



TOWN OF STILLWATER

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

Town Board Meeting Minutes October 20, 2022 at 7:00 PM at Stillwater Town Hall

Present: Supervisor Ed Kinowski
Councilman Artie Baker- via Videoconference
Councilman Chris D'Ambro
Councilwoman Ellen Vomacka

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

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 Chris D'Ambro and seconded by Councilperson Ellen Vomacka to adopt the minutes of September 15, 2022. **Motion carried.**

Public Hearing Local Law- King's Isle PDD Phase III (LL #6)

Purpose: To receive comment from the public on the proposed Local Law #6

Public input- No public input

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

Public Hearing Local Law- Remote Board Meeting Attendance (LL #7)

Purpose: To receive comment from the public on the proposed Local Law #7

Public input- No public input

With everyone having an opportunity to comment Supervisor Kinowski closed the public hearing at 7:15pm

Regular Meeting

Agenda Items Resolutions #84-92

2022 RESOLUTION NO. 91

A Resolution Adopting Local Law No. 7 of 2022

A Local Law Authorizing Board Member Attendance by Videoconference

Introduced by: Supervisor

WHEREAS, the Town Board held a Public Hearing to obtain public comment on amending the Town Code to allow board members of all boards in the Town to attend remotely under certain circumstances; and

WHEREAS, the Open Meetings Law allows remote attendance of board members under limited circumstances, as described in the attached local law.

Now, therefore, be it

RESOLVED, that the Town Board hereby adopts Local Law No. 7 of 2022, a Local Law allowing remote attendance of board members; and be it further

Motion, by Councilman D'Ambro, seconded by Councilwoman Vomacka, to adopt Resolution No. 91 of 2022.

A roll call was taken on Resolution No. 91 of 2022 as follows:

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

Motion carried. Resolution No. 91 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on October 20, 2022

2022 RESOLUTION NO. 84

A Resolution Setting a Public Hearing Regarding Local Law No. 8 of 2022 A Local Law to Override the Property Tax Cap For the 2023 Budget

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 Public Hearing be set for taking public input on the proposed Local Law to Override the Property Tax Cap because it may be needed to exceed the tax cap of approximately two percent (2%) for the 2023 Budget;
Now, therefore be it

RESOLVED, that a public hearing is hereby scheduled for November 3, 2022 at 7:05 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; and be it further

RESOLVED, that Town Clerk is hereby directed to publish appropriate notice of the public hearing a minimum of five (5) days prior to the Public Hearing on November 3, 2022.

Motion by Councilman Baker, seconded by Councilwoman Vomacka, to Adopt Resolution No. 84 of 2022.

A roll call was taken on Resolution No. 84 of 2022 as follows:

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

Councilwoman Masterson

ABSENT

Motion carried. Resolution No. 84 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on October 20, 2022.

**2022 RESOLUTION NO. 85
A Resolution Setting a
Public Hearing Regarding the 2023 Budget**

Introduced by: _____ Supervisor

WHEREAS, Supervisor Kinowski has recommended that a Public Hearing be set for discussing and taking public input on the proposed 2023 Budget.

Now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for Thursday, 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 proposed 2023 Budget; and be it further

RESOLVED, that Town Clerk is hereby directed to publish appropriate notice of the public hearing.

Motion by Councilman Baker, seconded by Councilwoman Vomacka, to Adopt Resolution No. 85 of 2022.

A roll call was taken on Resolution No. 85 of 2022 as follows:

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

Resolution No. 85 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on October 20, 2022.

2022 RESOLUTION NO. 86 Resolution Regarding

Budget Adjustments

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

BUDGET IMPACT STATEMENT: as stated above

B 7140.100	Playground and Rec Salaries	Under budgeted	10000.00
B-599	Fund Balance	Under Budgeted	10000.00
SW 8340.461	Water Transmission	Budget Transfer	7638.00
SW8340.463	Water Transmission	Budget Transfer	810.00
SW 8340.464	Water Transmission	Budget Transfer	2100.00
SW 8340.465	Water Transmission	Budget Transfer	525.00
SW 8340.466	Water Transmission	Budget Transfer	2055
SW 8320.461	Water Source Operation	Budget Transfer	-7638.00
SW 8320.463	Water Source Operation	Budget Transfer	-810.00
SW 8320.464	Water Source Operation	Budget Transfer	-2100.00
SW 8320.465	Water Source Operation	Budget Transfer	-525.00
SW 8320.466	Water Source Operation	Budget Transfer	-2055.00
B 1620.46	Building Cont	Under Budgeted	-7000.00
B 7140-4682	Brown's Beach	Camera's	8770.00
B-599	Fund Balance Park & Rec	Camera's	8770.00

RESOLVED, that the above-mentioned budget transfers are hereby approved.

Motion by Councilman Baker, seconded by Councilwoman Vomacka, to Adopt Resolution No. 86 of 2022.

A roll call was taken on Resolution No. 86 of 2022 as follows:

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

Motion carried. Resolution No. 86 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on October 20, 2022.

2022 RESOLUTION NO. 87
A RESOLUTION SOLICITING BIDS FOR THE
EAST STREET NEIGHBORHOOD WATERMAIN REPLACEMENT PROJECT

WHEREAS, the East Street Watermain Replacement Project requires competitive bidding pursuant to General Municipal Law section 103; and

WHEREAS, the Clerk needs authorization to advertise for the bids.
Now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Town Clerk to advertise for bids for the East Street Watermain Replacement Project in accordance with the specifications in the attached Invitation to Bid.

Motion by Councilman Baker, seconded by Councilwoman Vomacka, to Adopt Resolution No. 87 of 2022.

A roll call was taken on Resolution No. 87 of 2022 as follows:

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

Motion carried. Resolution No. 87 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on October 20, 2022.

RESOLUTION No. 88 of 2022
A Resolution Supporting the Town of Malta to File a Grant
Application with the Hudson River Valley Greenway
to Fund Saratoga Lake Special Stormwater Protection Standards

WHEREAS on behalf of Saratoga Lake Protection and Improvement District, the Town of Malta is applying to the Hudson River Valley Greenway for a grant under the Hudson River Valley Greenway Planning Grant Program during the November 4, 2022, funding round for a project entitled *Saratoga Lake Special Stormwater Protection Standards* to be located in the towns of Malta, Stillwater, Saratoga, and City of Saratoga Springs; and

WHEREAS all four involved municipalities are official "Greenway" communities and therefore eligible to be part of the grant; and

WHEREAS the Town of Malta is requesting Hudson River Valley Greenway funds in the amount of \$15,000 which will be matched with \$15,000 shared by SLPID and the four involved municipalities, making the total project value at \$30,000.

NOW, THEREFORE, be it resolved that the governing board of the Town of Stillwater hereby does endorse the Town of Malta application for a grant under the Hudson River Valley Greenway Planning Grant Program, for a project known as *Saratoga Lake Special Stormwater Protection Standards*.

Motion by Councilman Baker, seconded by Councilwoman Vomacka, to Adopt Resolution No. 88 of 2022.

A roll call was taken on Resolution No. 85 of 2022 as follows:

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

Motion carried. Resolution No. 88 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on October 20, 2022.

2022 RESOLUTION NO. 89
A Resolution Making a SEQRA Determination
Regarding the King's Isle Phase III PDD

Introduced by: _____ Supervisor _____

WHEREAS, Bruce Tanski has submitted an application to establish the King's Isle Phase III PDD on the south side of NYS Route 67; and

WHEREAS, the applicants presented the project to the Town Board and a Public Hearing was held on and October 20, 2022, to consider the proposed PDD; and

WHEREAS, the Town Board has considered the factors enumerated in 6 NYCRR Part 617 (SEQRA), the Full Environmental Assessment Form, the Application, Site Development Plan, Project Narrative and Proposed Local Law, and each of the comments and documents submitted; and

Now, therefore, be it

RESOLVED, that the Town Board declares itself to be appropriate lead agency for the consideration of the planned development district, hereby accepts the Full Environmental Assessment Form prepared by the Applicant to support the King's Isle Phase III PDD and has considered the comments and documents, the environment and SEQRA factors contained in 6 NYCRR Part 617 and determines the PDD to be an Unlisted Action under SEQRA, determines that the project will not have a significant adverse impact on the environment, and hereby issues a Negative Declaration regarding the same.

Motion by Councilman Baker, seconded by Councilwoman Vomacka, to adopt Resolution No. 89 of 2022.

A roll call was taken on Resolution No. 89 of 2022 as follows:

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

Motion carried. Resolution No. 89 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on October 20, 2022.

2022 RESOLUTION NO. 90
A Resolution to Approve the King's Isle Phase III PDD and
Adopt Local Law No. 6 of 2022.

Introduced by: _____ Supervisor _____

WHEREAS, Bruce Tanski has submitted an application to establish the King's Isle Phase III PDD on the south side of NYS Route 67; and

WHEREAS, the applicants presented the project to the Town Board and a Public Hearing was held on October 20, 2022, to consider the proposed PDD; and

WHEREAS, the Full Environmental Assessment Form was duly considered and the Town Board previously determined in Resolution No. 89 of 2022 that there were no significant environmental impacts as a result of the adoption of the Local Law; and

WHEREAS, in considering the proposed action, the Town Board has considered several relevant and previous studies affecting the King's Isle Phase III PDD, including but not limited to, the following:

- 2001 Zoning Code (Local Law No. 1 of 2001) and amendments thereto;

- 2006 Town Comprehensive Plan;
- Town wide GEIS with incorporated environmental and traffic impact studies;
- Town Law Article 16 regarding zoning amendments;
- General Municipal Law Section 239-l and 239-m; and
- Application with Map, Narrative and FEAF;

Now therefore be it

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

RESOLVED, that the Town Board hereby adopts Local Law No. 6 of 2022, a Local Law Adopting the King’s Isle Phase III PDD; 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 PDD within 5 days pursuant to Article 16 of the Town’s Zoning Code and obtain Affidavits of Publication therefore; and be it further

RESOLVED, that the Town Clerk file a certified copy of Local Law No. 6 of 2022 with the New York Secretary of State within 20 days of its adoption and shall file a copy of the local law with the County Planning Agency and the Town Planning Board; 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 maintain a separate file for zoning changes, 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 Councilman Baker, seconded by Councilwoman Vomacka, to adopt Resolution No. 90 of 2022.

A roll call was taken on Resolution No. 90 of 2022 as follows:

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

Motion carried. Resolution No. 90 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on October 20, 2022.

**2022 RESOLUTION NO. 92
A Resolution Adopting Revised
Water Distribution System Standards Regulations**

Introduced by: Supervisor

WHEREAS Pursuant to Engagement Agreement 17 of 2022, Labella Associates has recommended that the existing Town Water Distribution System Standards and Details of the current systems be revised and formally adopted by the Town;

WHEREAS the revised standards are attached hereto.

Now, therefore, be it

RESOLVED, that the Town Board hereby classifies this as a Type II action under SEQRA and no further environmental review is needed; and be it further

RESOLVED, that the Town Board hereby adopts the attached Revised Water Distribution System Standards and Details.

Motion by Councilman Baker, seconded by Councilwoman Vomacka, to adopt Resolution No. 92 of 2022.

A roll call was taken on Resolution No. 92 of 2022 as follows:

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

Motion carried. Resolution No. 92 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on October 20, 2022.

Public Input- No input

Other Business

Ed Kinowski-

- Recognized our Town Assessor, Colleen Adamec for winning The Assessor's Outstanding Contribution Award. This was awarded to individual members of NYSAA actively serving as assessors who have made an outstanding contribution and have furthered the professional status of the assessor's role in real property tax administration and real estate appraising. Congratulations Colleen!
- Welcome aboard- Lloyd Moses our new Code Enforcement Officer in the Town of Stillwater Planning /Building Department. Lloyd has replaced Brandon Myers, who has retired.
- Mechanicville/Stillwater Chamber of Commerce and (IDA) Industrial Development Agency is looking for new Board members/members.

Matt Harris-

- Reminded Town of Stillwater residents to move basketball hoops off the side of the sidewalks for snowplowing this winter.

Danielle Cowin-

- Noted the summary of expenses for the 2022 Family Day. A post meeting was held for comments and suggestions and to start planning for Next year. It was decided by the committee to have the Family day for 1 day on a Saturday in September
- Family Day Photo Contest presented by the Town Clerks office was awarded to Mathew Bourns1 Matthew and his mom won a \$25 Amazon gift card.
- Family Day awards were presented to Scott Salvadore for Citizen of the Year and Rayleen Hammond for Volunteer of the Year. Congratulations!
- Attended the Mechanicville/Stillwater Chamber of Commerce Fall Festival event held on September 24th. on behalf of the town. Sand Art table was set up for the event.
- Stillwater Fall Festival presented by the Stillwater Library will be held on Saturday October 29th from noon- to 4pm. Town of Stillwater will have a table with arts n crafts and give out candy and Town giveaways.

- Stillwater Town Clean-up will be held Saturday October 22, 2022 for Stillwater residents. This will take place on Lansing Road at the Stillwater town garage from 7am-2pm.

Audited Claims

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

General	\$4611.21
Town Outside	\$8238.48
Highway	\$16402.85
Water	\$783.38
Sewer	\$75.50

Motion carried.

Adjournment

Motion by Councilperson D'Ambro and seconded by Councilperson Vomacka to adjourn the Town Board meeting at 7:15 pm and enter in executive session to discuss a litigation matter.

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

Respectfully submitted by

Danielle Cowin
Stillwater Town Clerk

DRAFT