



TOWN OF STILLWATER

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

Town Board Meeting Minutes September 15, 2022 7:00 PM at Stillwater Town Hall

Present: Supervisor Ed Kinowski
Councilman Artie Baker (via speakerphone)
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.

- 1). Supervisor Kinowski 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 D'Ambro and seconded by Councilperson Vomacka to adopt the minutes of August 18, 2022

Motion carried.

4.) **Agenda Items**

Resolutions 75-83

2022 RESOLUTION NO. 75

A Resolution making a SEQRA determination regarding The Dedication of Roads and Drainage Areas in the Cold Springs Road Cluster Subdivision

Introduced by: _____ Supervisor _____

WHEREAS, Luther Woods LLC wishes to dedicate Winterberry Lane, Mt. Laurel Lane and certain Drainage Areas to the Town; and

WHEREAS, the Town Board has compared the proposed action with the criteria for determining significance in SEQRA 6 NYCRR 617.7 and has duly considered the Short Environmental Assessment Form previously prepared by Applicant as part of its application.

Now, therefore, be it

RESOLVED, that the Town Board has determined that the proposed dedication of Winterberry Lane, Mt. Laurel Lane and certain Drainage Areas from Luther Woods LLC is an Unlisted action pursuant to 6 NYCRR Parts 617.2 and 617.3 (SEQRA), has determined that the Town Board should serve as Lead Agency for the dedication, finds pursuant to the criteria in Part 617.7 that the proposed action will not have an adverse environmental impact and hereby issues a negative declaration.

A motion by Councilman D’Ambro, seconded by Councilwoman Vomacka, to adopt Resolution No. 75 of 2022.

A roll call was taken on Resolution No. 75 of 2022 as follows:

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

Resolution No.75 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on September 15, 2022.

2022 RESOLUTION NO. 76

A Resolution Accepting Dedication of Winterberry Lane, Mt. Laurel Lane and Certain Drainage Areas in the Cold Springs Road Cluster Subdivision from Luther Woods LLC

Introduced: Supervisor Kinowski

WHEREAS, Luther Woods LLC has requested to dedicate certain roads to the Town of Stillwater to satisfy a condition of their subdivision approval; and

WHEREAS, the applicant has now substantially complied with the Town’s procedures for acceptance and dedication of roads and drainage areas as reviewed by the engineers and attorneys for the Town;

Now, therefore, be it

RESOLVED, that the Town accepts the dedication of Winterberry Lane, Mt. Laurel Lane and the associated drainage easements and stormwater management areas from Luther Woods LLC conditional upon the items on the Highway, Planning, Zoning and Building checklists, the legal review requirements, letter of credit and tax payments or escrows, being satisfied prior to the recording of the transfer documents; and be it further

RESOLVED, that the acceptance of this dedication of infrastructure and property shall be further subject to the approval of, and conditions required by, the Town Supervisor, and the Highway Superintendent as well as the engineers and attorneys for the Town as they deem appropriate; and be it further

RESOLVED, that the Supervisor is hereby authorized to sign and the attorneys and engineers to the Town are directed to prepare and file all necessary documents to effectuate the transfer of the roads and drainage areas specified herein.

A motion by Councilman D'Ambro, seconded by Councilwoman Vomacka, to adopt Resolution No. 76 of 2022.

A roll call was taken on Resolution No. 76 of 2022 as follows:

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

Resolution No. 76 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on September 15, 2022.

2022 RESOLUTION NO. 77
A Resolution Scheduling a Public Hearing to
Consider Local Law No. 6 of 2022
A Local Law Modifying the King's Isle Apartments of Stillwater
Planned Development District (Phase 6) and
Amending Local Law No. 1 of 2001 (Zoning)

Introduced by: Supervisor

WHEREAS, the Town Board wishes to schedule a Public Hearing to consider certain Modifications to the King's Isle Apartments of Stillwater PDD;

WHEREAS, Local Law No. 1 of 2001 of the Town of Stillwater entitled "Zoning" and the Zoning Map of the Town of Stillwater, as set forth and previously amended and supplemented, is proposed to be further amended by modifying the multi-family planned development district known and described as "Phase 6 of the King's Isle Apartments of Stillwater Planned Development District" and added to the Stillwater Town Code, Chapter 211 at the end thereof;

Now, therefore, be it

RESOLVED, that the Town Board hereby schedules a Public Hearing for October 20, 2022 at 7:00 p.m. at the Town Hall, 881 Hudson Avenue, Stillwater, New York to consider Local Law No. 6 of 2022, a Local Law Modifying the King's Isle Apartments of Stillwater

Planned Development District and Amending Local Law No. 1 of 2001 (Zoning) as provided in the project related submissions; and be it further

RESOLVED, that the Town Clerk is requested to publish appropriate notice of the Public Hearing in the Town's official newspaper.

A motion by Councilman D'Ambro, seconded by Councilwoman Vomacka, to adopt Resolution No. 77 of 2022.

A roll call was taken on Resolution No. 77 of 2022 as follows:

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

Resolution No. 77 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on September 15, 2022.

2022 RESOLUTION NO. 78
A Resolution Authorizing the Purchase of a
2023 TYMCO Model 600 Sweeper off NYS OGS Contract #122017

WHEREAS, Highway Superintendent Harris has requested to purchase a 2023 TYMCO Model 600 Sweeper off NYS OGS Contract #122017 out of 2023 BUDGET funds; and

WHEREAS, purchases of equipment listed in a NYS OGS contract are not subject to the public bidding requirements in General Municipal Law section 103; and

WHEREAS, the Highway Superintendent also recommends declaring an ELGIN crosswind sweeper VIN #JNAPC81L79AF75142 surplus and selling it by auction.

Now, therefore, be it

RESOLVED, that Highway Superintendent Harris is hereby authorized to purchase a 2023 TYMCO Model 600 Sweeper off NYS OGS Contract #122017 out of 2023 BUDGET funds not to exceed \$340,000.00; and be it further

RESOLVED, that the Town Board hereby declares surplus, and authorizes the sale by auction, of an ELGIN crosswind sweeper VIN #JNAPC81L79AF75142.

A motion by Councilperson D'Ambro, seconded by Councilperson Vomacka, to adopt Resolution No. 78 of 2022.

A roll call was taken on Resolution No. 78 of 2022 as follows:

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

Motion carried. Resolution No. 78 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on September 15, 2022.

2022 RESOLUTION NO. 79
A Resolution Authorizing Highway Superintendent
To Purchase a Hybrid Building for Sand and Salt Storage

WHEREAS, Highway Superintendent Harris has requested to purchase and install a HYBRID building and Precast walls for salt/sand storage from a Sourcewell contract.

WHEREAS purchases of equipment from Sourcewell are exempt from GML 103 competitive bidding requirements.

Now, therefore, be it

RESOLVED, that Highway Superintendent Harris is hereby authorized to purchase and install a HYBRID building and Precast walls for salt/sand storage from a Sourcewell contract for an amount not to exceed \$50,000.00 from 2022 budgeted funds.

A motion by Councilman D'Ambro, seconded by Councilwoman Vomacka, to adopt Resolution No. 79 of 2022.

A roll call was taken on Resolution No. 79 of 2022 as follows:

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

Resolution No. 79 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on September 15, 2022.

2022 RESOLUTION NO. 80
A Resolution to Accept and Reject Bids Regarding the Public Safety Building Project

Introduced by: Supervisor _____

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

WHEREAS, bids for the General Construction Contract and for plumbing, electrical and HVAC work were opened in September 2022 and it became apparent from some of the bid responses that the prices quoted were beyond the funds the Town had budgeted for the project.

NOW, therefore, be it

RESOLVED, that the Town Board hereby rejects all the bids submitted for the electrical and HVAC work proposed for the Project; and be it further

RESOLVED, that the Town Board hereby accepts the bid of Bunkoff General Contractors, Inc. for the General Construction Contract in an amount up to but not to exceed \$3,659,000.00, as it was the lowest most responsible bidder, and authorizes the Supervisor to sign a contract reflecting the same; and be it further

RESOLVED, that the Town Board hereby accepts the bid of Mazzone Plumbing and Heating for the Plumbing Contract in an amount up to but not to exceed \$327,863.00, 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 authorizes and directs the Town Clerk to re-advertise for the electrical and HVAC bids in accordance with the dates and clarified specifications provided by the Plank Company.

A motion by Councilman D'Ambro, seconded by Councilwoman Vomacka, to adopt Resolution No. 80 of 2022.

A roll call vote was taken on Resolution No. 80 of 2022 as follows:

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

Resolution No. 80 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on September 15, 2022.

**2022 RESOLUTION NO. 81 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

BUDGET ADJUSTMENTS			
A-1620.41	Building supplies & Mat	Ems and saac roof repair	10,000.00
A-599	Fund Balance	EMS and SAAC roof repair	10,000.00
B-1440.444	Attorney Contractual	Over budget	40000.00
B-599	Fund Balance	Over Budget	40000.00
A-1220.4	Supervisor Contractual	Ed's Laptop	1,025.00
A-1010.100	Town Board, Salaries	Ed's Laptop	-1,025.00
B-7180.41	Spec Recr Facil Marina Contractual	Increase in revenues	40,000.00
B-2025	Spec Recr Facil Income Marina	Increase in revenues	40,000.00

NOW, THEREFORE, BE IT

RESOLVED, that the above-specified budget transfer is hereby approved.

A motion by Councilman D'Ambro seconded by Councilwoman Vomacka to adopt Resolution No. 81 of 2022.

A roll call vote was taken on Resolution No. 81 of 2022 as follows:

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

2022 RESOLUTION NO. 82
A Resolution Scheduling a Public Hearing to
Consider Local Law No. 7 of 2022
A Local Law Authorizing Board Member Attendance by Videoconference

Introduced by: Supervisor _____

WHEREAS, the Town Board wishes to schedule a Public Hearing to consider 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 schedules a Public Hearing for October 20, 2022 at 7:00 p.m. at the Town Hall, 881 Hudson Avenue, Stillwater, New York to consider Local Law No. 7 of 2022, a Local Law allowing remote attendance of board members; and be it further

RESOLVED, that the Town Clerk is requested to publish appropriate notice of the Public Hearing in the Town's official newspaper.

A motion by Councilman D'Ambro, seconded by Councilwoman Vomacka, to adopt Resolution No. 82 of 2022.

A roll call was taken on Resolution No. 82 of 2022 as follows:

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

Resolution No. 82 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on September 15, 2022.

2022 RESOLUTION NO. 83
A Resolution to Authorize the Town Court to Apply for Funding

Introduced by: Supervisor _____

WHEREAS, the Town Court has requested authorization to apply for funding from the Justice Court Assistance Program ("JCAP"); and

WHEREAS, authorization from the Town Board is required to complete the Court's application for submission prior to the Town Board's next scheduled meeting.

NOW, therefore, be it

RESOLVED, that the Board of the Town of Stillwater authorizes the Stillwater Town Court to apply for a JCAP grant in the 2022-2023 grant cycle up to \$30,000.00.

A motion by Councilman D'Ambro, seconded by Councilwoman Vomacka, to adopt Resolution No. 83 of 2022.

A roll call vote was taken on Resolution No. 83 of 2022 as follows:

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

Resolution No. 83 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on September 15, 2022.

Danielle Cowin, Town Clerk

CERTIFICATION

I hereby certify that the Resolution designated as Resolution 83 of 2022 of the Town of Stillwater was duly adopted by the Town Board of the Town of Stillwater on September 15, 2022 in accordance with the applicable provisions of law.

I further certify that I have compared the preceding Resolution No. 83 of 2022 with the original Resolution on the file in this office, and that the same is a correct transcript therefrom and of the whole of such original Resolution, and that such Resolution was finally adopted by the Town Board of the Town of Stillwater on September 15, 2022.

Danielle Cowin, Town Clerk

(Seal)

STATE OF NEW YORK
COUNTY OF SARATOGA

I, the undersigned, hereby certify that the foregoing Resolution No. 83 of 2022 contains the correct text and that all proper proceedings have been had or taken for the enactment of the Resolution annexed hereto.

s/ James P. Trainor

James P. Trainor
Attorney for the Town of Stillwater
September 15, 2022

Motion carried. Resolution No. 75 through 83 of 2022 was adopted unanimously.

James Trainor stated that local meetings will allow remote attendance at board meetings. It's a change to the town code, and a public hearing will be scheduled on October 20, 2022 at 7pm at Town Hall in Stillwater NY.

The remote board member cannot be the quorum vote, they will need to be #4 or 5 and that the board member must be seen by the public. State allows to attend remotely if they have a disability.

Supervisor Kinowski- Budget adjustments and corrections are stated at the end of the year. If anyone would like a copy please request from the Town Clerks office.

PSB – Supervisor Kinowski spoke of the expenses and interest rates rising.

Valerie Masterson asked about the PSB increasing up to 5 million expense on the building.

Supervisor Kinowski answered: Main aspect is the ambulance building is in bad shape. Same thing with the police department's building needs to be expanded. Not enough room for current files and locker rooms etc. Court system needs more space as our building dept. is growing and they need more space for storage. Build the building for the future. It will build more space at the Highway Dept. and here at the Town Hall. Ambulance response time in new building will be equally the same.

James Trainer- Local Law #6 should be on Resolution 77 and Local Law #7 should be Resolution 82.

Town Budget- Councilwoman Masterson would like to add \$2500.00 for an Electronics' Day in the 2023 budget.

Upcoming meetings- Supervisor Kinowski and the Board agreed upon canceling the Oct. 6th meeting so the Board Members can attend the Economic Summit.

October 20th meeting will be the Working Budget meeting.

November – 1st meeting will be the preliminary voting on budget.
Budget workshops will start at 6pm as a special meeting before regular meetings.

Kinowski recognized Highway dept. for responding quickly to yesterday's water breaks.
A shout out to Clayton, Sue and Highway Dept. with doing a phenomenal job with the new playground on Riverside Park.

5.) Public Input-

Dick- Asked about update on building.
Looking to open end of July 2023. 4.5 million for 1.25% interest. In 2025, we have 2 bonds that will be due and when that happens, it will provide us with more money.

6.) Other Business

Family Day- Danielle and Ellen talked about the day. Family Started in 1979 by Dave Rathbun

Supervisor Kinowski will send out request on proposal to the Board for repairs on the SACC building. He also stated, Kudos to the SACC staff for saving the Gym floors!

Town Wide Clean-up day is here again and will be held on October 22nd at the Town Hall garage on Lansing Road in the village.

The Town Clerk presented the following reports for the Town Board to review. The Town Clerk's monthly report and the Financial Officer's report for the month of August 2022 is as follows:

7.) Audited Claims

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

September 7, 2022

General	\$ 14,535.10
Town Outside	\$ 38,866.97
Highway	\$ 7,502.77
Water & Sewer	\$ 197.17

Prepays

General	\$ 424.42
Town Outside	\$11,247.47
Highway	\$
Lighting	\$
Capital Projects	\$200.00

September 16, 2022

General	\$ 30,311.60
Town Outside	\$ 20,986.11

Highway	\$114,526.22
Water & Sewer	\$ 5,855.48

Prepays

General	\$ 19,169.50
Town Outside	\$ 6,679.58
Highway	\$ 34,074.30
Capital Projects	\$ 8,250.00
Water & Sewer	\$ 47,934.34
Trust & Agency Fund	\$ 7,697.50

Motion carried.

8.) Adjournment (Executive Session if Necessary)

Motion by Councilperson D'Ambro and seconded by Councilperson Vomacka to adjourn the Town Board meeting at 7:44pm.

Motion carried.

Respectfully submitted by

Danielle Cowin
Stillwater Town Clerk