



TOWN OF STILLWATER

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

Town Board Meeting Minutes March 7, 2024 - 7:00 PM at Stillwater Town Hall

Present: Supervisor Ed Kinowski
Councilmember Artie Baker- via Zoom
Councilmember Chris D'Ambro
Councilmember Ellen Vomacka
Councilmember Jennifer Weaver

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: None

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 Councilmember Vomacka and seconded by Councilmember Baker to adopt the minutes of February 22, 2024.

Motion carried.

Agenda Items

Presentations

Malta/Stillwater Emergency Medical Services
Brown's Beach Snack Bar Services

Resolutions No. s 33, 34, 61 & Resolution No. s 12-15

Resolution No. 33 (Tabled) Making a SEQRA Determination Regarding its Proposed TDR Local Law
Resolution No. 34 (Tabled) Adopting Local Law ___ of 2023, a Local Law Adopting a Transfer of Development Rights Program for the Town of Stillwater
Resolution No. 61 (Tabled) A Resolution Authorizing the Supervisor to sign Ambulance Service Contract – Pending)

Malta/Stillwater EMS-

President of the Board of Directors, Peter Koltz and Executive Director Scott Skinner presented and reported they responded to the following: 4,100 requests for service, 2,980 transported to hospitals, all within a 6-minute average response time. With the increase among the ambulances, they face many challenges. For example, an ambulance now costs 25%

more than 2023. Within the industry there is 25% less EMT employees. In conjunction with ER's overcrowding, it leads to a longer turnaround time. Only 43% of bills are recovered by Malta-Stillwater, in which half of it is Medicare/Medicaid and reimbursement are at low level costs. By law, they have no means to collect the other half of balances due. Supervisor Kinowski thanked them for their services.

New Brown's Beach Snack bar services-

Owner of the Ugly Rooster Restaurants, Ariel Pagan, (partners Joe & John Starr) presented on opening up and operating the snack bar, which will be called Ugly Ice Cream. The plan is to open May 3 through October 6 from 10am-9pm, 7 days a week. Employees will be hired by him with having 8 part time workers. Besides the ice cream, hamburgers and hotdogs are just some of the menu items. Councilmember Vomacka will work with them on a contract.

Resolution No. 12

A Resolution Authorizing the Supervisor to Sign La Bella Engineering Engagement Agreement #11 of 2024 Regarding the George Thompson Tank Evaluation

Introduced by: Supervisor

WHEREAS upon the Supervisor's request, La Bella Associates presented the Town with 2024 Engagement Agreement #11, a copy of which is attached hereto, which is to authorize professional services to conduct an evaluation of the Town's George Thompson Water Tank; and

WHEREAS the Tank Evaluation is estimated to cost the Town \$11,050.

Now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to sign the attached 2024 Engagement Agreement #11 with La Bella Associates to conduct an Evaluation of the George Thompson Water Tank for the Town of Stillwater at an estimated cost of \$11,050.

A motion by Councilmember Baker, seconded by Councilmember Vomacka, to adopt Resolution No. 12 of 2024.

A roll call was taken on Resolution No. 12 of 2024 as follows:

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

Resolution No. 12 of 2024 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on March 7, 2024.

Resolution No. 13

A Resolution Providing Endorsement of a Saratoga Plan Application for a Saratoga County Open Space and Farmland Protection Grant for the Tanner Ridge Farm

Introduced by: Supervisor

WHEREAS, Tanner Ridge LLC, the owners of certain real property consisting of 47.1 ± acres of viable agricultural land in tax parcels 220.-1-33.11 and 220.-1-33.12, located at 22 County Route 423 in the Town of Stillwater, Saratoga County, New York, also known as Tanner Ridge Farm (the “Property”), desires to protect the Property for agricultural purposes by conveying a permanent conservation easement on the land; and

WHEREAS, the Property is in active agricultural production as Tanner Ridge Farm and features productive agricultural soils, including 42% Prime Soils and 22% Prime if Drained Soils, as defined by the U.S. Department of Agriculture Natural Resources Conservation Services; and

WHEREAS, the Property is located within Saratoga County’s Agricultural District 1, created pursuant to Article 25-AA of the New York State Agriculture and Markets Law (the “AML”). Section 300 states: “It is hereby found and declared that many of the agricultural lands in New York State are in jeopardy of being lost for any agricultural purposes. When nonagricultural development extends into farm areas, competition for limited resources results... it is, therefore, the declared policy of the state to conserve, protect and encourage the development and improvement of its agricultural land for production of food and other agricultural products... It is the purpose of this article to provide a locally initiated mechanism for the protection and enhancement of New York State’s agricultural lands as a viable segment of the local and state economies and as an economic and environmental resource of major importance.”; and

WHEREAS, Saratoga County adopted an *Agricultural and Farmland Protection Plan* in December 1997 that recommends supporting local farmland conservation projects by encouraging: “partnerships between landowners, local governments, private organizations, and county to leverage access to existing state and federal funds for purchase of development rights;” and by encouraging “landowners to learn more about private conservation options like conservation easements and promote public-private partnerships to expand these efforts”; and

WHEREAS, Saratoga County adopted a *Green Infrastructure Plan* in November 2006 that recommends the County to “Help county municipalities and other partners create protection priorities, goals, and strategies for the conservation of natural heritage” and create greenway corridors between natural system hubs, which the Property contributes to; and

WHEREAS, the Town of Stillwater adopted a *Comprehensive Plan* in July, 2006, updated in March 2021, stating goals to “... retain and strengthen its rural character and open space resources” and “promote further opportunities for agricultural economic development”, and recommends development right purchase and transfer programs in Section 3.6.3: Recommendations on page 113; and

WHEREAS, the Town of Stillwater adopted a *Farmland Protection and Green Infrastructure Plan* in December 2007 emphasizing the need to, “protect and enhance an unfragmented network of farmland, forests, wetlands, parks, and preserves...” and recommending the creation of a “local Purchase of Development Rights program”, outlined on page 36; and

WHEREAS, Saratoga PLAN is a New York not-for-profit corporation within the meaning of Article 49, Title 3 or the Environmental Conservation Law of the State of New York (together with any successor statute, the “ECL”), is organized for, among other purposes, conserving real property, is a tax exempt and qualified organization within the meaning of Sections 501(c)(3), 509(a) and 170(b)(1)(A)(vi) of the Internal Revenue Code (the “Code”), and is a “qualified organization” to accept, purchase, and hold conservation easements under Section 170(h) of the Code of Treasury Regulation Section 1.170A-14(c); and

WHEREAS, Saratoga PLAN determined that accepting an Easement on the Property will enhance the long-term agricultural values of the Property and promote the use of soil conservation practices, which will further Saratoga PLAN’s charitable purposes of protecting the distinctive rural character of Saratoga County and its lands and waters of a significant historic and ecological value; and

WHEREAS, Tanner Ridge LLC and Saratoga PLAN agree that the purpose of the agricultural conservation easement will be to conserve Viable Agricultural Land by preventing the conversion of the Property to non-farm uses. In achieving such prevention, the Property shall be forever reserved for continued Agricultural Use.

Now therefore before it,

RESOLVED that the Town of Stillwater Town Board endorses the submission of an application from Saratoga PLAN to the Saratoga County Farmland Protection and Open Space Grants Program for funding to Purchase Development Rights on the Tanner Ridge Farm Property and for a perpetual conservation easement; and be it further

RESOLVED that the Town of Stillwater agrees to contribute up to \$10,000 toward the purchase of the owner’s development rights as part of the project.

A motion by Councilmember Vomacka, seconded by Councilmember Baker, to adopt Resolution No. 13 of 2024.

A roll call was taken on Resolution No. 13 of 2024 as follows:

Supervisor Kinowski	ABSTAIN
Councilman Baker	YES
Councilwoman Vomacka	YES
Councilman D’Ambro	YES
Councilwoman Weaver	YES

Resolution No. 13 of 2024 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on March 7, 2024.

Resolution No. 14

A Resolution Providing Endorsement of a Saratoga Plan Application for a Saratoga County Open Space and Farmland Protection Grant for The Belfield Farm

Introduced by: Supervisor

WHEREAS, the Paul Belfield Supplemental Needs Testamentary Trust, owner of certain real property consisting of 98.92 ± acres of viable agricultural land in tax parcel 220.-1-38.11, located on Groncziak Road in the Town of Stillwater, Saratoga County, New York, also known as Belfield Farm (the “Property”), desires to protect the Property for agricultural purposes by conveying a permanent conservation easement on the land; and

WHEREAS, the Property is in active agricultural production as Werneburg-Belfield Farm and features productive agricultural soils, including 29% Prime Soils, 47% Soils of Statewide Importance and 19% Prime if Drained Soils, as defined by the U.S. Department of Agriculture Natural Resources Conservation Services; and

WHEREAS, the Property is located within Saratoga County’s Agricultural District 1, created pursuant to Article 25-AA of the New York State Agriculture and Markets Law (the “AML”). Section 300 states: “It is hereby found and declared that many of the agricultural lands in New York State are in jeopardy of being lost for any agricultural purposes. When nonagricultural development extends into farm areas, competition for limited resources results... it is, therefore, the declared policy of the state to conserve, protect and encourage the development and improvement of its agricultural land for production of food and other agricultural products... It is the purpose of this article to provide a locally initiated mechanism for the protection and enhancement of New York State’s agricultural lands as a viable segment of the local and state economies and as an economic and environmental resource of major importance.”; and

WHEREAS, Saratoga County adopted an *Agricultural and Farmland Protection Plan* in December 1997 that recommends supporting local farmland conservation projects by encouraging: “partnerships between landowners, local governments, private organizations, and county to leverage access to existing state and federal funds for purchase of development rights;” and by encouraging “landowners to learn more about private conservation options like conservation easements and promote public-private partnerships to expand these efforts”; and

WHEREAS, Saratoga County adopted a *Green Infrastructure Plan* in November 2006 that recommends the County to “Help County municipalities and other partners create protection priorities, goals, and strategies for the conservation of natural heritage” and create greenway corridors between natural system hubs, which the Property contributes to; and

WHEREAS, the Town of Stillwater adopted a *Comprehensive Plan* in July, 2006, updated in March 2021, stating goals to “... retain and strengthen its rural character and open space resources” and “promote further opportunities for agricultural economic development”, and recommends development right purchase and transfer programs in Section 3.6.3: Recommendations on page 113; and

WHEREAS, the Town of Stillwater adopted a *Farmland Protection and Green Infrastructure Plan* in December 2007 emphasizing the need to, “protect and enhance an unfragmented network of farmland, forests, wetlands, parks, and preserves...” and recommending the creation of a “local Purchase of Development Rights program”, outlined on page 36; and

WHEREAS, Saratoga PLAN is a New York not-for-profit corporation within the meaning of Article 49, Title 3 or the Environmental Conservation Law of the State of New York (together with any successor statute, the “ECL”), is organized for, among other purposes, conserving real property, is a tax exempt and qualified organization within the meaning of Sections 501(c)(3), 509(a) and

170(b)(1)(A)(vi) of the Internal Revenue Code (the “Code”), and is a “qualified organization” to accept, purchase, and hold conservation easements under Section 170(h) of the Code of Treasury Regulation Section 1.170A-14(c); and

WHEREAS, Saratoga PLAN determined that accepting an agricultural conservation easement on the Property will enhance the long-term agricultural values of the Property and promote the use of soil conservation practices, which will further Saratoga PLAN’s charitable purposes of protecting the distinctive rural character of Saratoga County and its lands and waters of a significant historic and ecological value; and

WHEREAS, the Paul Belfield Supplemental Needs Testamentary Trustees and Saratoga PLAN agree that the purpose of the agricultural conservation easement will be to conserve viable agricultural land by preventing the conversion of the Property to non-farm uses. In achieving such prevention, the Property shall be forever reserved for continued agricultural use.
Now therefore before it,

RESOLVED that the Town of Stillwater Town Board endorses the submission of an application from Saratoga PLAN to the Saratoga County Farmland Protection and Open Space Grants Program for funding to Purchase Development Rights on the Belfield Family Farm and for a perpetual conservation easement; and be it further

RESOLVED that the Town of Stillwater agrees to contribute up to \$100,000 toward the purchase of the owner’s development rights as part of the project.

A motion by Councilmember Baker, seconded by Councilmember Vomacka, to adopt Resolution No. 14 of 2024.

A roll call was taken on Resolution No. 14 of 2024 as follows:

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

Resolution No. 14 of 2024 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on March 7, 2024.

Resolution No. 15

A Resolution Adopting a New HRA Plan with MVP Health Insurance

Introduced by: Supervisor

WHEREAS, the Town’s existing Health Reimbursement Account (“HRA”) with MVP commenced on February 1, 2016; and

WHEREAS, the Town Board wishes to renew, restate and amend the terms of the HRA as proposed in the attachment hereto.

Now, therefore, be it

RESOLVED, that the form of the amended and restated Health Reimbursement Account Plan, effective February 1, 2024, presented to the Town Board at its regularly scheduled meeting and a copy of which is attached hereto, is hereby approved and adopted, and that the proper agents of the Town, as the Employer, are hereby authorized and directed to execute and deliver to the Administrator of the HRA one or more counterparts of the Plan; and be it further

RESOLVED, that the Administrator shall be instructed to take such actions that the Administrator deems necessary and proper in order to implement the Plan, and to set up adequate accounting and administrative procedures for the provision of benefits under the Plan; and be it further

RESOLVED, that the proper agents of the Town, as the Employer, shall act as soon as possible to notify the employees of the Town of the adoption of the Plan and to deliver to each employee a copy of the Summary Plan Description of the HRA, a copy of which is attached hereto and is hereby approved.

A motion by Councilmember Baker, seconded by Councilmember Vomacka, to adopt Resolution No. 15 of 2024.

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

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

Resolution No. 15 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on March 7, 2024.

Public Input Hearing None.

Other Business

Councilmember Weaver

Reported the Town Clean-up day is set for Saturday May 18th from 7am to 2pm.

Supervisor Kinowski

Stated in regards to resolutions # 13 and 14, the town will conduct the plans not Saratoga Plan and the Town attorney will do the closing. The town currently has \$425, 363.00 in the Open Space fund account.

Councilmembers D'Ambro and Weaver had questions pertaining to the amounts of the town's portions. Supervisor Kinowski explained the process. Much discussion was held.

Public Safety Complex Building Grand Opening is Wednesday March 27th at 2pm.

In the process of revising election polling places within the town by utilizing the PSC and the Post 490 Legion.

Fireworks are scheduled at Browns Beach for Saturday July 6th.

Town Clerk, Danielle Cowin

Family Day will be on Saturday September 14th at the Stillwater Post 490 Legion.

Police Commissioner, John Nett

Read the February police report. See attached.

Audited Claims

The Town Clerk presented the following for the Town Board's review. The Town Clerk's February report and the audited claims.

General	\$18278.62
Town Outside	\$22040.94
Highway	\$67094.84
Water	<u>\$ 2760.79</u>
	\$110175.19

Prepays for February

General A Fund	\$223521.28
General B Fund	\$ 68080.11
Highway	\$ 36051.61
Capital Projects	\$101307.86
Lighting	\$ 2254.28
Water/Sewer	\$ 2251.54
Trust & Agency Fund	<u>\$1023346.03</u>
	\$1456812.71

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

Motion carried.

Adjournment

Motion by Councilmember D'Ambro and seconded by Councilmember Weaver to adjourn the Town Board meeting at 8:12pm and go into Executive Session for litigation and contract obligation.

(Note the Board will not resume back into meeting).

Motion carried.

Respectfully submitted by,

Danielle Cowin, Stillwater Town Clerk



**TOWN OF STILLWATER, NEW YORK
POLICE COMMISSION**

Police Activities Report for February 2024

Stillwater Police Department Activities Report for distribution to the Town Board, the general public and to be posted in The Mechanicville Express

Patrol Miles	4773
Fuel Used	29.45
Complaints & Request for Service	78
Closed by Investigation	75
Open Cases	3
Follow Up Investigations	30
Arrests	22
Use of Force	0
Tickets Issued	47
Motor Vehicle Crashes	6
Assist Other Agencies	15
Property Checks Conducted	177
Special Events / Details	0
Meetings & Training	3
Request for Records	17
Portable Radar Unit Placement	0
Sexual Offenders Registered	1
Total Call for Services	310

Respectfully submitted,

John Nett
Police Commissioner
(Signed Copy on file)