



# TOWN OF STILLWATER

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

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## Town Board Meeting Minutes November 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:** Danielle Cowin, Town Clerk  
James Trainor, Attorney for the Town  
Joe Lanaro, Engineer for the Town  
John Nett, Police Commissioner

**Absent/Excused:** Matt Harris, Superintendent of Highway

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 Chris D'Ambro and seconded by Councilperson Ellen Vomacka to adopt the minutes of November 2, 2023.

**Motion carried.**

### **Agenda Items**

Resolutions: #70 through #75

### **RESOLUTION NO. 70**

**A Resolution Authorizing Supervisor to Sign Memorandum of Agreement with CSEA  
Regarding the Highway Union Contract for 2024**

Introduced by: Supervisor

WHEREAS the existing CSEA union collective bargaining agreement for Local 846,  
Highway Employees, expires December 31, 2023; and

WHEREAS, the Town and Union representatives have negotiated a successor collective bargaining agreement which is captured in a Memorandum of Agreement for the period of January 1, 2024 through December 31, 2024, as described in the attachment hereto;

Now, therefore, be it

RESOLVED, that the Town Board hereby approves and authorizes the Supervisor to sign the attached Memorandum of Agreement with CSEA for the Town's Highway Local 846 Unit for the period of January 1, 2024 through December 31, 2024.

Motioned by Councilperson Masterson, seconded by Councilperson Vomacka to adopt Resolution No. 70 of 2023.

A roll call was taken on Resolution No. 70 of 2023 as follows:

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

Resolution No. 70 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on November 16, 2023.

#### **RESOLUTION NO. 71**

#### **A Resolution Authorizing the Purchase of Furnishings for the Public Safety Complex**

Introduced by: Supervisor

WHEREAS, the Town's new Public Safety Complex is nearing completion; and

WHEREAS, the agencies moving into the new building will need some additional furnishings to operate effectively, as described in the attachment hereto.

NOW, therefore, be it

RESOLVED, that the Supervisor is authorized to purchase up to \$54,000 of furnishings for the Public Safety Complex, to be appropriated from the Town's 2023 Fund Balance.

Motioned by Councilperson Masterson, seconded by Councilperson Vomacka to adopt Resolution No. 71 of 2023.

A roll call was taken on Resolution No. 71 of 2023 as follows:

|                     |     |
|---------------------|-----|
| Supervisor Kinowski | YES |
| Councilman Baker    | YES |

|                        |     |
|------------------------|-----|
| Councilwoman Vomacka   | YES |
| Councilman D'Ambro     | YES |
| Councilwoman Masterson | YES |

Resolution No. 71 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on November 16, 2023.

**RESOLUTION NO. 72 of 2023**

**A Resolution Authorizing the Supervisor to Sign LaBella Engineering Engagement Agreement #14 of 2023 Regarding an Open Space Plan for Stillwater**

Introduced by: Supervisor

WHEREAS LaBella Associates has presented the Town with 2023 Engagement Agreement #14 which is to authorize professional services to develop an Open Space Plan for the Town of Stillwater; and

WHEREAS the development of the Open Space Plan will cost the Town \$30,000.

Now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to sign the attached 2023 Engagement Agreement #14 with LaBella Associates to authorize professional services to develop an Open Space Plan for the Town of Stillwater.

Motioned by Councilperson Masterson, seconded by Councilperson Vomacka to adopt Resolution No. 72 of 2023.

A roll call was taken on Resolution No. 72 of 2023 as follows:

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

Resolution No. 72 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on November 16, 2023.

**RESOLUTION NO. 73 of 2023**

**A Resolution Approving the Carry Over of Balance of Unused Vacation Hours to 2024**

Introduced by: Supervisor

WHEREAS, the Town of Stillwater's Personnel Manual states that a request in writing must be made for approval to carry over the balance of 2023 vacation hours into the next year;

and

WHEREAS, due to increased workload and the extended hours some employees have not been able to take scheduled vacations and time off throughout the year; and

WHEREAS, the attached Memo to the Town Board states the employees' names and how many hours each employee is requesting to carry over from 2023 into 2024.

Now, therefore, be it

RESOLVED, that due to unused vacation hours during 2023, the Town Board hereby approves the carryover of the balance of unused vacation hours from 2023 into 2024 for the employees on the attached memorandum, subject to adjustments for any vacation hours taken between the adoption of this resolution and December 31, 2023.

Motioned by Councilperson Masterson, seconded by Councilperson Vomacka to adopt Resolution No. 73 of 2023.

A roll call was taken on Resolution No. 73 of 2023 as follows:

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

Resolution No. 73 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on November 16, 2023.

**RESOLUTION NO. 74 of 2023**

**A 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

| <i>BUDGET<br/>ADJUSTMENTS/<br/>TRANSFERS</i> |  |                          |                 |
|--|--|--------------------------|-----------------|
| <i>A-8510.4</i>                              | <i>Community Beautification</i>                  | <i>Budget transfer</i>   | <i>-1000.00</i> |
| <i>A-7550.4</i>                              | <i>Celebrations</i>                              | <i>Budget transfer</i>   | <i>1000.00</i>  |
| <i>B-1440-444</i>                            | <i>Attorney Fees</i>                             | <i>Budget adjustment</i> | <i>20000.00</i> |
| <i>B-599</i>                                 | <i>Fund balance</i>                              | <i>Budget adjustment</i> | <i>20000.00</i> |
| <i>SW-8340-466</i>                           | <i>Water transmission &amp;<br/>Distribution</i> | <i>Budget increase</i>   | <i>25000.00</i> |
| <i>SW-2669</i>                               | <i>Sale of Equipment #6</i>                      | <i>Budget Increase</i>   | <i>8000.00</i>  |
| <i>SW-2147</i>                               | <i>Metered Sales # 6</i>                         | <i>Budget Increase</i>   | <i>17000.00</i> |

NOW, therefore, be it

RESOLVED, that the foregoing budget adjustments and transfers are hereby approved.

Motioned by Councilperson Masterson, seconded by Councilperson Vomacka to adopt Resolution No. 74 of 2023.

A roll call was taken on Resolution No. 74 of 2023 as follows:

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

Resolution No. 74 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on November 16, 2023.

**RESOLUTION NO. 75 of 2023**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A LEGAL SERVICES AGREEMENT RELATED TO PFAS LITIGATION SERVICES**

WHEREAS, the Town of Stillwater (the “Town”) is committed to delivering clean drinking water to its customers; and

WHEREAS, the Town is also committed to identifying parties and taking reasonable steps to avoid passing on the costs to its consumers for the treatment and remediation of contamination; and

WHEREAS, LAW OFFICE OF ROBERT KING, PLLC and STAG LIUZZA, L.L.C. have assembled a team of uniquely qualified and experienced attorneys (the “Firms”) who have joined together to assist public entities facing the challenges posed by contamination with per- and polyfluoroalkyl substances (“PFAS”); and

WHEREAS, the Firms are comprised of experienced attorneys in both in PFAS litigation and in the representation of public entities and water system providers in cases involving groundwater contamination; and

WHEREAS, the Town has determined it to be in the Town’s best interest to enter into the Agreement with the Firms and pursue any claims it may have related to PFAS; and

WHEREAS, the Agreement is established under a contingency basis, ensuring that no costs will be incurred by the Town; and

WHEREAS, the Town desires to authorize the execution of the Retainer Agreement with the Firms;

NOW THEREFORE BE IT

RESOLVED that the Supervisor is hereby authorized to execute the Legal Services Agreement with the previously mentioned Firms.

Motioned by Councilperson Masterson, seconded by Councilperson Vomacka to adopt Resolution No. 75 of 2023.

A roll call was taken on Resolution No. 75 of 2023 as follows:

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

Resolution No. 75 of 2023 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on November 16, 2024.

Other Business

Attorney for the Town, Jim Trainor, noted in regards to Resolution #75, a class action litigation against municipalities for water handlers for an overclass settlement. Towns have 60 days to find out how much we can be entitled to. The town will not encounter any fees and it is recommended we be part of the litigation. See Resolution No. 75 for further details.

#### Supervisor Kinowski

Resolution #71 refers to furnishings needed for the public safety complex. A spreadsheet is in progress as to where the \$54,000.00 will go. With that, we were able to obtain free new tables, chairs and cabinets for the ambulance and police departments.

Flex Transportation is now available for Stillwater residents and under a trial period. FLEX provides connections to: Village of Stillwater, Mechanicville, Halfmoon, and Clifton Park Center, Halfmoon Town Park and more. Southern Saratoga Flex is free for a limited time. You must live in the Village to take advantage of this transportation or book your reservation for a pickup within the Village.

#### Public Hearings

Ed stated for any public hearings, we ask that residents send written comments to the Town Clerk for appropriate board reviews.

The 2024 Town Budget has been approved and finalized. A copy maybe obtained from the town clerks office or Supervisors office.

Arvin Hart voting to purchase a new bucket ladder truck was approved. Purpose of purchase is to service buildings in our area 3200 ft off the ground.

Councilperson Masterson spoke on enrollment for Stillwater School. Much discussion was held among the board with the growing population in Stillwater and the increase in enrollment.

#### Police Commissioner

John Nett read the October 2023 police report. See attached report for details. Congratulations to Sam Speziale newly hired as a Stillwater Police Officer, on his promotion to Police Investigator with the Saratoga County Sherriff's Department.

#### Public Input

Tom Mahoney form the Express newspaper asked about the PFAS and if this was a surprise to the town.

Supervisor Kinowski answered, it would be the towns best interest to pursue any claims especially at no cost.

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 the month of November 2023

General

\$8215.19

|                |             |
|----------------|-------------|
| Town Outside   | \$8791.80   |
| Highway        | \$120210.88 |
| Water & Sewer  | \$8131.98   |
| Trust & agency | \$34.25     |

Audited Claims

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

**Motion carried.**

**Motion** by Councilperson D'Ambro and seconded by Councilperson Masterson to adjourn the Town Board meeting at 8:02 pm

**Motion carried.**

Respectfully submitted by

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Danielle Cowin  
Stillwater Town Clerk



**Town of Stillwater Police Commission**  
Police Report for October 2023

Stillwater Police Department activities for the month of October 2023 for distribution to the Town Board, the general public and to be posted in The Mechanicville Express.

All officers have completed the required DCJS firearms training and qualification.

October 2023

|                                  |      |
|----------------------------------|------|
| Patrol Miles                     | 3746 |
| Fuel Used                        | 275  |
| Complaints & Request for Service | 65   |
| Closed by Investigation          | 62   |
| Open Cases                       | 3    |
| Follow Up Investigations         | 16   |
| Arrests                          | 11   |
| Use of Force                     | 0    |
| Tickets Issued                   | 27   |
| Motor Vehicle Crashes            | 6    |
| Assist Other Agencies            | 15   |
| Property Checks Conducted        | 179  |
| Special Events / Details         | 3    |
| Meetings & Training              | 5    |
| Request for Records              | 6    |
| Portable Radar Unit Placement    | 1    |
| Sexual Offenders Registered      | 1    |
| Total Call for Services          | 290  |

Respectfully submitted,



John Nett  
Police Commissioner  
(Signed Copy on file)