



TOWN OF STILLWATER

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

Town Board Meeting Minutes April 18, 2024 - 7:00 PM at Stillwater Town Hall

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

Also Present: Matt Harris, Superintendent of Highways
Danielle Cowin, Town Clerk
James Trainor, Attorney for the Town

Absent/Excused: Joe Lanaro, Engineer for the Town
John Nett, Police Commissioner

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 D'Ambro and seconded by Councilmember Weaver to adopt the minutes of April 4, 2024

Motion carried.

Agenda Items

PUBLIC HEARINGS/LOCAL LAWS
Saratoga Pointe PDD Amendment

Resolution No. 33 of 2023 (Tabled 2023) Making a SEQRA Determination Regarding its Proposed TDR Local Law

Resolution No. 34 of 2023 (Tabled 2023) Adopting Local Law ___ of 2023, a Local Law Adopting a Transfer of Development Rights Program for the Town of Stillwater

Resolution No. 61 of 2023 (Tabled 2023) A Resolution Authorizing the Supervisor to sign Ambulance Service Contract – Pending)

NOTE: Tabled Resolutions can be brought to a vote during any meeting.

Resolutions 21-26 of 2024

- Resolution No. 21 SEQRA Finding re: Adopt Saratoga Pointe PDD Amendment
- Resolution No. 22 Adopt Local Law ___ of 2024 Amending the Saratoga Pointe PDD
- Resolution No. 23 Contract with The Express to Publish the Town’s Newsletter
- Resolution No. 24 Appointing Two BAR Members
- Resolution No. 25 Authorizing the Supervisor to Sign MOU Ending Force Litigation
- Resolution No. 26 Budget Transfers and Adjustments

Public Hearing:

Bruce Steves with Saratoga Law spoke to the public regarding Saratoga Pointe PDD Amendment. Mr. and Mrs. Fuery requested removal of a vacant land-locked parcel from the PDD. There is no record of why the parcel had been included in the original PDD and it does not appear to have been included in the open space. Mr. Fuery also owns a separate pre-existing non-conforming parcel with frontage on Route 9P. They plan to combine both parcels to create a conforming lot and build a home on the land. This removal will not result in any loss to the PDD but will instead take two pre-existing non-conforming parcels and create a conforming lot.

Lindsay Buck- Sr. Planner added that by combining the pre-existing, non-confirming lots, a conforming lot will be created. The County Planning Board stated ‘no significant impact’ and that if and driveway improvements were needed, they would need permits from DOT.

Resident of 22 Lake Pointe Lane, stated his concern that when they purchased their home, they were told it would stay naturally preserved and the value of his home would not be affected.

James Trainor, Attorney for the Town, responded that if the property was designated as it states then it states what it is and the open space will remain the same.

There being no further input from the public, the hearing is closed 7:17pm.

Resolution No. 21 A Resolution Making a SEQRA Determination Regarding the Saratoga Pointe PDD Amendments

Introduced by: _____ Supervisor _____

WHEREAS, Joseph and Leah Furey submitted an application to the Town for an Amendment to the Saratoga Pointe PDD to withdraw a previously subdivided vacant lot (SBL 219.5-1-3) from within the PDD boundaries in order to consolidate it with adjacent property they own; and

WHEREAS, the Town also wishes to update the PDD local law to reflect current Town Code fee requirements; and

WHEREAS, a public hearing was held on April 18, 2024 at 7:00 p.m. to receive comments from the applicant and the public regarding the proposed Amendments; and

WHEREAS, the Town Board previously made a comprehensive SEQRA Determination regarding this PDD in Resolutions 69-A and 69-B of 2010 on August 19, 2010, copies of which are attached hereto, and the proposed amendments do not otherwise affect the environment; and

WHEREAS, the Town Board has further considered the factors enumerated in 6 NYCRR Part 617 (SEQRA), the prior Full Environmental Assessment Form, the Application, the prior Site Development Plan, Project Narrative and Proposed Local Law changes, and each of the other comments and documents submitted.

Now, therefore, be it

RESOLVED, that the Town Board has considered the submitted comments and documents, the prior FEAF, the SEQRA factors contained in 6 NYCRR Part 617 and the Town Board's prior SEQRA Determination contained in Resolutions 69-A and 69-B of 2010 and determines that this PDD Amendment (Local Law 1 of 2024) is an Unlisted Action under SEQRA and issues a negative declaration with respect thereto.

A motion by Councilmember Vomacka, seconded by Councilmember D'Ambro, to adopt Resolution No. 21 of 2024.

A roll call was taken on Resolution No. 21 of 2024 as follows:

Supervisor Kinowski	YES
Councilmember Baker	YES
Councilmember Vomacka	YES
Councilmember D'Ambro	YES
Councilmember Weaver	YES

Resolution No. 21 of 2024 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on April 18, 2024.

Resolution No. 22 A Resolution Adopting Local Law 1 of 2024, a Local Law Amending Local Law No. 5 of 2010 Regarding the Saratoga Pointe PDD

Introduced by: Supervisor

WHEREAS Joseph and Leah Furey submitted an application to the Town for an Amendment to the Saratoga Pointe PDD to withdraw a previously subdivided vacant lot (SBL 219.5-1-3) from within the PDD boundaries in order to consolidate it with adjacent property they own; and

WHEREAS the Town also wishes to update the PDD local law to reflect current Town Code fee requirements; and

WHEREAS, a public hearing was held on April 18, 2024, at 7:00 p.m. to receive comments from the applicant and the public regarding the proposed Amendments; and

WHEREAS the Town Board previously made a SEQRA Determination regarding this Local Law and PDD Amendment in Resolution 21 of 2024; 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 ___ of 2024, a local law amending Local Law No. 5 of 2010 regarding the Saratoga Pointe PDD, conditioned upon the applicants recording a single deed consolidating the lot being removed from the PDD boundary (SBL 219.5-1-3) with their existing lot (SBL 206.17-3-20) within ninety (90) days hereof; and be it further

RESOLVED, that the developer of the Saratoga Pointe PDD be required to pay the fees provided in the current Town-wide GEIS in full for each Phase prior to any construction-related activity related to that phrase of the project; and be it further

RESOLVED, that the Town Clerk is to 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 2024 with the New York Secretary of State within 20 days of its adoption and 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).

A motion by Councilmember Vomacka, seconded by Councilmember D'Ambro, to adopt Resolution No. 22 of 2024.

A roll call was taken to adopt Resolution No. 22 of 2024as follows:

Supervisor Kinowski	YES
Councilmember Baker	YES
Councilmember Vomacka	YES
Councilmember D'Ambro	YES

Councilmember Weaver

YES

Resolution No. 22 of 2024 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on April 18, 2024.

Resolution No. 23 Resolution Authorizing the Supervisor to Negotiate and Sign a Contract with the Express Newspaper to Publish the Town’s Newsletter

Introduced by: Supervisor

WHEREAS the Express is a widely circulated newspaper within the Town and Village of Stillwater and the City of Mechanicville; and

WHEREAS the Town of Stillwater regularly prints and mails newsletters to Town residents at significant expense; and

WHEREAS, the Town Board has determined that the Express is able to circulate the contents of the Town’s newsletter more efficiently than town government.

Now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to negotiate and sign an Agreement with the Express Newspaper for the publication and distribution of the Town’s 2024 newsletter and related items for an amount not to exceed \$4000.

A motion by Councilmember Vomacka, seconded by Councilmember D’Ambro, to adopt Resolution No. 23 of 2024.

A roll call vote was taken on Resolution No. 23 of 2024 as follows:

Supervisor Kinowski	YES
Councilmember Baker	YES
Councilmember Vomacka	YES
Councilmember D’Ambro	YES
Councilmember Weaver	YES

Resolution No. 23 of 2024 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on April 18, 2024.

Resolution No. 24 A Resolution Appointing Two Members to the Board of Assessment Review

Introduced by: Supervisor

WHEREAS the Town Board wishes to appoint two new members to fill vacancies on the Board of Assessment Review; and

WHEREAS Andrew Krupski would be completing the unexpired term of Jennifer Weaver and would be appointed beginning on 04/01/2024 with the term ending on 09/30/2026; and

WHEREAS Frank Marshall would be completing the unexpired term of Judy Zeno and would be appointed beginning on 04/01/2024 with the term ending on 09/30/27.

Now, therefore, be it

RESOLVED, the Town Board hereby appoints Andrew Krupski and Frank Marshall to the Board of Assessment Review to complete the unexpired terms of Jennifer Weaver through 09/30/26 and Judy Zeno through 09/30/2027, respectively.

A motion by Councilmember Vomacka, seconded by Councilmember D'Ambro, to adopt Resolution No. 24 of 2024.

A roll call was taken on Resolution No. 24 of 2024 as follows:

Supervisor Kinowski	YES
Councilmember Baker	YES
Councilmember Vomacka	YES
Councilmember D'Ambro	YES
Councilmember Weaver	YES

Resolution No. 24 of 2024 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on April 18, 2024.

Resolution No. 25 A Resolution Authorizing the Supervisor to Sign a Memorandum of Understanding Ending the Force Litigation

Introduced by: Supervisor

WHEREAS Patrick Force filed a lawsuit for injuries he sustained at Brown's Beach in August of 2019; and

WHEREAS the Town subsequently commenced a lawsuit against its then insurance company for coverage of Mr. Force's accident; and

WHEREAS both lawsuits were recently settled using funds provided by several insurance companies and the insurance companies and the Town now wish to enter into the attached Memorandum of Understanding to bring both lawsuits to an end simultaneously.

Now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to sign the attached Memorandum of Understanding with the insurance companies providing funds to settle the Patrick Force litigation in order to end both lawsuits simultaneously.

A roll call was taken on Resolution No. 25 of 2024 as follows:

Supervisor Kinowski	YES
Councilmember Baker	YES
Councilmember Vomacka	YES
Councilmember D'Ambro	YES
Councilmember Weaver	YES

A motion by Councilmember Vomacka, seconded by Councilmember D'Ambro, to adopt Resolution No. 25 of 2024.

Resolution No. 25 of 2024 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on April 18, 2024.

Resolution No. 26 Resolution Regarding Budget Adjustments

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

Now, therefore, be it

200000.BUDGET ADJUSTMENTS/ TRANSFERS			
A 9950.9	Transfer to Capital Project Public Safety Bldg	Contractor Payments recently issued	190,000.00
A-599	Fund balance	Contract Payments recently issued	190,000.00
A 1620.41	Building	Underbudget	20,000.00
A-599	Fund Balance	Underbudget	20,000.00
DB -9089.8	Clothing Allowance	New employee	1000.00
DB-5148.4	Garage Contractual	New employee	-1000.00

RESOLVED, that the Town Board hereby approves the above-mentioned budget transfers and adjustments.

A motion by Councilmember Vomacka, seconded by Councilmember D'Ambro, to adopt Resolution No. 26 of 2024.

A roll call was taken on Resolution No. 26 of 2024 as follows:

Supervisor Kinowski	YES
Councilmember Baker	YES
Councilmember Vomacka	YES
Councilmember D'Ambro	YES
Councilmember Weaver	YES

Resolution No. 26 of 2024 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on April 18, 2024.

Public Input

A request from a family living on Graves Road presented to the board, a poster board presentation about a benefit run. They are asking permission to close the road for 90-120 minutes for a 1 mile run on Saturday June 1st. It is a family fun run called Run for your Lives! A benefit event for the deaf, elderly and autistic. Board approved with providing waivers of insurance for each participant.

Other Business

Councilmember Weaver read a letter aloud from resident, C. Slocum, requesting the Heroes banners in the town. Board members discussed the request and pointed out the upkeep and that the poles are owned by National Grid.

Councilmember Baker suggested using Veterans park in Frog Island for a place to display banners.

Councilmember Vomacka read aloud a report dated Jan- April 18, 2024, from the Building and Planning Department. See attached.

Highway Supervisor, Matt Harris, stated George Thompson Rd between Graves Road and Route 67 will be closed on Tuesday, April 23rd to replace a culvert pipe.

Supervisor Kinowski reported all Letters of Credit are up to date.

Audited Claims

The Town Clerk presented the following for the Town Board's review.

General	\$17500.62
Town Outside	\$10097.79
Highway	\$ 7984.68
Water	\$ 837.20

Prepays for April

General A Fund	\$32142.96
General B Fund	\$10380.34
Highway	\$ 39635.12
Capital Projects	\$ 2023.31
Lighting	\$ 1738.52
Water/Sewer	\$ 83512.97
Trust & Agency Fund	\$ 6574.40

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

Motion carried.

Adjournment

Motion by Councilmember Vomacka and seconded by Councilmember Weaver to adjourn into executive session to discuss town fees and SACC contract at 8:00 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

BUILDING, PLANNING AND DEVELOPMENT DEPARTMENT

Date 4/18/2024

QUARTERLY REPORT 1/1 THRU 4/18/ 2024

1. Building Department

i *Building Permits Received 42*

Increase in Permits from 2023 6

Building Permits Issued 48 (Some permits that were issued are from 2023)

Building Permits Canceled 0

Building Permits Not Issued 9

Building Permits Denied 1

Building Permits Waiting on Information 1

Building Permits Issued (Includes Burns Permits/Operating Permits)

Eric Rutland 21

Lloyd Moses 53

Paul Male 0

Building Permit Renewals 17

Burn Permits Issued (No Fee) 8

Certificates of Occupancy Issued 23

Certificate of Compliance Issued 13

Total Number of Complaints 13

Total Number of Building Inspections (Lloyd Moses) 124

Total Number of Building Inspections (Eric Rutland) 27

Total Number of Building Inspections (Paul Male) 0

Total Number of Construction Inspections (Not including Shared Facility Building)

Eric Rutland 9

Total Number of Fire Inspections (Eric Rutland/Lloyd Moses) 4

The Building Department has collected \$37,514.74

2. Planning Board (Planning Department)

i *Planning Applications Submitted 6*

Site Plans Received 2

Special Use Applications 0

Minor Subdivision Applications 1

Major Subdivision Applications 0

Lot Line Adjustments 2

PDD Application 1

Time Extension 1

Home Occupation (Reviewed Under Site Plan & Special Use Permit) 0

The Planning & Development Department has collected (Minus Public Hearing Fees) \$1,3.00

3. Zoning Board of Appeals (Planning Department)

i *Area Variances Received 0*

Area Variances Withdrawn 0

The Zoning Board of Appeals has collected \$0.00

4. Public Hearings

i *The Public Hearing fees that have been collected for 2023 \$53.04*

5. FOIL REQUEST

i *The Building, Planning & Development Department Received 16*

6. All Fees Associated with the GEIS Fee Schedule

i *The Building, Planning & Development Department has collected \$4,292.70*

7. Water Installation Fees Collected for the Highway Water Department by Sheila Silic Administrative Assistant to the Building Department

i *Revolutionary Heights (Camelot Associates) \$00.00*

Luther Woods (DeGraff Bloom) \$0.00

Olympia Gardens (Bordeau Builders) \$4,400.00

Stillwater Apartments (Blue Iron Construction) \$0.0

The Luther Forest Corp (White Plains LLC) \$.00

The Building Department has collected \$4,400.00

8. Fire Inspections

i *Fire Inspection (Eric Rutland/Lloyd Moses) 2*

The Building Department has collected \$225.00

9. Totals Collected for the Year

Name	Title	Date
Building Department	BUILDING PERMIT FEES COLLECTED FOR THE YEAR	\$37,514.75
Planning Board & Zoning Board of Appeals	PROJECTS & PUBLIC HEARING FEES COLLECTED FOR THE YEAR	\$1,300.00
Fire Inspections	TOTAL COLLECTED FOR THE YEAR	\$225.00
Building, Planning & Development Department (This Includes Fire Inspection Fees)	TOTAL COLLECTED FOR THE YEAR (Excluding Water Installation Fees & GEIS Fees)	\$1,300.00
GEIS Fees	TOTAL COLLECTED FOR THE YEAR	\$4,292.70
Building Department for Water Department (Highway)	WATER INSTALLATION FEES COLLECTED FOR THE YEAR	\$4,400.00