; and

WHEREAS, there is a provision within the legislation that requires the Town to pass a local law by a 60% majority vote that states that it wishes to override said tax cap limit if the tax levy limit established by the preliminary budget will exceed the tax cap limit; and

WHEREAS, Paragraph 5 of §3-c of Article 2 of the General Municipal Law reads in full: “A local government may adopt a budget that requires a tax levy that is greater than the tax levy

limit for the coming fiscal year, not including any levy necessary to support the expenditures pursuant to subparagraphs (i) through (iv) of paragraph g of subdivision two of this section, only if the governing body of such local government first enacts, by a vote of sixty percent of the total voting power of such body, a local law to override such limit for such coming fiscal year only, or in the case of a district or fire district, a resolution, approved by a vote of sixty percent of the total voting power of such body, to override such limit for such coming fiscal year only.” And

WHEREAS, Supervisor Kinowski has recommended that a Local Law to Override the Property Tax Cap be adopted to exceed the tax cap of approximately two percent (2%) for the 2023 Budget; and

WHEREAS, a public hearing was held on November 3, 2022 at 7:00 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.

Now, therefore be it

RESOLVED, that Local Law No. 8 of 2022, a Local Law to Override the Property Tax Cap for the 2023 Budget is hereby approved.

Motion by Councilman D’Ambro, seconded by Councilman Baker, to Adopt Resolution No. 93 of 2022.1

A roll call was taken on Resolution No. 93 of 2022 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilwoman Vomacka	YES
Councilman D’Ambro	YES
Councilwoman Masterson	NO

Motion carried Resolution No. 93 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on November 3, 2022.

2022 RESOLUTION NO. 94
A Resolution Adopting the Budget for 2023

Introduced by: Supervisor Kinowski

WHEREAS, the Town Board proposed its Preliminary 2023 Budget at a Public Workshop and at a Public Hearing on November 3, 2022, where the Budget was reviewed and comments from the public were received;

Now, therefore be it

RESOLVED, that the final 2023 Budget, a copy of which is on file at both the Supervisor's office and the Town Clerk's office, is hereby approved.

Motion by Councilwoman Vomacka, seconded by Councilman Baker, to Adopt Resolution No. 94 of 2022.

A roll call was taken on Resolution No. 94 of 2022 as follows:

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

Motion carried Resolution No. 94 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on November 3, 2021.

2022 RESOLUTION NO. 95

A Resolution to Accept Bids Regarding the Public Safety Building Project

Introduced by: Supervisor _____

WHEREAS, by Resolutions 28, 31 and 80 of 2022 the Town Board previously accepted proposals for engineering, architectural and general contracting services regarding the proposed public safety building; and

WHEREAS, the Town Board previously rejected all bids for electrical and HVAC work via Resolution 80 on September 15, 2022; and

WHEREAS, renewed bids for the electrical and HVAC work were opened in October 2022.

NOW, therefore, be it

RESOLVED, that the Town Board hereby accepts the bid of Flex Electric for the Electrical Contract in an amount up to but not to exceed \$722, 224.00 as it was the lowest most responsible bidder, and authorizes the Supervisor to sign a contract reflecting the same; and be it further

RESOLVED, that the Town Board hereby accepts the bid of RMB Mechanical for the HVAC Contract in an amount up to but not to exceed \$880,000.00, as it was the lowest most responsible bidder, and authorizes the Supervisor to sign a contract reflecting the same; and be it further

Motion by Councilwoman Vomacka, seconded by Councilman Baker, to adopt Resolution No. 95 of 2022.

A roll call vote was taken on Resolution No. 95 of 2022 as follows:

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

BUDGET ADJUSTMENTS			
B 1440.443	Engineer Service	Agreement #16 labella GIS	15000.00
B -599	Fund Balance	Agreement #16 labella GIS	15000.00

Councilwoman Masterson	YES
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Resolution No. 95 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on November 3, 2022.

2022 RESOLUTION NO. 96
A Resolution Regarding
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 Town Board hereby approves the budget adjustments and transfers listed above.

Motion by Councilwoman Vomacka, seconded by Councilman Baker, to adopt Resolution No. 96 of 2022.

A roll call vote was taken on Resolution No. 96 of 2022 as follows:

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

Resolution No. 96 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on November 3, 2022.

A roll call was taken on Resolution No. 96 of 2022 as follows:

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

Motion carried. Resolution No. 93-96 of 2022 was adopted unanimously.

5.) Public Input-

K. Meers- East St. asked when will they get answers and how do we get on the agenda?

James Trainor stated the agenda is put on the website usually the day before. Contact the Building/Planning/Zoning Dept. to be placed on their agenda.

K. Carpenter- 21 Mitchell Rd.-

Resident introduced herself and read a letter to the public explaining the history of Stillwater and why she and other residents are upset about the Bo Crest project. She also stated that she started a petition and has 700 signatures thus far.

N. Oliver- requested a foil and wanted to know the correct wording to use on the form. It was explained to her that the information and instructions are on the back of the form. She expressed the answer she received “no such records exist”, is not an answer. It was explained that when requesting a Foil, you do not make or create documents for the information requested, you only make copies of what you have on file.

Amber- Hudson Ave.-

Stated a 3story building will bring a lot of children and who will pay the sewage system with septic issues.

Supervisor Kinowski stated it will benefit and reduce overall.

Joe Lanero, town engineer, expressed the septic project and said it will only utilize the project.

Ed Keiss from DeCresentee/Bo Crest was in attendance and offered to meet with any residents singly to review their properties and the engineers. His contact number is 518-281-3131

Rob McCoy, resident of Stillwater, questioned how this will benefit the town and is concerned with the numbers not making sense.

Supervisor Kinowski and Ed Keiss both stated the benefit is a rate provided to town at 1,000 per unit which will go to town and \$300,000.00 to the benefit is up front.

With no other public input, the Supervisor closed this public hearing at 8:45pm.

Jamal Williams thanked Ed Kinowski for explanations.

The Town Clerk presented the following reports for the Town Boards review. The Town Clerk's monthly report and the Financial Officer's report for the month of October 2022.

Audited Claims

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

General	\$15420.58
Town Outside	\$127027.05
Highway	\$11502.64
Water & Sewer	\$4841.03
Capital Projects	\$29.75
Trust & Agency	\$203.50

Motion carried.

Adjournment (Executive Session if Necessary)

Motion by Councilperson Chris D'Ambro and seconded by Councilperson Ellen Vomacka to adjourn the Town Board meeting at 8:46pm **Motion carried.**

Respectfully submitted by

Danielle Cowin
Stillwater Town Clerk