



TOWN OF STILLWATER

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

Town Board Meeting Minutes November 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: Bill Doughty, Superintendent of Highways
Danielle Cowin, Town Clerk
James Trainor, Attorney for the Town
Joe Lanaro, Engineer for the Town
John Nett, Police Commissioner
Anne Marie Hallum, Fiscal Manager of the Town

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 D'Ambro to adopt the minutes of October 17, 2024.

Motion carried.

Agenda Items Resolutions No 58-60 of 2024
Public Hearings & Local Laws
1. Tax Cap Override Local Law 2. 2025 Budget Public Hearing

Supervisor Kinowski started the meeting with explaining the reasoning of the tax cap override. He indicated the tax rates will be increased 30 cents per 1,000 of assessment for the A fund and 20 cents for the DB funds.

Resolution No. 58 Resolution to Ratify Supervisor's Signing of La Bella's Engagement Agreements No. 18 and 19

Introduced by: Supervisor Kinowski

WHEREAS upon the Supervisor's request, LaBella Associates presented the Town with 2024 Engagement Agreements 18 and 19, copies of which are attached hereto, to authorize professional services regarding the Blockhouse Structural Assessment and Flintlock Way Subdivision Construction Observation and Dedication Support; and

WHEREAS the professional services described in the Agreement are to be provided at a cost of \$1800 and \$79,875, respectively.

Now, therefore, be it

RESOLVED, that the Town Board hereby ratifies the Supervisor's prior signature of the attached 2024 Engagement Agreements 18 and 19 with LaBella Associates to provide professional services related to the Blockhouse Structural Assessment and Flintlock Way Subdivision Construction Observation and Dedication Support, at a cost of \$1800 and \$79,875, respectively.

A motion by Councilmember D'Ambro, seconded by Councilmember Vomacka, to adopt Resolution No. 59 of 2024.

A roll call was taken on Resolution No. 58 of 2024 as follows:

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

Resolution No. 58 of 2024 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on November 7, 2024.

Resolution No. 59 Resolution to Adopt Local Law 2 of 2024, a Local Law Overriding the Tax Cap

Introduced by: Supervisor Kinowski

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 Local Law to Override the Property Tax Cap be adopted to exceed the tax cap of approximately two percent (2%) for the 2025 Budget; and

WHEREAS, a public hearing was held on 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 attached Local Law to Override the Tax Cap.

Now, therefore be it

RESOLVED, that Local Law No. 2 of 2024, a Local Law to Override the Property Tax Cap for the 2025 Budget, is hereby approved.

A motion by Councilmember D’Ambro, seconded by Councilmember Vomacka, to adopt Resolution No. 59 of 2024.

A roll call was taken on Resolution No. 59 of 2024 as follows:

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

Resolution No. 59 of 2024 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on November 7, 2024.

Resolution No. 60 Resolution Adopting the 2025 Town Budget

Introduced by: Supervisor Kinowski

WHEREAS, the Town Board proposed its Preliminary 2025 Budget at a Public Workshop and at a Public Hearing on November 7, 2024, where the Budget was reviewed and comments from the public were solicited;

Now, therefore be it

RESOLVED, that the Preliminary Budget, a copy of which is on file at both the Supervisor’s office and the Town Clerk’s office, shall become the Final 2025 Budget and is hereby approved.

A motion by Councilmember D’Ambro, seconded by Councilmember Vomacka, to adopt Resolution No. 60 of 2024.

A roll call was taken on Resolution No. 60 of 2024 as follows:

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

Resolution No. 60 of 2024 was adopted at a meeting of the Town Board of the Town of Stillwater duly conducted on November 7, 2024.

Public Hearing -Tax Cap Override /Local Law

Jeff Erno, resident of 68 Fitch Road, questioned, "What is the sense of a tax cap?"
Supervisor Kinowski answered, "per state local law, tax cap needs to be placed in the budget each year."

Karen Adelman- resident of 23 Walden Circle questioned, "What is driving the 2% tax cap?".
Supervisor Kinowski answered, "new employees, increase in health insurance, cost of materials has increased."

Karen also asked if the town employees pay into their health care.
Supervisor Kinowski answered, "yes, they do which is now at 15%. The union contract is separate and we need to provide the same or equivalent."

Valerie Masterson, resident at 115 Hudson Avenue asked how much the budget has increased from last year to this year?
Supervisor Kinowski answered, "Fifty cents per thousand of assessment."

Valerie also asked what is the percentage over the actual tax cap?
Anne Marie, Fiscal Manager, replied it is approximately 15%.
Valerie commented, that the town board should be more fiscally responsible.

Jeff Erno, resident commented, "new developments are going on but we cannot cover our budget!"
Supervisor Kinowski, replied "more development and more services".
Jeff also questioned why are we allowing all these developments to come?

Kelly Carpenter, resident of Mitchell Road, questioned if the developments are coming in why are they getting alleviated from paying taxes?
Supervisor Kinowski answered, "They are not to be alleviated. Developers can approach our IDA and request a PILOT."
Kelly also asked if the town has a safety net fund?
Supervisor Kinowski answered, "Yes we do have a fund balance. The Town tries to maintain a 1-million-dollar fund balance."

Karen Adelman, resident, asked "Armadore paid the town how much money? 90 new family are moving in so where does that come in with the 2025 Budget?"

Supervisor Kinowski answered, Amadore pays taxes as their development progresses. No new structures have been built as yet.

Karen also asked the Board, what have they done to help the residents?

Supervisor Kinowski answered, we are controlling development through capital projects, both short and long term.

Valerie Masterson, resident, questioned the sales tax.

Supervisor Kinowski answered with the sales tax has dropped off significantly and mostly due to the reduction in the cost of gasoline and other fuels.

Rob McCoy, resident of 9P Stillwater, questioned the board, “What are you going to do to cut back?” “We are struggling here in the community.”

Kelly C. questioned how much of the safety net fund was used for the Public safety building?

Supervisor Kinowski answered, “About \$800,000.00, it is in a central location for the Town of Stillwater.

Nick DeCelle resident at 8 March Lane, wanted to confirm the statement them being in a new development, his property will be raised \$0.50 cents for each \$1,000.00 of the assessment of his home.

Public Hearing – 2025 Budget

Sharon Gavitt, resident, emailed asking to please see highlighted areas of Page III and Page 1 of the Tentative budget. One states the Supervisor’s salary as \$17,142 and the other as \$79,000. Why the discrepancy? Please explain.

Supervisor Kinowski replied to the email: The first line you circled is my salary.

The second one comprises all expenses under the Supervisor category: My secretary’s salary, contracts, and other administrative assistance.

Beth Whitney, resident 11 Soul Shine Farm Road, questioned line items for funding on the community center, no funds are being used elsewhere, where are the funds going?

Supervisor Kinowski answered, “the funds will remain there”.

With no other further comments, this public hearing is closed.

Other Business/Public Input

Supervisor Kinowski stated Councilmember Chris D’Ambro and Councilmember Weaver are the Town Board Liaisons for the Stillwater Community Center.

Brando Dingeman resident from Saw Mill Hill Road asked, “what are the negotiations with the center?”

Jim Trainor, Attorney for the Town, read the letter that was sent to the Community Center Board and stated they are not negotiations they are making management transitions.

The letter included the following:

1. The SACC Board and the Town are in transition.

2. The Town expects the SACC Board to cooperate fully in the transition.
3. The Town expects that existing staff and programs will continue as before under the Town's management (with existing employees or other as needed.)
4. The Town looks forward to continuing to deliver quality programs and services to the Stillwater community through the Community Center.

Councilmember Chris D'Ambro stated he has been asking for due diligence on the actual expenses several times and has not received any documents.

Jeramiah resident of Windy Road, stated, "the community does not want the Town Board to take over the community center, what is the drive?"

Councilmember D'Ambro replied, "to meet contractual requests."

Rob Mc Coy, resident, read off a list of expenses of where the \$175,000.00 was spent. He also stated the money is generated from the childcare programs. In addition, noted that Justin, the Director is doing a great job."

Valerie, resident, stated, "As past board member in 2023 we came to an agreement and nothing was done with the contract/lease. She stated she had the budget and has proof and was trying to get answers from the town board for quite some time. The agreement has expired but tried to move forward. Her tenure here at the town we gave money to non for profits but never asked for what the money was spent on."

Nicole Hoyt, resident of 9 Neilson Ave., stated, "the town wants to take it over but doesn't ask where the \$175,000.00.?"

Councilmember D'Ambro replied, "we have to account for the money that was used."

Wendy Ferris Johnston, resident and treasurer for community center board, stated she has been with the board for 10 years. They have made \$500,000.00 to 1 million dollars and we do that with our staff and families. All these people are your residents. She asked the town board liaisons how many times have they attended the community center board meetings and how many times have you asked for something.

Councilmember D'Ambro stated he asked for financial statements the last time they spoke with the community board, liaisons and lawyer. Then the community went and got their own lawyer.

Wendy Ferris Johnston, stated," They were ready to sign the lease but not the contract, we did not want funding attached to the contract, as it was for the town people to fund them. You didn't want to understand. Keep in mind, the town owns 19 Palmer street but not the programming."

Supervisor Kinowski replied by trying to explain the process to move forward and stated "there needs to be upper level management oversight."

Wendy Ferris Johnston, stated, "all financial papers are public each month and each person gets a copy of the statement, we are transparent, you are letting down the community."

Stephanie, resident of Newbridge Road, questioned the town lawyer, “there were several times to meet with one another, what is your comment for not getting in touch with one another?” Jim Trainor responded, “We have had multiple contacts with the lawyer for the SACC.”

Amanda, resident from Flike Road, questioned if there were any current paid positions to oversee the community center?”

Supervisor Kinowski, replied, “no there is not.”

Amanda also questioned the town board, “what will you do with the property if they vacant?”

Supervisor Kinowski, answered, “don’t know where they would go!”

Kelly C. resident, stated \$175,000.00 went o the community center but 1 million was taken for? how will you fund that?

Supervisor Kinowski, answered, “don’t know the answer, don’t have a plan for it yet!”

Katie Carlin, kindergarten school teacher, questioned, the liaisons did not attend the centers meetings so why were they not asked or told to go? She also stated the she had no idea of the town wanting to take this over, who is going to oversee the schools? The staff there are well educated.

Supervisor Kinowski asked Wendy Ferris Johnston, if they have a plan to move out?

Wendy Johnston stated, “the \$175,000.00 is money that is given to the community center yearly, however, we only received \$37,000.00, what about the remaining funds?”

Supervisor Kinowski replied,” the money will remain until contract is agreed upon and then dispersed.”

Nicole Oliver, resident, noted, “the liaisons are not holding up their responsibility with attending the board meetings at the community center.”

Amber Carey, resident on Hudson Ave., asked, “why people did not know the town board was doing this eviction? “we do not want the town to run the community center, why were they not informed?”

Supervisor Kinowski replied, “it all started on Facebook, it is a process and we do not publicize legal documents.”

Karen Kubas, resident, stated she has been here for town board meetings to listen and has had the same experience from the people and would like to know what the residents get and get to count on, if you are not open and acting on behalf of the actions, questions were asked and answers were not answered.

Supervisor Kinowski replied with there were only about 3% or less of the total population at this meeting. All questions per line item were answered at the last budget meeting.

Heather Ferris, resident, County Rte. 75, stated, “as of tonight, you now have what you need so what else do you want, what else are you looking for?”

Patrick Neilson, resident of 21 Newland Road, stated, “we are all neighbors, we are family, lets be civil here. The town board is overplaying your hands, take it as it is, you just raised our taxes, use that money!”

Supervisor Kinowski replied, “Thank you, but you wouldn’t know this without a public hearing at the community center.”

Jackie Needland, resident of Clinton Court, asked, “are you willing to change your action?”

Kelsey, resident of 68 Colonial Road, stated, “As a parent, I have children at the center, you gave them 90 days, what is my plan and what am I supposed to do with my children?”

Supervisor Kinowski replied, “I cannot let you know right know!”

Nick DeCelle, resident questioned the liaisons, “Privy to the minutes to the community center and the board minutes, are the financials included in the minutes? Counter productive to fund their budget, why funding be held and plan to remain with the same staff, with overall outcome to keep the programs?”

Brittany, resident stated “the information got out inappropriately and got people upset, what if we bought the building for \$1.00, we don’t need the money.”

Rob McCoy resident from 9P. Stated” I agree to be civil but realistically the school will buy it back \$1.00 as I believe the school sold it to the ton in the first place.

Pat, resident Rte. 75, Preschool teacher, informed the Board, that she is educated children, if the town evicts us we would leave so who will watch the children? the town needs to figure this all out.

Nicole Oliver resident, asked if the town gets paid or stipend?

Councilmember D’Ambro answered, been waiting audited requests forms as he wants audited documents and numbers for the next year, as we need to evaluate things. SACC provided audited financial statements from the years 2021-2023. Receiving the 2025 Budget, once received will make better formal decisions.

Valerie M. I also agree to be civil, however, the Supervisor is overextending his power and why haven’t you call the board to get answers. I the end we have to work together. I lived here for 40 years and SACC has been thriving. You as a board can do a better dual diligence. It is ridiculous that you are asking for years 2021-2023. SACC is not trying to hide anything. They make a small amount of money and providing a service to your community. I got documentation when I asked for them. We need to work together as a community.

Amy S. resident Towpath Rd., stated, “We have been working hard, we allocate the money. Are there any questions on what budget items and why do you get to judge SACC when you never came to the meetings?”

Brandon Dingeman, questioned “what tis the cost of the lawyer’s time spent on this? The community is not supported of your efforts.”

Motion by Councilmember D’Ambro and seconded by Councilmember Vomacka to adjourn into executive session to discuss contract negotiations and potential litigation at 8:25 pm.

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

Supervisor Kinowski made the motion to resume the meeting seconded by Councilmember Vomacka at 8:35pm.

Motion by Councilmember Vomacka and seconded by Councilmember D’Ambro.

Mike Van Patten, resident on Fitch Rd., questioned the board, “Why did you go to Executive session and come back with more demands?”

Councilmember Vomacka answered the executive session was not about eviction, however the issues are between the liaisons and SACC board.

Amanda Benson resident of Flike Rd., stated, “SACC is the tenant but the town is owner of the building, please clarify.”

Supervisor Kinowski replied, “we just want to validate where the money goes that is being made.”

Amanda, stated, “you do not need to know where money from a 501C goes, it’s donations. Do you care about the families and the children.?”

Sara Kipp, resident of 19 Kellogg Rd. commented on accounting for funds from the tax payers.

Stephanie Nelson, resident of 2 New Bridge Rd. suggested both lawyers give documents to one another with face to face meeting and would like to arrange for the date tonight.

Supervisor Kinowski agreed.

Nicole O. commented, “it’s the first time the board compromised, so what are the liaisons going to do moving forward?”

Corina Hymm resident from Jolly Rd. stated she has lived here for the past 6 years and has family history over 50 years in this town. Finding out on Facebook was horrifying, “what are you going to do to try and keep us living here? She also questioned why are we continuing to build and grow and not fix the problems we currently have. Without the community center there is not a lot for the children and families to do!”

Supervisor Kinowski replied, thank you for coming and stated this board is dedicated to supporting this community. We have kept the taxes down but we are building and spending too.

Corina replied, “we are having a problem now but there is no plan once financials are reviewed?”

Brittany stated, “with a 90-day plan, there are plenty of jobs out there, what is going to happen to the programs, you are going to lose the people.”

Supervisor Kinowski ended the meeting by stating he will schedule a time and day for both boards to meet.

Audited Claims

The Town Clerk presented the following reports for the Town Board review.

General	\$15965.15
Town Outside	\$18215.76
Highway	\$10772.24
Water	\$8770.89
Trust & Agency	\$ 141.70

Motion by Councilmember D’Ambro seconded by Councilmember Vomacka to pay the audited claims.

Motion carried.

Adjournment

Motion by Councilmember D’Ambro and seconded by Councilmember Vomacka to adjourn the Town Board meeting at 9:35 pm **Motion carried.**

Respectfully submitted by,

Danielle Cowin, Town Clerk