



TOWN OF STILLWATER

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

Town Board Meeting Minutes March 16, 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
John Nett, Police Commissioner

Absent/Excused:

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 D'Ambro to adopt the minutes of March 2, 2023.

Motion carried.

Agenda Items Public Hearing- Scenic View-PDD Amendments

After approval of the PDD in August of 2022, the applicant seeks to amend the PDD to allow sidewalks along County Route 76 instead of along the proposed Town Road inside the development and to allow the interior Town Rd to exceed the maximum grade of 7% up to 9.5%.

With no further public input, the public hearing closed at 7:10pm.

Resolutions No.15-17 of 2023

Resolution No. 17 was tabled for tonight to finalize the language regarding the exact location for the proposed sidewalk and the maintenance required for that sidewalk.

Resolution No. 15

**A Resolution Authorizing the Supervisor to
Sign LaBella Engineering Engagement Agreement #11 of 2023
to Provide Engineering Services for the Bemis Heights Historic Trail Project**

Introduced by: Supervisor _____

WHEREAS, LaBella Associates has presented the Town with 2023 Engagement Agreement #11 which is to authorize engineering services for the Bemis Heights Historic Trail Project in the involving the permitting and design of a multi-use trail along the Old Champlain Canal from the intersection of Price Road and Stratton Lane terminating at the Bemis Heights Pocket Park; and

WHEREAS, the project funding is provided by the Hudson Valley Greenway and Saratoga County Trails Grant Program; and

WHEREAS, the project will be designed to close a trail gap in the Champlain Canalway Trail/Empire State Trail, such that the trail, when completed, will move from its current location along Route 4 to an off-road location at Bemis Heights and will be approximately two miles long.

Now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to sign 2023 Engagement Agreement #11 with LaBella Associates to authorize design and permitting engineering services as needed for the Bemis Heights Historic Trail Project in the Town of Stillwater.

Motion by Councilwoman Vomacka, seconded by Councilman D'Ambro, to adopt Resolution No. 15 of 2023.

A roll call vote was taken on Resolution No. 15 of 2023 as follows:

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

Motion carried. Resolution No. 15 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on March 16, 2023.

Resolution No. 16

**A Resolution Making a SEQRA Determination
Regarding The Scenic View Estates PDD Amendments**

Introduced by: _____ Supervisor _____

WHEREAS, Scenic View Development, LLC submitted an application to the Town for an Amendment to the Scenic View PDD, which was originally approved by the Town Board in August, 2022; and

WHEREAS, a public hearing was held on March 16, 2023, at 7:00 p.m. at Town Hall 881 Hudson Avenue, Stillwater, New York, to receive comments from the public regarding the proposed Amendment to the Scenic View PDD; and

WHEREAS, the Town Board previously made a SEQRA Determination regarding this PDD in Resolution 68 of 2022 in August of 2022 and the proposed amendments do not otherwise affect the environment; 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.

Now, therefore, be it

RESOLVED, that the Town Board hereby accepts the Full Environmental Assessment Form prepared by the Applicant to support the Scenic View Estates PDD Amendment and has considered the comments and documents, the environment and SEQRA factors contained in 6 NYCRR Part 617 and determines the PDD Amendment to be an Unlisted Action under SEQRA, and hereby adopts the Town Board's prior SEQRA Determination contained in Resolution 68 of 2022, a copy of which is attached hereto.

Motion by Councilwoman Vomacka, seconded by Councilman D'Ambro, to adopt Resolution No. 16 of 2023.

A roll call was taken on Resolution No. 16 of 2023 as follows:

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

Motion carried. Resolution No. 16 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on March 16, 2023.

Resolution No. 17

A Resolution Adopting Local Law ___ of 2023, a Local Law Amending

Local Law No. 4 of 2022 Regarding the Scenic View Estates PDD

Introduced by: Supervisor

WHEREAS, Scenic View Development, LLC submitted an application to the Town for an Amendment to the Scenic View PDD, which was originally approved by the Town Board in August, 2022; and

WHEREAS, the application seeks to amend the Scenic View PDD to allow sidewalks along County Route 76 instead of along the proposed Town Road inside the development and to allow the new interior Town Road to exceed the maximum grade of 7% up to 9.5%; and

WHEREAS, a public hearing was held on March 16, 2023, at 7:00 p.m. at Town Hall, 881 Hudson Avenue, Stillwater, New York, to receive comments from the public regarding the proposed Amendment to Scenic View PDD; and

WHEREAS, the Full Environmental Assessment Form was duly considered and the Town Board previously determined in Resolution No. 16 of 2023 that there were no significant environmental impacts as a result of the adoption of the amendments.

Now therefore be it

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

RESOLVED, that the Town Board hereby adopts Local Law ___ of 2023, a local law amending Local Law No. 4 of 2022, regarding the Scenic View Estates PDD, conditioned upon the applicant being responsible for the maintenance of all sidewalks proposed as part of the PDD project;

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. ___ of 2023 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 Supervisor Kinowski, seconded by Councilwoman Vomacka, to TABLE Resolution No. 17 of 2023.

A roll call was taken to TABLE Resolution No. 17 of 2023 as follows:

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

Motion carried. Resolution No. 17 of 2023 was TABLED at a meeting of the Town Board of the Town of Stillwater duly conducted on March 16, 2023.

Public Input

MaryLou, reporter for The Express asked if there were any financial changes with the amendment. It was answer no. it is actually reducing from 9.5% to 7%.

Resident/Developer asked about connecting sidewalks from Scenic View to the village. Councilman D'Ambro stated the sidewalks come in pieces and will look into grants.

Jen, resident, concerned with no sidewalks from Glen Hollow Park down to the Stewarts on the lake. There are many kids that walk to the store on that busy road. And according to the plans there were supposed to be sidewalks added. She then suggested possibly a blinking light or flashing lights would be helpful.

Supervisor Kinowski stated the speed was reduced in that area and we can ask for signs and solar warning lights.

John Nett, police commissioner, is looking into more LED lighting around the town.

Other Business

Supervisor Kinowski spoke of the sidewalks and clean up during the winter weather. Homeowners are responsible to clean pathways however, some are not able to do so, physically or live alone. It is currently in the Town Code for homeowners to improve their sidewalks.

Councilperson D'Ambro stated less sidewalks and more road as it burdens some people physically and financially and would prefer to Town to plow.

Superintendent Harris was concerned with liabilities and ice in the winter.

Councilwoman Vomacka is in favor of sidewalks for safety and it slows down traffic.

Councilwoman Masterson stated that sidewalks are great for the safety of those walking but sometimes the homeowners are not able to clean them off and maybe we should research a way for the Town or Village to help those residents who are not able to do it or do not have the equipment when there is a heavy snowfall.

Supervisor Kinowski asked Town Attorney to find a way to amend Town Code basically by requirement to change the verbiage. He also added that this discussion will continue at the Capital Projects meeting in April.

Supervisor Kinowski shared an event coming up. The Riverside Park will hold an Opening Day Ceremony on Saturday April 1st at 11am. Pizza and ice cream will be served. Major contributors and volunteers are invited to attend. Paul Pecora is leading the teams called Stillwater Cannonballs. There are 4 teams aging between 8-12 years old. With that said, where do the kids go to after 12 years of age. Supervisor Kinowski attended the school baseball/softball committee meeting regarding the ballfield at the post 490 legion. This field is owned by the high school and has flooding issues. The town and school may work something out for sharing the use of this field.

Councilwoman Masterson questioned who will do all the engineering and is concerned with the constant wet fields and flooding. Supervisor Kinowski responded with the committee agrees working with the town to get it up and running or maybe shared services. This discussion will continue further at the Capital projects meeting.

Supervisor Kinowski also stated the middle school playground is being replaced and the current playground is still in great shape. The Town inspected it and would like to take it and place it somewhere in the town. He stated Town volunteers and the highway dept can disassemble it as we have place to store it. Possible place it at Browns Beach, Riverside or Riverfront parks.

Councilwoman Vomacka shared information on the Baker family's donation to the Blockhouse. There will be granite benches installed and plants to be planted. This process will begin in April.

Councilwoman Masterson will be attending the next SACC board meeting and would like to review the contract and is looking for feedback from the Town Board. She suggested we keep the rent at \$1.00 as long as the community center is continuing to provide programming for the village and town residents. Councilwoman Masterson asked about utilities and would like to review the documents semiannually along with the budget.

Town Clerk, Danielle Cowin stated the Town Wide Clean up day will be held on May 6, 2023 at the Town Garage from 7am-2pm. Residents must show proof of residence of town and or village of Stillwater.

Spring Concerts- Councilwoman Masterson and Danielle Cowin, Town Clerk are working with Sara Kipp, Library Director on coordinating 5 concerts this year. Sara Kipp and Resident,

Steve Wood are recruiting the bands. The dates, time and place are TBD. Councilwoman Masterson requested giving funds to the Library to help with the concerts in the amount of \$1,250. The Town Board Approved \$1,250.00 to use towards the events.

Audited Claims

The Town Clerk presented the following reports for the Town Board review. The Town Clerk's Monthly report and the Financial Officer's report for the month of December 2022. Audited Claims.

General	\$2493.46
Town Outside	\$1895.28
Highway	\$5679.49
Water	\$100.96
Lighting	\$1492.71
Trust/Agency	\$374.00

Motion by Councilperson Vomacka and seconded by Councilperson Masterson to pay the audited claims.

Motion carried.

Adjournment

Motion by Supervisor Kinowski and seconded by Councilwoman Vomacka to adjourn into executive session to discuss potential litigation and contract at 8:09 pm.

Motion carried.

(Note: The Town Board will not resume back into the regular Town Board meeting.)

Respectfully submitted by

Danielle Cowin
Stillwater Town Clerk