



# TOWN OF STILLWATER

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

## Town Board Meeting Minutes July 20, 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  
John Nett, Police Commissioner

**Absent/Excused:** Joe Lanaro, Engineer for the Town

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 D'Ambro and seconded by Councilperson Masterson to adopt the minutes of **June 15<sup>th</sup>**, & **21<sup>st</sup>** (special mtg) and **July 6<sup>th</sup>** (special mtg).

**Motion carried.**

**Agenda Items** PUBLIC HEARING -Formation of Water District 6, Extension 4  
A legal notice for the Public Hearing was printed in the local Express paper on July 6<sup>th</sup>.

**Public Input** None to be heard. Public Hearing was closed at 7:06pm

During the meeting, Councilman D'Ambro suggested that they dispense with the reading of the Resolutions/Resolved since everyone had already received a copy of it. The council members agreed.

Resolutions No.46-51 of 2023

### **RESOLUTION NO. 46 of 2023**

**A Resolution making a SEQRA determination regarding the Formation of Water District #6 Extension 4**

Introduced by: \_\_\_\_\_ Supervisor \_\_\_\_\_

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 LaBella Associates when the application was submitted; and

WHEREAS, the Map, Plan and Report dated June 12, 2023 indicates no significant environmental impacts as a result of the proposed water district extension formation; and

WHEREAS, a Public Hearing was conducted at the Town Board meeting on July 20, 2023, at which time the environmental impacts of the project were presented and discussed.

Now, therefore, be it

RESOLVED, that the Town Board as lead agency has determined that the proposed Formation of Water District 6, Extension 4 is an Unlisted Action pursuant to 6 NYCRR Part 617

(SEQRA) and finds pursuant to the criteria in Part 617.7 that the proposed action will not have a significant adverse environmental impact and hereby issues a negative declaration.

MOTION BY, Councilperson D’Ambro, seconded by Councilperson Vomacka, to adopt Resolution No. 46 of 2023.

A roll call was taken on Resolution No. 46 of 2023 as follows:

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

Resolution No. 46 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on July 20, 2023.

**RESOLUTION NO. 47 of 2023**  
**A Resolution Establishing Water District 6, Extension 4**

Introduced by: \_\_\_\_\_ Supervisor \_\_\_\_\_

WHEREAS, a Map Plan and Report, (“MPR”) dated June 12, 2023 signed and acknowledged by LaBella on behalf of The Town of Stillwater (the "Town"), and the developer of the King’s Isle Phase 6 PDD Amendment, (the "Development"), has been filed with the Town Clerk requesting the approval of a water extension to be known as Water District 6, Extension 4 (the "District") as more particularly described in the MPR attached hereto; and

WHEREAS, a certified copy of the order of this Board calling for a hearing thereon, which order is dated June 15, 2023, attached hereto and incorporated herein was duly published on notice by the Clerk as set forth in the Affidavit of Publishing and Posting; and

WHEREAS a Public Hearing was held at 7:00 PM at Town Hall, 881 Hudson Avenue, Stillwater, New York on July 20, 2023 to consider the formation and environmental impact of the district extension pursuant to Article 12-A of the NYS Town Law as described in the attached Notice of Hearing; and

WHEREAS, the Town Board as lead agency determined that the action is an Unlisted Action pursuant to 6 NYCRR Part 617 (SEQRA), found pursuant to the criteria in Part 617.7 that the proposed action will not have a significant adverse environmental impact, and issued a negative declaration; and

WHEREAS, the formation of the district extension is not subject to State Comptroller approval pursuant to §209-f of the New York State Town Law because the cost to the typical property is below the applicable threshold; and

WHEREAS, the Town Board has given due deliberation to the comments of the public presented and has determined that the formation of the district extension is in the public interest.

Now, therefore, be it

RESOLVED, the Town Board finds that the map, plan and report for the creation of the district extension in the Town is signed, approved, and acknowledged, as required by law, and is otherwise sufficient and complies with the provisions of Article 12-A of the New York Town Law; and it is further

RESOLVED, the Town Board finds that all of the property, property owners and interested persons within said proposed district extension are benefited thereby, and that all property or property owners benefited are included therein, and that no property or property owners or interested persons benefited thereby have been excluded therefrom; and it is further

RESOLVED, that the district extension be established in the Town, and will include those parcels of property set forth in the description contained in the map, plan and report; and it is further

RESOLVED, that the expense of constructing the infrastructure to be operated by the District shall be borne by the Developer of King's Isle, Phase 6 (Bruce Tanski), and he shall install all improvements to the Town's satisfaction prior to relinquishing control of the infrastructure to the Town; and it is further

RESOLVED, that once the infrastructure has been constructed by the Mr. Tanski and turned over to the Town, the cost for operating the district extension shall be assessed, levied and collected from the several lots and parcels of land within the said extension in proportion as nearly may be to the benefit which each lot or parcel of land in said extension will derive therefrom; and it is further

RESOLVED, that the creation of the proposed district extension is in the public interest as more particularly described in the MPR, and it is further;

RESOLVED, no property within the district extension shall be unduly burdened by the costs associated with the district extension; and it is further;

RESOLVED, the cost shall be assessed against the whole property, more particularly described in the MPR; and it is further

RESOLVED that this Resolution is subject to a permissive referendum pursuant to Article 7 and §209-e of the New York Town Law and the Town Clerk is directed to post and publish a Notice of Adoption of this Resolution in the Express within 10 days.

MOTION BY Councilperson D'Ambro, seconded by Councilperson Vomacka, to adopt Resolution No. 47 of 2023.

A roll call was taken on Resolution No. 47 of 2023 as follows:

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

Resolution No. 47 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on July 20, 2023.

#### **RESOLUTION NO. 48 of 2023**

#### **A Resolution Making a SEQRA Determination Regarding the Rain Garden Project**

WHEREAS, the Town of Stillwater Town Board ("Town Board") is requesting funding from the New York State Department of State (DOS) through the Consolidated Funding Application (CFA) process; and

WHEREAS, the project is subject to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Project is an Unlisted Action pursuant to Article 8 of the New York Environmental Conservation Law and Title 6 of the New York Code of Rules and Regulations, Part 617, known as the New York State Environmental Quality Review (SEQR) Act (collectively, the "Regulations"); and

WHEREAS, the Town of Stillwater has completed a Short Environmental Assessment Form (EAF) for the Project in compliance the Regulations; and

WHEREAS, the Town Board has reviewed Part 1 and Part 2 of the EAF; and

WHEREAS, the Town Board has considered all reasonably related long-term, short-term, and cumulative environmental effects associated with the proposed action including other simultaneous or subsequent actions; and

**WHEREAS**, the Town Board has compared the proposed action with the Criteria for Determining Significance in 6 NYCRR 617.7 and determined that no significant adverse impacts associated with the proposed action have been identified.

**NOW, THEREFORE, BE IT RESOLVED** that, through a review of the Environmental Assessment Form and consideration of the criteria in 6 NYCRR § 617.7(c), the Town Board concludes the action will not have a significant adverse impact on the environment and a corresponding Negative Declaration will be made, and

**BE IT FURTHER RESOLVED** that the Town Board hereby issues a Negative Declaration and that the Supervisor of the Town of Stillwater is hereby authorized to execute the Determination of Non-Significance.

**MOTION BY** Councilperson D’Ambro, seconded by Councilperson Vomacka, to adopt Resolution No. 48 of 2023.

A roll call was taken on Resolution No. 48 of 2023 as follows:

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

Resolution No. 48 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on July 20, 2023.

**RESOLUTION NO. 49 of 2023**

**A Resolution Authorizing Submission OF A NYS Department OF State Local Waterfront Revitalization Program Grant Application**

WHEREAS, the NYS Department of State (DOS) is accepting grant applications for the Local Waterfront Revitalization Program (LWRP) through the 2023 Consolidated Funding Application (CFA) process; and,

WHEREAS, the Town of Stillwater was awarded LWRP in 2019 to create a Saratoga Lake Water Quality Report for the portion of Saratoga Lake for which the Town has Lake frontage; and,

WHEREAS, the Town of Stillwater completed the Saratoga Lake Water Quality Report in January 2023, which included an analysis of the overall watershed characteristics, water sampling and testing, modeling and analysis of pollutant loads under several scenarios, and identification of sites that presented strong opportunities for pollutant reduction; and,

WHEREAS, the Town of Stillwater is now seeking LWRP funding through the 2023 CFA process to implement pollutant load reduction strategies mainly through the construction of rain gardens at Brown’s Beach and Glen Hollow Park, as well as signage educating the public about stormwater management and the importance of pollutant load reduction; and,

WHEREAS, the grant application process recommends that the governing body of the applicant authorize submission of the application and related actions;

**NOW, THEREFORE BE IT RESOLVED**, the Town of Stillwater hereby authorizes and directs the Supervisor to submit an application to DOS through the 2023 CFA process and to act in connection with the submission of the application, including execution of all required certifications and forms and to provide such additional information as may be required.

**MOTION BY** Councilperson D’Ambro, seconded by Councilperson Vomacka, to adopt Resolution No. 49 of 2023.

A roll call was taken on Resolution No. 49 of 2023 as follows:

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

Resolution No. 49 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on July 20, 2023.

**RESOLUTION NO. 50 of 2023**

**A Resolution Setting a Public Hearing to Consider Local Law No. (4), a Local Law Amending the Town Code Regarding Sidewalks**

Introduced by: Supervisor

WHEREAS, the Town Board is considering amending Section 176-23 of the Town Code governing sidewalks; and

WHEREAS, the attached draft of the Local Law amending the Code is attached hereto.

Now therefore be it

RESOLVED, that a public hearing is hereby scheduled for August 17, 2023 at 7:00 pm at the Stillwater Town Hall, 881 Hudson Avenue, Stillwater, NY to consider Local Law No. \_\_\_\_, a local law amending Town Code Section 176-23 regarding sidewalks; and be it further

RESOLVED, that the Town Clerk is requested to publish notice of the public hearing at least 5, but no more than 20, days before the public hearing in the Town's official newspaper.

MOTION BY Councilperson D'Ambro, seconded by Councilperson Vomacka, to adopt Resolution No. 50 of 2023.

A roll call was taken on Resolution No. 50 of 2023 as follows:

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

Resolution No. 50 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on July 20, 2023.

**RESOLUTION NO. 51 OF 2023**  
**Resolution Regarding Budget Adjustments**

<i>BUDGET ADJUSTMENTS/ TRANSFERS</i>			
<i>DUPLICATE ADJUSTMENT NEEDS TO BE REVERSED</i>			
<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>
<i>DB-5130.2</i>	<i>Machinery Equipment</i>	<i>Salt Shed to come from last year's budget ADJ</i>	<i>12,495.00</i>
<i>DB-599</i>	<i>Fund Balance</i>	<i>Salt Shed to come from last year's budget. ADJ</i>	<i>12,495.00</i>
<i>B 7510.4</i>	<i>Historian Contractual</i>	<i>Supplies underbudgeted</i>	<i>500.00</i>
<i>B-7140.461</i>	<i>Blockhouse</i>	<i>Supplies underbudgeted</i>	<i>-500</i>
<i>A 1680.4</i>	<i>Central Data Processing</i>	<i>New spyware</i>	<i>1650.00</i>
<i>A-599</i>	<i>Fund Balance</i>	<i>New Spyware</i>	<i>1650.00</i>
<i>SW-8340.466</i>	<i>Water Transmission #6</i>	<i>Meter purchases</i>	<i>10000.00</i>
<i>SW-2669</i>	<i>Sale of Equipment #6</i>	<i>Meter Purchases</i>	<i>10000.00</i>
<i>B 1440.444</i>	<i>Attorney Contractual</i>	<i>Additional Services</i>	<i>10000.00</i>
<i>B-599</i>	<i>Fund Balance</i>	<i>Additional Service</i>	<i>10000.00</i>

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

MOTION BY Councilperson D'Ambro, seconded by Councilperson Vomacka, to adopt Resolution No. 51 of 2023.

A roll call was taken on Resolution No. 51 of 2023 as follows:

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

Resolution No. 51 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on July 20, 2023.

**Public Input** None to be heard.

## **Other Business**

### **Councilwoman Masterson**

Emailed the Town Board a copy of the Stillwater Community Centers Lease and asked if they had any revisions. A few were suggested and will be submitted to Town Attorney Jim Trainor for editing.

Matt Harris, Highway Superintendent, and Councilwoman Masterson met again with the E-Waste Rep. The town will need to purchase a storage unit (approximately \$5800.00) or rent one for \$135.00 a month. The Board agreed to rent for a few months to see how it works out and then discuss at a later date the outcomes. This storage unit will be placed at the Town Hall after Supervisor Kinowski gets the approval from the Church. The Highway Dept. will man the Storage unit and Town Clerk Cowin and Councilwoman Masterson stated they would also volunteer if needed. Stipulations include registration with the DEC and sending annual report to them. The Board and superintendent discussed the when we would open the storage unit for disposal. It was suggested to open it for 1x a month on a Saturday to exclude the winter months. The town will pay for the rental and Highway dept will pay for the manpower. The Fire Dept. will need to be notified of this program. Supervisor Kinowski referred Councilwoman Masterson to make aware Anne Marie Hallum, Fiscal Manager, of the insurance policy that E-Waste will provide. We will need a Resolution in place for the next meeting to sign a contract with E-Waste on a yearly basis.

### **Police Commissioner, John Nett**

Stated moving forward, the police department will report monthly stats. John Nett read a synopsis for the month of June 2023. In addition, John shared a positive letter written from a local resident commenting on the Stillwater Police Dept. (see attached).

### **Town Clerk, Danielle Cowin**

Shared an estimate with the Board from Empire Exhibits Displays (local business in Mechanicville) to possible purchase a window scrim. This was previously discussed with Supervisor Kinowski and Town Clerk Cowin to purchase blinds of some sort on the front windows of the Town Hall to prevent the warmth from the sun coming in and fading of the rugs and furniture. Danielle passed around a piece of the material used to show the Board what it is made of. She will contact vendor and negotiate a little more on the price.

Mentioned the Attic Angels were hosting a Back-pack program and invited the Town to participate with either attending with a table of activities or donating a basket to raffle off at the event. It will be held at SACC on Saturday August 12<sup>th</sup>. The board agreed on donating some Browns Beach and Town of Stillwater items to make a basket for a raffle.

### **Supervisor Kinowski**

States there was heavy rain damage on some roads in Stillwater and there are funding opportunities that we should take advantage of.

Mentioned Cty. Rte. 75, Turning Point, who has some residents with a private sewer system (12 property owners) Sewer Commission is working on a plan where some costs will have to come from the owners and will need to be following the standard lines.

Discussed water quality of Browns Beach. Since we have opened the beach, our Town insures the beach & water quality are pristine. As a testament to that, we are the only ones testing for Ecoli and have been doing so since we opened in 2015. Our current water Quality concerns that began June 21st. are no different than EColi. When someone noted a light green substance along our beach, we all took immediate action. DOH initiated a call to me and our beach was closed for testing. However, since this first occurrence, I have been in contact with EPA, DOH, DEC, SLPID, County Soil & Water, 5Strand Corporation, numerous testing labs and read volumes of Internet data. DOH & DEC do not have defined testing procedures. They have performed 3 tests to date and missed handed them twice thus delaying our beach operations an extra day each. They will not provide training and seem to rely on pictures that do not show our conditions. Finally, when a HAB is suspected, our beach will be closed from 4 to 6 days due to their testing protocols.

The Trail system currently has 2 grants that are in progress. No action is needed as this time and the next meeting is scheduled for the end of September.

**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 July 2023.

Audited Claims.

General	\$ 12634.85
Town Outside	\$ 16092.05
Highway	\$123058.25
Water	<u>\$ 5239.83</u>
	\$157024.98

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

**Motion carried.**

Adjournment

**Motion** by Councilperson D'Ambro and seconded by Councilperson Masterson to adjourn into executive session to discuss a contractual item at 8:00 pm. **Motion carried.** (Note: The Town Board will not resume back into the regular Town Board meeting.)

Respectfully submitted by

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Danielle Cowin  
Stillwater Town Clerk