

**Stillwater Town Board
September 21, 2017 7:00 PM
Stillwater Town Hall**

Present: **Councilman Artie Baker
Councilwoman Lisa Bruno
Supervisor Ed Kinowski**

Also Present: **Sue Cunningham, Town Clerk
Joe Lanaro, Engineer for the Town
James Trainor, Attorney for the Town**

Absent: **Councilman Ken Petronis
Councilwoman Ellen Vomacka
Mark Minick, Highway Supt.**

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

Sue Cunningham, Town Clerk took the roll call.

Adoption of Minute: Motion by Councilman Baker and seconded by Councilwoman Bruno to adopt the minutes of the August 24, 2017 Town Board meeting. **Motion carried.**

Agenda Items **Resolution #52--#56**

**Resolution #52 Submit Application for the
Champlain Canalway Trail Action Plan Update**

WHEREAS, the Town of Stillwater is applying to the Hudson River Valley Greenway for a grant under the 2017 Greenway Conservancy Trail Grant Program for a project entitled CHAMPLAIN CANALWAY TRAIL ACTION PLAN UPDATE to be located in the towns of Waterford, Halfmoon, Stillwater, Greenwich, Northumberland, Fort Edward, Kingsbury, Fort Ann, Whitehall, and villages of Waterford, Stillwater, Victory, Schuylerville, Fort Edward, Fort Ann, and Whitehall, and City of Mechanicville.

WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body of the municipality or municipalities in which the project will be located;

NOW, THEREFORE, be it resolved that the Town Board of the Town of Stillwater hereby does approve, endorse and sponsor the application for a grant under the 2017 Greenway Conservancy Small Grant Program, on behalf of the Champlain Canalway Working Group, for a project known as CHAMPLAIN CANALWAY TRAIL ACTION PLAN UPDATE and located within this community.

Motion by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution No. 52 of 2017.

A roll call vote was taken on Resolution No. 52 of 2017 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilman Petronis	ABSENT
Councilwoman Bruno	YES
Councilwoman Vomacka	ABSENT

Motion carried. Resolution No. 52 of 2017 was adopted unanimously.

**Resolution #53 Authorizing the Supervisor to Sign an Engagement Agreement
with Chazen Companies Regarding SCWA Connection Phase II –
Town of Stillwater – TSCO #17**

Introduced by: Supervisor

WHEREAS, the SCWA Connection Phase II is in need of additional engineering services; and

WHEREAS, an Engagement Agreement with Chazen Companies is needed for the additional services to continue on the SCWA Connection Phase II – Town of Stillwater – TSCO #17 per the attached Engagement Agreement;

Now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to sign the attached Engagement Agreement with Chazen Companies regarding additional engineering services for the SCWA Connection Phase II – Town of Stillwater – TSCO #17.

Motion by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution No. 53 of 2017.

A roll call vote was taken on Resolution No. 53 of 2017 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilman Petronis	ABSENT
Councilwoman Bruno	YES
Councilwoman Vomacka	ABSENT

Motion carried. Resolution No. 53 of 2017 was adopted unanimously.

Resolution #54 Budget Adjustments

WHEREAS, Anne Marie Dame Hallum, Bookkeeper and the Supervisor have recommended that the following budget transfers be accomplished:

Decrease:	
A8660.2 Acq of Real Property	\$3,000.00
B1990.4 Contingency	\$6,000.00
A1680.2 Central Data, Equipment	\$10,800.00
A8660.2 Acquisition of Real Property	\$2,000.00
A8160.465 Recycling	\$1,500.00
A3120.4 Police Contractual	\$250.00
B1990.4 Contingency	\$6,000.00
B7510.100 Historian Salaries	\$8,000.00
B1990.4 Contingency	\$15,000.00
B1990.4 Contingency	\$22.00
B9710.6 SCWA Principal	\$50,000.00

Increase:	
A1315.4 Fiscal Mgt., Contractual	\$3,000.00
B1440.44 Attorney’s Services	\$6,000.00
A1680.4 Central Data, Contractual	\$10,800.00
A1920.4 Municipal Dues	\$2,000.00
A6410.4 Publicity Contractual	\$1,500.00
A9015.8 Retirement Police	\$250.00
B7140.4682 Brown’s Beach	\$6,000.00
B9060.8 Hospital	\$8,000.00
B9060.8 Hospital	\$15,000.00
B9730.77 Interest Brown’s Beach	\$22.00
B9730.67 Brown’s Beach Principal	\$50,000.00

Increase:	
A 3089 Policy State Aid	\$5,000.00

Increase:	
A3120.21 Police Equipment	\$5,000

WHEREAS, the Supervisor and Anne Marie Dame Hallum, Bookkeeper, have recommended that the following request for spending be accomplished:

Pay \$120,000 for Brown’s Beach Pavilion from Park/Open Space Fees to be reimbursed from DASNY Grant Monies (recently applied for); and

WHEREAS, Supervisor and Anne Marie Dame Hallum, Bookkeeper, have recommended that the following Interfund Transfer be accomplished:

Interfund Transfer from B9950.9 (budgeted \$250,000) year to date spent on capital project \$230,000

Now, therefore, be it,
RESOLVED, that the above Budget Adjustments are hereby approved.

Motion by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution No. 54 of 2017.

A roll call vote was taken on Resolution No. 54 of 2017 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilman Petronis	ABSENT
Councilwoman Bruno	YES
Councilwoman Vomacka	ABSENT

Motion carried. Resolution No. 54 of 2017 was adopted unanimously.

**Resolution #55 Resolution Setting a Workshop and Public Hearing
 Regarding and 2018 Budget and
 Cancelling the October 19, 2017 Town Board Meeting**

Introduced by: _____ Supervisor _____

WHEREAS, Supervisor Kinowski has recommended that a Workshop and Public Hearing be set for discussing and taking public input on the proposed 2018 Budget; and

WHEREAS, the Mechanicville-Stillwater Business Economic Summit is scheduled for October 19, 2017;

Now, therefore, be it

RESOLVED, that Budget Workshop is hereby scheduled for 6:00 pm on Thursday, October 12, 2017 at Town Hall; and be it further

RESOLVED, that a public hearing is hereby scheduled for Thursday, November 2, 2017, at 7:00 p.m. at Town Hall 881 Hudson Avenue, Stillwater, New York, to receive comments from the public regarding the proposed 2018 Budget; and be it further

RESOLVED, that due to the scheduling conflict with the Mechanicville-Stillwater Business Economic Summit, the regularly scheduled October 19, 2017 Town Board Meeting is hereby cancelled so Town Board Members can attend the Summit and promote the Town Board’s interests; and be it further

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

Motion by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution No. 55 of 2017.

A roll call vote was taken on Resolution No. 55 of 2017 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilman Petronis	ABSENT
Councilwoman Bruno	YES
Councilwoman Vomacka	ABSENT

Motion carried. Resolution No. 55 of 2017 was adopted unanimously.

**Resolution #56 Authorizing and Consenting to
Allocation of Funds from
Globalfoundries Stillwater Foundation, Inc.**

Introduced by: Supervisor

WHEREAS, Globalfoundries Stillwater Foundation, Inc. has funds available to allocate for grants; and

WHEREAS, Town Board consent is requested but not required for disbursement of principal from the fund;

Now therefore be it,

RESOLVED, that the Town Board hereby authorizes and consents to the Globalfoundries Stillwater Foundation Board using principal from the fund up to an amount of \$21,000 to award grants from the Globalfoundries-Stillwater Foundation.

Motion by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution No. 56 of 2017.

A roll call vote was taken on Resolution No. 56 of 2017 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilman Petronis	ABSENT
Councilwoman Bruno	YES
Councilwoman Vomacka	ABSENT

Motion carried. Resolution No. 56 of 2017 was adopted unanimously.

Resolution #57

**Setting a Public Hearing
Regarding Local Law 3 of 2017
A Local Law to Override the Property Tax Cap
For the 2018 Budget**

Introduced by: Supervisor

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 2018 Budget;

Now, therefore be it

RESOLVED, that a public hearing is hereby scheduled for November 2, 2017 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; 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 on November 2, 2017, 2017.

Motion by Councilman Baker and seconded by Councilwoman Bruno to adopt Resolution No. 57 of 2017.

A roll call vote was taken on Resolution No. 57 of 2017 as follows:

Supervisor Kinowski	YES
Councilman Baker	YES
Councilman Petronis	ABSENT
Councilwoman Bruno	YES
Councilwoman Vomacka	ABSENT

Motion carried. Resolution No. 57 of 2017 was adopted unanimously.

Reports

Supervisor Kinowski gave a brief overview of Family Day.

Public Input

Tom Mahoney from the Express inquired about Resolution #52.

Supervisor Kinowski explained the Town of Stillwater will sponsor the application for a grant under the 2017 Greenway Conservancy Small Grant Program for communities from Whitehall to Waterford that fall in the Champlain Canalway Trail Action Plan Update.

John B inquired about the status of the new water line, Resolution #53, and if the Village/Town water contract was signed.

Engineer Lanaro stated that the new water line was not on officially running but it was running; there is a punch list to be completed and Resolution #53 is for inspection that needs to be done.

Supervisor Kinowski the Town/Village water contract is being reviewed.

John B commented on a proposal at the county level that involves purchasing tobacco products. He feels if an 18 year old is considered an adult, can go to war then it is their right to purchase tobacco products.

Supervisor Kinowski stated that there is strong support in other municipalities but they will have to have a public hearing since it would become a County law.

Brief discussion was held.

Coke C commented on pulling off some of the side street on to Route 4 being a safety issue for pick-up trucks compared to smaller cars. They are either funning over the curbs or have to pull out far enough where they are in the wrong lane.

Supervisor Kinowski stated that unfortunately this is a state & federal concern. A brief discussion was held a on meeting he attended and what the process would be to make changes if any would be made.

Dick D inquired about work being done on 76 & 9P, work being done at Brown’s Beach, how much has been received from Doc Brown’s and the Marina and the status of speed reduction on County Rd 76.

Councilman Baker stated they were doing drainage work on 76 & 9P.

Supervisor Kinowski stated that they were prepping for the new building, they have received \$87,690.00 with more to come and there is nothing to report on the speed reduction yet.

Rick inquired about the traffic study that was done on Rt3 423.

Supervisor Kinowski stated that he has heard nothing on this.

Engineer Lanaro stated that the applicant was doing a traffic impact study.

Audited Claims

Motion by Councilman Baker and seconded by Councilwoman Bruno to pay the audited claims.

General	\$17,559.69
Town Outside	\$1,1004.95
Highway	\$8,322.00
Water & Sewer	\$3,091.64
Capital Projects	4,5177.80

Also approved and signed off on the following abstract on September 7th:

General	\$4,821.11
Town Outside	\$10,676.68
Highway	\$14,084.46
Water & Sewer	\$30,091.15

Motion by Councilman Baker and seconded by Councilwoman Bruno to adjourn into executive session to discuss potential litigation and contract at 8:10 pm. **Motion carried.**
(Note: The Town Board will not resume back into the regular Town Board meeting.)

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk