



# TOWN OF STILLWATER

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

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## Town Board Meeting Minutes September 19, 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:** Bill Doughty, Superintendent of Highways  
Barbara McManus, Deputy Town Clerk  
James Trainor, Attorney for the Town  
Joe Lanaro, Engineer for the Town  
John Nett, Police Commissioner

**Absent/Excused:** Danielle Cowin, Town Clerk

Supervisor Kinowski called the meeting to order and led everyone in the Pledge to the Flag.

Barbara McManus, Deputy Town Clerk, took the roll call.

### **Adoption of Minutes:**

**Motion** by Councilmember Weaver and seconded by Councilmember Baker to adopt the minutes of August 15, 2024.

### **Motion carried.**

Supervisor Kinowski requested to read Resolutions 48 through 52.  
Supervisor Kinowski pulled Resolution No. 50 for executive session.

Motion by Councilmember Baker seconded by Councilmember Vomacka to proceed with readings.

Supervisor Kinowski then asked to proceed with the Resolutions. Councilmember Weaver asked to wait as she wanted to discuss Resolutions 48 and 49.

Councilmember Weaver believes she was not given enough time or information to justify proceeding with the resolutions.

Supervisor Kinowski stated that the town had only recently learned of these grant monies and resolutions were needed to be passed to proceed in the future. Attorney Trainor also stated that

the state required the content of the resolution and they needed to be passed by September 30, 2024.

Discussion commenced.

**Agenda Items** Resolution No.48 of 2024 to Resolution 52 of 2024

**Resolution No. 48**

**A Resolution Regarding Being a Pro-Housing Community**

Introduced by: Town Supervisor

WHEREAS, the Town Board of the Town of Stillwater believes that the lack of housing for New York residents of all ages and income levels negatively impacts the future of New York State's economic growth and community well-being; and

WHEREAS, because a housing crisis has negative effects at regional and local levels, we believe that every community must do their part to contribute to housing growth and benefit from the positive impacts that a healthy housing market brings to communities; and

WHEREAS, we believe that supporting housing production of all kinds in our community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities; and

WHEREAS, we believe that evidence showing that infill development that reduces sprawl and supports walkable communities has significant environmental and public health benefits; and

WHEREAS, we believe that affirming fair housing and reducing segregation is not only required by law but is also essential for keeping our community strong and vibrant.

Now, therefore, it is hereby

RESOLVED that Town of Stillwater, in order to take positive steps to alleviate housing shortages, adopts the Pro-Housing Communities pledge, which will have us endeavor to take the following important steps:

1. Streamlining permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.
2. Adopting policies that affirmatively further fair housing.
3. Incorporating regional housing needs into planning decisions.
4. Increasing development capacity for residential uses.
5. Enacting policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

A motion by Councilmember Baker, seconded by Councilmember Vomacka, to adopt Resolution No. 48 of 2024.

A roll call was taken on Resolution No. 48 of 2024 as follows:

Supervisor Kinowski	YES
Councilmember Baker	YES
Councilmember Vomacka	YES
Councilmember D'Ambro	YES
Councilmember Weaver	NO

Resolution No. 48 of 2024 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on September 19, 2024.

### **Resolution No. 49**

#### **A Resolution Pledging to be a Climate Smart Community**

Introduced by: Town Supervisor

WHEREAS, the Town Board of the Town of Stillwater believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods, harm our farms, orchards, and ecological communities, including native fish and wildlife populations, spread invasive species and exotic diseases, reduce drinking water supplies and recreational opportunities, and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas emission reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were significantly reduced today, communities would still be required to adapt to the effects of climate change for decades to come.

Now, therefore, it is hereby

RESOLVED that Town of Stillwater, in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities pledge, which comprises the following ten elements:

- 1) Build a climate-smart community.
- 2) Inventory emissions, set goals, and plan for climate action.
- 3) Decrease energy use.
- 4) Shift to clean, renewable energy.
- 5) Use climate-smart materials management.
- 6) Implement climate-smart land use.
- 7) Enhance community resilience to climate change.
- 8) Support a green innovation economy.
- 9) Inform and inspire the public.
- 10) Engage in an evolving process of climate action.

A motion by Councilmember Baker, seconded by Councilmember Vomacka, to adopt Resolution No. 49 of 2024.

A roll call was taken on Resolution No. 49 of 2024 as follows:

Supervisor Kinowski	YES
Councilmember Baker	YES
Councilmember Vomacka	YES
Councilmember D'Ambro	YES
Councilmember Weaver	NO

Resolution No. 49 of 2024 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on September 19, 2024.

**Resolution No. 50 After Executive session- see below**

**Resolution No. 51**

**A Resolution Setting a Public Hearing Regarding the 2025 Budget**

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

WHEREAS, Supervisor Kinowski has recommended that a Public Hearing be set for discussing and taking public input on the proposed 2025 Budget.

Now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for Thursday, November 7, 2024, at 7:00 p.m. at Town Hall 881 Hudson Avenue, Stillwater, New York, to receive comments from the public regarding the proposed 2025 Budget; and be it further

RESOLVED, that Town Clerk is hereby directed to publish appropriate notice of the public hearing.

A motion by Councilmember Baker, seconded by Councilmember Vomacka, to adopt Resolution No. 51 of 2024.

A roll call was taken on Resolution No. 51 of 2024 as follows:

Supervisor Kinowski	YES
Councilmember Baker	YES
Councilmember Vomacka	YES
Councilmember D'Ambro	YES
Councilmember Weaver	NO

Resolution No. 51 of 2024 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on September 19, 2024.

**Resolution No. 52**

**A Resolution Setting a Public Hearing Regarding Local Law No. \_\_ of 2024 A Local Law to Override the Property Tax Cap For the 2025 Budget**

WHEREAS, effective in 2012, local governments are subject to a tax levy limitation as a result of the New York State Property Tax Cap Legislation set forth in General Municipal Law Article 2, §3-c; and

WHEREAS, there is a provision within the legislation that requires the Town to pass a local law by a 60% majority vote that states that it wishes to override said tax cap limit if the tax levy limit established by the preliminary budget will exceed the tax cap limit; and

WHEREAS, Paragraph 5 of §3-c of Article 2 of the General Municipal Law reads in full: “A local government may adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, not including any levy necessary to support the expenditures pursuant to subparagraphs (i) through (iv) of paragraph g of subdivision two of this section, only if the governing body of such local government first enacts, by a vote of sixty percent of the total voting power of such body, a local law to override such limit for such coming fiscal year only, or in the case of a district or fire district, a resolution, approved by a vote of sixty percent of the total voting power of such body, to override such limit for such coming fiscal year only.” And

WHEREAS, Supervisor Kinowski has recommended that a Public Hearing be set for taking public input on the proposed Local Law to Override the Property Tax Cap because it may be needed to exceed the tax cap of approximately two percent (2%) for the 2025 Budget. Now, therefore be it

RESOLVED, that a public hearing is hereby scheduled for November 7, 2024 at 7:05 p.m. at Town Hall 881 Hudson Avenue, Stillwater, New York, to receive comments from the public regarding the attached Local Law to Override the Tax Cap; and be it further

RESOLVED, that Town Clerk is hereby directed to publish appropriate notice of the public hearing a minimum of five (5) days prior to the Public Hearing.

A motion by Councilmember Baker, seconded by Councilmember Vomacka, to approve Resolution No. 52 of 2024.

A roll call was taken on Resolution No. 52 of 2024 as follows:

Supervisor Kinowski	YES
Councilmember Baker	YES
Councilmember Vomacka	YES
Councilmember D’Ambro	YES
Councilmember Weaver	NO

Resolution No. 52 of 2024 was approved at a meeting of the Town Board of the Town of Stillwater duly conducted on September 19, 2024.

### **Public Input**

R. Brammer 73 Kellogg Road asked about Resolution 48 and when it was beginning. Supervisor Kinowski explained it was for the future.

He also stated the purpose he was there was for his clogged ditch that’s filled with stone on 73 Kellogg Road.

P. Carney 81 Kellogg Road also inquired about the clogged ditch. Discussion was held.

Highway Superintendent Bill Doughty, said he was aware of the situation and would follow through.

**Other Business**

Councilmember Weaver stated that e-waste drop-off was very well received by the community. The two remaining dates are 9/28 and 10/19. Town wide cleanup is 10/12 for the Fall.

Superintendent of Highways, Bill Doughty stated that all the paving had been completed for this year.

Police commissioner John Nett submitted his report for the month of August. (see attached).

The Town Clerk presented the following for the Town Boards review.

**Audited Claims**

September 6	General	\$28499.91
	Town Outside	\$40220.19
	Highway	\$523937.58
	Water	\$4747.94

September 26	General	\$14947.04
	Town Outside	\$25092.90
	Highway	\$15682.27
	Water	\$2002.98

**Prepays for the month of August**

General A Fund	\$33,125.33
General B Fund	\$13611.90
Highway	\$40306.07
Capital Projects	\$33084.04
Lighting	\$1704.13
Water & Sewer	\$2698.91
Trust & Agency Fund	<u>\$12129.89</u>
	\$136660.27

**Motion** by Councilmember Baker and seconded by Councilmember D'Ambro to pay the audited claims.

**Motion carried.**

**Motion** by Councilmember Baker and seconded by Councilmember Vomacka to adjourn into executive session to discuss potential litigation and contract at 7:35 pm. **Motion carried.**

The Town Board went into Executive Session for litigation at 7:37 pm.

Supervisor Kinowski made the motion to resume the meeting seconded by Councilmember Vomacka at 8:46.

(Note: The Town Board will resume back into the regular Town Board meeting.)

Supervisor Kinowski requested to consider Resolution #50 as active.

Motion was made by Councilmember Vomacka and seconded by Councilmember D'Ambro.

**Resolution No. 50**

**A Resolution Authorizing the Supervisor to Sign an Agreement Regarding 19 Towpath Road**

Introduced by: Town Supervisor

WHEREAS, the owner of 19 Towpath Road recently began construction of a garage on top of the Town's drainage infrastructure and was issued a stop-work order to halt the construction; and

WHEREAS, the Town and the property owner have reached a proposed Agreement, annexed hereto, to allow the construction to continue while safeguarding the drainage infrastructure and granting the Town an easement over the property.

Now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the attached Agreement with the owner of 19 Towpath Road to lift the stop-work order, safeguard the drainage infrastructure and grant the Town an easement over the property.

A motion by Councilmember Vomacka, seconded by Councilmember D'Ambro, to adopt Resolution No. 50 of 2024.

A roll call was taken on Resolution No. 50 of 2024 as follows:

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

Resolution No. 50 of 2024 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on September 19, 2024.

Adjournment

**Motion** by Councilmember Vomacka and seconded by Councilmember D'Ambro to adjourn the Town Board meeting at 8:45 pm **Motion carried.**

Respectfully submitted by,

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Barbara McManus, Deputy Town Clerk



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

**Police Activities Report for August 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	4730
Fuel Used	405
Complaints & Request for Service	83
Closed by Investigation	82
Open Cases	1
Follow Up Investigations	12
Arrests	16
Use of Force	0
Tickets Issued	31
Motor Vehicle Crashes	5
Assist Other Agencies	20
Property Checks Conducted	146
Special Events / Details	3
Meetings & Training	3
Request for Records	17
Portable Radar Unit Placement	2
Sexual Offenders Registered	3
Total Call for Services	275

Respectfully submitted,

John Nett  
Police Commissioner  
(Signed Copy on file)