



# TOWN OF STILLWATER

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

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## Town Board Meeting Minutes March 2, 2023 - 7:00 PM at Stillwater Town Hall

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

**Also Present:** Matt Harris, Superintendent of Highways  
Danielle Cowin, Town Clerk  
James Trainor, Attorney for the Town  
Joe Lanaro, Engineer for the Town

**Absent/Excused:** John Nett, Police Commissioner

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 Vomacka and seconded by Councilperson Masterson to adopt the minutes of February 16, 2023

**Motion carried.**

**Agenda Items** Resolutions No.-11-14 of 2023

### **Resolution No. 11 of 2023**

#### **A Resolution Authorizing the Highway Superintendent to Purchase a new Pickup Truck with Plow**

Introduced by: Supervisor

WHEREAS, Highway Superintendent Harris has requested to purchase a new Pickup truck with Plow off the Onondaga County Contract #00110808 at a purchase price not to exceed \$82,0000.00, as budgeted; and

WHEREAS, purchases of equipment listed in the Onondaga County – OGS contract are not subject to the public bidding requirements in General Municipal Law Section 103; and

Now, therefore, be it

RESOLVED, that Highway Superintendent Harris is hereby authorized to purchase a new Pickup truck with Plow off Onondaga County Contract #00110808 not to exceed \$82,0000.00, as budgeted.

**Motion by** Councilman D'Ambro, seconded by Councilwoman Vomacka, to adopt Resolution No. 11 of 2023.

A roll call vote was taken on Resolution No. 11 of 2023 as follows:

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

Resolution No. 11 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on March 2, 2023.

#### **Resolution No. 12 of 2023**

##### **A Resolution Authorizing An Emergency Expenditure to Repair the Roof of the Stillwater Area Community Center**

Introduced by: Supervisor

WHEREAS, the roof of the Stillwater Area Community Center needs an emergency repair to be done due to water leakage into the building; and

WHEREAS, LaBella Engineering has conducted a preliminary study to repair the roof leak.

NOW, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to sign LaBella Engagement Agreement #23 for \$13,700 to develop bid documents to be able solicit bids to perform emergency repairs on the roof at the Stillwater Area Community Center, and be it further

RESOLVED, that upon receiving the bid documents from LaBella Engineering, the Town Clerk is authorized to advertise for bids to undertake the repair work.

**Motion by** Councilman D'Ambro, seconded by Councilwoman Vomacka, to adopt Resolution No. 12 of 2023.

A roll call vote was taken on Resolution No. 12 of 2023 as follows:

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

Resolution No. 12 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on March 2, 2023.

<b>BUDGET ADJUSTMENTS/ TRANSFERS</b>			
<i>B- 9950.9</i>	<i>Transfer to Capital Project</i>	<i>To cover purchase of sweeper per resolution 78 09/15/2022</i>	<i>339,826.00</i>
<i>B-599</i>	<i>Fund Balance Parks &amp; Rec</i>	<i>To cover purchase of sweeper per resolution 78 09/15/2022</i>	<i>339,826.00</i>

**Resolution No. 13 of 2023**

**A Resolution Regarding Budget Adjustments**

Introduced by: Supervisor

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

NOW, therefore, be it

RESOLVED, that the Town Board hereby approves the above budget adjustments and transfers.

**Motion by** Councilman D'Ambro, seconded by Councilwoman Vomacka, to adopt Resolution No. 13 of 2023.

A roll call vote was taken on Resolution No. 13 of 2023 as follows:

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

Resolution No. 13 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on March 2, 2023.

**Resolution No. 14 of 2023**

**A Resolution Authorizing the Supervisor to Negotiate and Sign a Lease Agreement with Verizon Wireless for a Permanent 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 had telecommunications equipment on it owned and operated by Verizon Wireless (“VZW”) which needed 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, the Town Planning Board as Lead Agency has granted the permanent monopole project a Negative Declaration under SEQRA, Site Plan approval and a Special Use Permit.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby adopts the SEQRA determination of the Planning Board and authorizes the Supervisor to further negotiate and sign a 30-year Lease Agreement so Verizon Wireless can utilize a portion of the Town’s West Street property for a permanent monopole to replace their temporary monopole and continue providing cell service for the Town; and be it further

RESOLVED, that this Resolution authorizing the lease of Town real property is subject to a permissive referendum pursuant to NYS Town Law §§64 and 220; and be it further

RESOLVED, that the Town Clerk is hereby directed to publish a Notice of the Adoption of Resolution to enter into a Lease Agreement with Verizon Wireless in both the *Mechanicville Express* and the *Schenectady Gazette* as required by law.

**Motion by** Councilperson D’Ambro, seconded by Councilperson Vomacka, to adopt Resolution No. 14 of 2023.

A roll call was taken on Resolution No. 14 of 2023 as follows:

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

Resolution No. 14 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on March 2, 2023.

## **Public Input**

Mary Lou, reporter for the Express newspaper, asked about the exemptions for the volunteer services. Does the volunteer have to live and serve in the same municipality?

Supervisor Kinowski replied, assuming if the municipality passes it no, they can still get the discount even though they serve elsewhere. Towns will honor those that live in that town because they pay property taxes.

## **Other Business**

Supervisor Kinowski stated the lease for Verizon has changed and is extended. Our current lease is on the temporary pole. Verizon wanted to amend it, however, the new lease is permanent.

Stillwater Area Community Center- Supervisor Kinowski stated its time to get bids in for Spring. The engagement agreement is \$9500.00 for plans, deliverables is \$4200.00 for time and materials and hazardous is \$4250.00.

Councilperson Masterson questioned the resolution authorizing the repairs with no information on it. Discussion was held on the resolution. Supervisor Kinowski stated the resolution is for an engagement agreement, not the actual roof repair and it will not exceed \$13,700. Supervisor Kinowski asked for the Board to read their emails pertaining to the repairs.

Councilperson Masterson attended the last SACC board meeting. The SACC Board was concerned with the notice in the newsletter regarding the roof repairs for the Center. Parents whose children attend programs there were concerned about the safety of the building. Discussion was held regarding communications with the Center.

Moving forward, communication between the Town and the Board of Directors/Director will need to be addressed.

In the meantime, all communications regarding the building should be sent to the Director and the Board of Directors. We will also have discussions with the Community Center regarding getting financial reports and minutes of their Board Meetings and also having a Town Liaison possibly attend their meetings so we are aware of any issues or problems.

Councilperson Masterson also asked questions regarding the lease agreement with the Stillwater Community Center and requested to get an update on the expenditures for the repairs. She stated that the LaBella Building Condition Survey recommended that the Town should plan to budget approximately \$2.6 million on 10 years to upgrade and repair the building the newsletter that was sent out stated over \$6 million. Councilwoman Masterson would like a copy of the lease agreement to review it and bring to the Community Center Board's next meeting to discuss and review the agreement so we are all on the same page as to what their responsibilities are and what our responsibilities are. Councilperson Masterson also asked Attorney Trainor to take a look at it to determine what expectations there are from both parties.

Councilman D'Ambro suggested to draw up a new contract and start fresh. Councilwoman Masterson stated that was a good idea but we need a document to start the discussions. Attorney Trainor replied with we can come up with a plan-agreement.

In regards to the resolution with purchasing a new truck, it was noted that the truck was totaled and the insurance proceeds were \$46,000.00. It was purchased for \$35,000.00 therefore, we actually made out on this deal.

Supervisor Kinowski mentioned the lot line adjustments between 3 residents on Brickyard Road. The answer maybe to get a zoning variance.

Correction from last meeting minutes-

The letter read by Joe Lanaro regarding water quality/billing issues from the Glen Park Hollow neighborhood, mentioned water services and it was incorrectly named. The correct name is Saratoga Glenn Hollow Water Company.

**Audited Claims**

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 March 2, 2023.

Audited Claims.

General	\$26182.95
Town Outside	\$28505.94
Highway	\$90668.52
Water	\$ 515.36

**Prepays- March 2, 2023**

General	\$17078.74
Town Outside	\$ 5344.24
Highway	\$ 29022.88
Capital Projects	\$ 18898.50
Water & Sewer	\$ 1450.97
Trust & Agency	\$ 7439.87

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

**Motion carried.**

Adjournment

**Motion** by Councilperson Vomacka and seconded by Councilperson D'Ambro to adjourn the Town Board meeting at 7:55 pm and move into executive session for litigation purposes. The Town Board will not resume back into the regular Town Board meeting.

**Motion carried.**

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Danielle Cowin  
Stillwater Town Clerk