

Stillwater Town Board Meeting
Thursday~ August 17, 2023~ 7:00 PM
Stillwater Town Hall

Meeting Minutes

PLEASE NOTE: Public Hearings: Speakers are required to be recognized by the presiding officer and provide their full name and address. Speakers will be granted 3 minutes and are asked to refrain from repetitive comments. Please remain respectful at all times.

1. Call to Order & Pledge to the Flag
2. Roll call
3. Motion to adopt the meeting minutes of the July 20, 2023, Stillwater Town Board.
4. Agenda Items

PUBLIC HEARINGS/LOCAL LAWS

Local Law ____, amending the sidewalk law contained in Section 176-23 of the Town Code
(Set via Resolution 50 on July 20, 2023)

Darlene M, resident of Halfmoon stated she rides through our town and village on her Motorized bike and stated she would like the developer and sidewalks done at the same time.

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

RESOLUTIONS No. 52-56

- | | |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Resolution No. 52 | A Resolution Adopting Local Law 4 of 2023, a Local Law Amending Section 176-23 of the Town Code re: Sidewalks |
| Resolution No. 53 | A Resolution Authorizing the Supervisor to Sign a Rental Agreement for Disposal of Residents' Electronic Devices |
| Resolution No. 54 | A Resolution Accepting the Dedication of Two Parcels of Vacant Land from TDNI Properties |
| Resolution No. 55 | A Resolution Authorizing the Supervisor to Sign LaBella Engineering Engagement Agreement #23 of 2023 to Provide Engineering Services for the Community Center Re-roofing |
| Resolution No. 56 | Budget Adjustments |

Resolution No. 52

**A Resolution Adopting Local Law 4 of 2023, a Local Law Amending
Section 176-23 of the Town Code Regarding Sidewalks**

Introduced by: Supervisor

WHEREAS, a linkage study was conducted to help determine the best locations and policies for the construction and maintenance of sidewalks, multi-use pathways and trails within the Town; and

WHEREAS, it shall be the policy of this Town Board that, effective upon the adoption of this resolution, new applications for land development in the Town of Stillwater shall not be required to adhere to the sidewalk construction and maintenance requirements contained in Chapter 176, Article VI of the Subdivision Design Standards in the Stillwater Town Code, Section 176-23 Pedestrian ways, B, (1), and B (2). In lieu of the installation of sidewalks on local streets, developers shall be required to pay a fee equal to the cost of the installation of such sidewalks to be used by the Town for implementation of recommendations made as a result of the linkage study; and

WHEREAS, a public hearing was held on August 17, 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 Section 176.23 of the Town Code regarding sidewalks; and

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 4 of 2023, a local law amending Section 176.23 of the Town Code regarding sidewalks;

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 Local Law 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. 4 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 Councilperson D’Ambro, seconded by Councilperson Vomacka, to adopt Resolution No. 52 of 2023.

A roll call was taken on Resolution No. 52 of 2023 as follows:

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

Resolution No. 52 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on August 17, 2023.

Resolution No. 53

A Resolution Authorizing the Supervisor to Sign A Rental Agreement with E-waste+ Alliance Regarding Recycling Service Agreement

Introduced by: Supervisor

WHEREAS, the Town proposed a rental agreement with E-waste+ Alliance for the collection and recycling of electronic devices of the residents of the Town of Stillwater; and

WHEREAS, the Town Board wishes to partner with E-waste+ Alliance who have agreed register with NYS DEC as a collection site and facilitate the collection of electronic devices within all the guidelines set forth and covered entirely in their proposed Agreement;

Now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the attached Rental Agreement with E-waste+ Alliance for the term of twelve (12) months for the collection and recycling of electronic devices of the residents of the Town of Stillwater.

Motion by Councilperson D’Ambro, seconded by Councilperson Vomacka, to adopt Resolution No. 53 of 2023.

A roll call was taken on Resolution No. 53 of 2023 as follows:

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

Resolution No. 53 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on August 17, 2023.

Resolution No. 54

A Resolution Authorizing the Supervisor to Accept the Dedication of Two Parcels of Vacant Land from TDNI Properties

Introduced: Supervisor

WHEREAS, TDNI Properties has requested to dedicate two (2) parcels of vacant land located on County Route 76 in the Town of Stillwater and intended to be deeded to the Town of Stillwater as part of an Offer of Cession; and

WHEREAS, TDNI Properties, through their attorneys, have supplied the necessary documents for the transfer of the two parcels to the Town of Stillwater which has been reviewed by the attorneys for the Town;

Now, therefore, be it

RESOLVED, that the Town accepts the dedication of the two (2) vacant parcels of land located on County Route 76 in the Town of Stillwater, being satisfied prior to the recording of the transfer documents; and be it further

RESOLVED, that the acceptance of this dedication of two (2) parcels of vacant land have been deemed appropriate by the attorneys for the Town; and be it further

RESOLVED, that the Supervisor is hereby authorized to sign all necessary documents to effectuate the transfer of the two (2) parcels specified herein.

Motion by Councilperson D’Ambro, seconded by Councilperson Vomacka, to adopt Resolution No. 54 of 2023.

A roll call was taken on Resolution No. 54 of 2023 as follows:

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

Resolution No. 54 of 2022 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on August 17, 2023.

Resolution No. 55

A Resolution Authorizing the Supervisor to Sign LaBella Engineering Engagement Agreement #23 of 2023 to Provide Engineering Services for the Community Center Re-roofing

Introduced by: Supervisor

WHEREAS LaBella Associates has presented the Town with 2023 Engagement Agreement #23 which is to authorize additional engineering services as needed and directed by the Town for the project to re-roof the Community Center; and

WHEREAS the project will be designed to provide engineering services for the roof replacement project of the Community Center previously approved by Town.

Now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to sign 2023 Engagement Agreement #23 with LaBella to authorize additional engineering services as needed and directed by the Town for the project to re-roof the Community Center in the Town of Stillwater.

Motion by Councilperson D'Ambro, seconded by Councilperson Vomacka, to adopt Resolution No. 55 of 2023.

A roll call was taken on Resolution No. 55 of 2023 as follows:

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

Resolution No. 55 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on August 17, 2023.

Resolution No. 56

2023 RESOLUTION NO. 56 Resolution Regarding Budget Adjustments

Introduced by: Supervisor

<i>BUDGET ADJUSTMENTS/ TRANSFERS</i>			
<i>Sw-2669</i>	<i>Sales of Equipment #6</i>	<i>Increase budget</i>	<i>20,000.00</i>
<i>SW-8340.466</i>	<i>Water Trans & Distribution #6</i>	<i>Increase budget</i>	<i>20,000.00</i>
<i>B- 9950.9</i>	<i>Transfer to Capital Project</i>	<i>Additional needed for various capital projects</i>	<i>180,000.00</i>
<i>B-599</i>	<i>Transfer to capital projects</i>	<i>Additional needed for various capital projects</i>	<i>180,000.00</i>
<i>A-5010.4</i>	<i>Highway Contractual</i>	<i>Matt conferences</i>	<i>1000.00</i>
<i>A-5182.4</i>	<i>Street Lighting</i>	<i>Matt conferences</i>	<i>-1000.00</i>
<i>A 9050.8</i>	<i>Unemployment insurance</i>	<i>To cover additional expense for unemployment</i>	<i>600.00</i>
<i>A-9060.8</i>	<i>Hospitalization</i>	<i>Transfer to cover unemployment exp</i>	<i>-600.00</i>
<i>A-1620.462</i>	<i>Town Hall Rent</i>	<i>To cover increase in rent</i>	<i>1300.00</i>
<i>A 1620.41</i>	<i>Building supplies and materials</i>	<i>Purchase of new cameras at town hall and highway bldg. and new building signs</i>	<i>26600.00</i>
<i>A-599</i>	<i>Fund Balance</i>	<i>Purchase of new cameras at town hall and highway bldg. and new building signs</i>	<i>27900.00</i>
<i>SW-9950.9</i>	<i>Transfer to capital projects</i>	<i>East Street Main</i>	<i>279,024.03</i>
<i>SW-599</i>	<i>Fund Balance</i>	<i>East Street Main</i>	<i>279,024.03</i>

<i>B 1440.444</i>	<i>Attorney Contractual</i>	<i>Additional Services</i>	<i>20000.00</i>
<i>B-599</i>	<i>Fund Balance</i>	<i>Additional Service</i>	<i>20000.00</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. 56 of 2023.

A roll call was taken on Resolution No. 56 of 2023 as follows:

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

Resolution No. 56 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on August 17, 2023.

Public Input

Kevin B. asked how many acres of vacant land does Resolution #54 have, pertaining to. Accepting the Dedication of Two Parcels of Vacant Land from TDNI Properties.

Supervisor Kinowski responded with 19 acres.

Darlene M., resident from Halfmoon, commented on the Stillwater Highway Department for their great maintenance of our roads.

Other Business

Supervisor Kinowski-

Asked Councilperson Masterson to check on the size of the box truck that would come and collect the recycled electronics.

Stated the Town is looking for ways to inhibit the growth of blue algae on Browns Beach. The beach will close on Sunday September 3, 2023.

Outlined some the projects which have been built as the town was able to build up its fund balance to afford the projects. Some of them are the new Public Safety Building, the Tower on West Street and water lines on East Street.

Reported the National Park owns half the road and town owns other half of Lohnes Road. The national park service has a higher estimate than the towns engineer, LaBella. Details of the final cost will have to be worked out, which combined with the estimated \$1 million cost+ will mean the road will be closed for the remainder of this year.

Police Report-

John Nett, Police Commissioner, read the police report for July 2023. See report attached.

Town Clerk-

Danielle Cowin reported there have been an increase in marriage registrations this year. Hunting season is open. We are selling quite a bit of licenses.

Family Day is Saturday September 9, 2023, please share flyer with all family and friends.

Karen Gage-Ellsworth, resident of Stillwater/committee member of Mechanicville/Stillwater Breast Cancer walk, asked the Town Board to consider donating to this year's Breast Cancer Walk. Each Board member received an email and hard copy to review and respond.

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 months of June and July 2023

Audited Claims.

General	\$267469.38
Town Outside	\$127954.04
Capital Projects	\$2238013.85
Water	\$77657.01
Lighting	\$2201.06
Highway	\$86806.60
Trust and Agency	\$10403.00
TOTAL	\$2810504.94

Motion by Councilperson Vomacka and seconded by Councilperson D'Ambro to adjourn into executive session to discuss potential litigation at 7:40 pm. **Motion carried.** (Note: The Town Board will not resume back into the regular Town Board meeting.)

Next meeting is scheduled for September 21, 2023

Town of Stillwater Police Commission

Police Report for July 2023

Stillwater Police Department activities for the month of July 2023 as prepared by Chief Paul Pecor for distribution to the Town Board, the general public and to be posted in The Mechanicville Express

Patrol Miles	4638
Fuel Used	329
Complaints & Request for Service	97
Closed by Investigation	83
Open Cases	14
Follow Up Investigations	14
Arrests	6
Use of Force	0
Tickets Issued	27
Motor Vehicle Crashes	4
Assist Other Agencies	14
Property Checks Conducted	142
Special Events / Details	3
Meetings & Training	1
Request for Records	6
Portable Radar Unit Placement	1
Sexual Offenders Registered	11
Total Call for Services	286

Respectfully submitted,

John Nett
Police Commissioner
(Signed Copy on file)

NEW YORK STATE DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NEW YORK 12231

LOCAL LAW FILING

TOWN OF STILLWATER
LOCAL LAW NO. 4 OF 2023

1. Purpose: The purpose of this Local Law is to amend Town Code Chapter 176, § 176-23
“Pedestrianways”
2. The amendments are indicated below in underlined text.

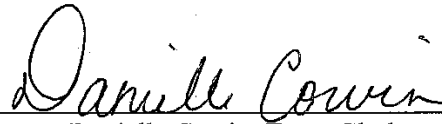
§176-23

- A. Sidewalks on collector roads. All streets designated as collector roads shall have, at a minimum, a five-foot wide sidewalk on both sides of the street. All such sidewalks shall be so placed that there will be a distance of three feet between the sidewalk and the street paving and a distance of four feet between the inner edge of the sidewalk and the right-of-way line. Planting of street trees will be permitted in the space between the sidewalk and the right-of-way line.
- B. Sidewalks on local streets. All local streets shall be provided with a sidewalk on one or both sides of the street, at the discretion of the planning board. Such sidewalks shall be located as follows:
 1. When a sidewalk is to be provided along only one side of a local street, the street paving shall be offset from the right-of-way center line by eight feet. The sidewalk shall be five feet in width and so placed that there will be a distance of three feet between the sidewalk and the street paving. Planting of street trees will be permitted in the space between the sidewalk and the right-of-way line only.
 2. When sidewalks are to be constructed along both sides of a local street, the street paving shall be centered within the right-of-way. Each sidewalk shall be five feet in width and so placed that there will be a distance of three feet between the sidewalk and the street paving. Planting of street trees will be permitted in the space between the sidewalk and the right-of-way line only.
- C. Community Benefit in Lieu of Installation. The Planning Board will have the option to, at its discretion, accept a monetary community benefit in lieu of requiring the installation of sidewalks as outlined in B (1) and B (2) of this Section. Funds collected can be used to help fund a town-wide pathway linkage study in the future or for placement of pedestrian ways in areas already designated by the Town as in need. This monetary contribution must be in an amount of no less than the amount it would cost the Town to install the sidewalks at the project location in order to meet current code specifications based on prevailing wages and other municipal requirements.

CERTIFICATION

I hereby certify that the local law designated as Local Law No. 4 of 2023 of the Town of Stillwater was duly adopted by the Town Board of the Town of Stillwater on Aug 17, 2023, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding Local Law No. 4 of 2023 with the original local law on the file in this office, and that the same is a correct transcript therefrom and of the whole of such original local law, and that such local law was finally adopted by the Town Board of the Town of Stillwater on Aug 17, 2023.

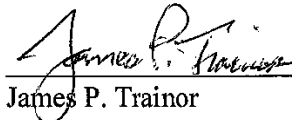


Danielle Cowin, Town Clerk

(Seal)

STATE OF NEW YORK
COUNTY OF SARATOGA

I, the undersigned, hereby certify that the foregoing Local Law No. ____ of 2023 contains the correct text and that all proper proceedings have been had or taken for the enactment of the Local Law annexed hereto.



James P. Trainor

Attorney for the Town of Stillwater

Sept 21, 2023