

**Stillwater Town Board**  
**December 07, 2017 7:00 PM**  
**Stillwater Town Hall**

**Present:**      **Councilman Artie Baker**  
**Councilman Chris D'Ambro**  
**Councilwoman Lisa Bruno**  
**Councilwoman Ellen Vomacka**  
**Supervisor Ed Kinowski**

**Also Present:** Sue Cunningham, Town Clerk  
Mark Minick, Supt of Highways  
Joe Lanaro, Engineer for the Town  
James Trainor, Attorney for the Town

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

Sue Cunningham, Town Clerk took the roll call of the Stillwater Town Board.

**Adoption of Minutes: Motion** by Councilman Baker and seconded by Councilwoman Vomacka to adopt the minutes of November 2, 2017 & November 16, 2017. **Motion** carried.

**Agenda Items**

**Resolutions #74-#78**

## Resolution #74      Adopt Year End Budget Transfers and Corrections

Introduced by: Supervisor

WHEREAS, certain year end budget transfers and corrections to contingent appropriations should be undertaken to maximize the use of 2017 appropriated funds; and

WHEREAS, the Office of Fiscal Management will work with the Supervisor to finalize all transactions for fiscal close-out, ensure the necessary transfer and use of unexpended balances to balance the 2017 budget, make corrections to contingent appropriations with the 2017 budget, adjust the distribution of sales tax revenues between B and DB Funds, as required by the board, and encumber the necessary funds to pay unpaid 2017 obligations;

Now, therefore, be it

RESOLVED, that the Town Board hereby approves the described year end budget transfers, corrections to contingent appropriations and adjustments to the distribution of sales tax revenues; and be it further

RESOLVED that the Town Board hereby directs the Office of Fiscal Management to work with the Supervisor to make the appropriate transfers and corrections and annotate the same in the Town's financial records.

**Motion** by Councilwoman Bruno and seconded by Councilwoman Vomacka to adopt Resolution No. 74 of 2017.

A roll call was taken on Resolution No. 74 of 2017 as follows:

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

**Motion carried.** Resolution No. 74 of 2017 was adopted unanimously.

## STANDARD WORK DAY AND REPORTING RESOLUTION RS-2417-A and RS-2418

WHEREAS, the Office of Fiscal Management has proposed filing the attached reports for that purpose;

RESOLVED, that the Office of Fiscal Management is authorized and directed to file with New York State Standard Work Day and Reporting Resolution RS 2417-A and RS 2418 forthwith.

A roll call was taken on Resolution No. 75 of 2017 as follows:

**Motion carried.** Resolution No. 75 of 2017 was adopted unanimously.

## 76 Approving the Carry Over of Balance of Unused Vacation Hours to 2018

WHEREAS, the Town of Stillwater's Personnel Manual states that a request in writing must be made for approval to carry over the balance of 2017 vacation hours into the next year; and

Now, therefore, be it

**Motion** by Councilwoman Bruno and seconded by Councilwoman Vomacka to adopt Resolution No. 76 of 2017.

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

**Motion carried.** Resolution No. 76 of 2017 was adopted unanimously.

**Resolution #77            Adopt Local Law No. 3 of 2017,  
                                 A Local Law Amending Local Law No. 4 of 2007  
to Extend the Time Period for the Cold War Veterans Property Tax Exemption**

Introduced by: Supervisor

WHEREAS, Local Law No. 4 of 2007 allows a partial property tax assessment exemption for Cold War Veterans up to a maximum of ten (10) years; and

WHEREAS, the State of New York has recently amended the Real Property Tax Law to allow the Cold War Veterans partial property tax assessment exemption to be extended for as long as the property and veteran qualify for the exemption; and

WHEREAS, a public hearing was held on Thursday, November 16, 2017 to hear comments from the public on the proposed Local Law to extend the duration of the exemptions;

Now, therefore, be it

RESOLVED, that Local Law No. 3 of 2017, a Local Law Amending Local Law No. 4 of 2007 to Extend the Time Period for the Cold War Veterans Property Tax Exemption for as long as the property and the veteran qualify for the exemption under the NYS Real Property Tax Law, is hereby adopted.

**Motion** by Councilwoman Bruno and seconded by Councilwoman Vomacka to adopt Resolution No. 77 of 2017.

A roll call was taken on Resolution No. 77 of 2017 as follows:

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

**Motion carried.** Resolution No. 77 of 2017 was adopted unanimously.

**Local Law #3   LOCAL LAW NO. 3 OF 2017**  
Local Law Amending Local Law No. 4 of 2007 to Extend the Time Period for the Cold War Veterans Real Property Tax Exemption  
**SECTION 1: PURPOSE**

New York State authorizes counties, towns and villages to make available a partial real property tax exemption to qualified veterans of the Cold War. The Town Board of the Town of Stillwater has determined that it is appropriate to make this exemption available to qualified veterans of the Cold War in recognition of their service to our country, and to extend the time period that the exemption is applicable.

**§2: ADOPTION**

(A) The Town of Stillwater adopted the partial exemption from real property taxation for owner-occupied real property owned by qualified veterans of the Cold War authorized by §458-b of the New York State Real Property Tax Law by Local Law No. 4 of 2007 on November 20, 2007.

(B) Subject to the provisions of §3 of this Local Law, this exemption shall be administered in accordance with the definitions and procedures of §458-b of the Real Property Tax Law, as originally enacted by chapter 655 of the Laws of 2007, and any applicable amendments enacted thereafter, including but not limited to Chapter 290 of the Law of 2017.

**§3: EXEMPTION LIMITATIONS**

(A) Subject to the maximum specified in paragraph (B) of this section, the qualified Cold War veteran shall be entitled to a reduction of ten percent of the assessed value of his or her residence.

(B) Notwithstanding paragraph (A) of this section, an exemption granted pursuant to this Local Law shall not exceed the product of \$8,000 multiplied by the latest State equalization rate.

(C) In addition to the exemption provided by paragraphs (A) and (B) of this Section, where the Cold War veteran received a compensation rating from the United States veterans affairs or from the United States department of defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property multiplied by fifty percent of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed forty thousand dollars, or the product of forty thousand dollars multiplied by the latest State equalization rate for assessing unit.

§4: DURATION OF EXEMPTION

Pursuant to the authority contained in Chapter 290 of the Law of 2017 adopted by the State of New York on September 12, 2017 as an amendment to RPTL §458-b, the Town hereby extends the above partial tax exemptions to qualifying owners of qualifying real property for so long as they remain qualifying owners of qualifying real property without regard to the ten (10) year limitation contained in RPTL §458-b(2)(c)(iii). 3

5: EFFECTIVE DATE

The Local Law shall take effect immediately and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 2018.

**Resolution #78                      Awarding the Bid for Constructing a Pavilion at Brown’s Beach**

WHEREAS, competitive bids were solicited and opened on November 20, 2017 for the construction of the pavilion at Brown’s Beach; and

WHEREAS, three (3) conforming bid combinations were submitted and the General Municipal Law requires that the contract be awarded to the lowest responsible bidder;

Now, therefore, be it

RESOLVED, that the Town Board hereby determines that the lowest responsible base bid combination was received from Plank Construction LLC; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to enter into an agreement with Plank Construction LLC and to disburse the needed funds as appropriate.

**Motion** by Councilwoman Bruno and seconded by Councilman Baker to adopt Resolution No. 78 of 2017.

A roll call was taken on Resolution No. 78 of 2017 as follows:

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

**Motion carried.** Resolution No. 78 of 2017 was adopted unanimously.

**Nov 16<sup>th</sup> Public Hearings**

Supervisor Kinowski requested a motion to close the two public hearings that were held open for additional comments. He stated that no additional comments were submitted, the Planning Board closed their portion of the public hearing at their last meeting, and now they will wait for a response from the Planning Board. He also indicated that the Attorney would need time to write the resolutions.

**Motion** by Councilwoman Vomacka and seconded by Councilman D’Ambro to close the two public hearings. **Motion carried.**

**Public Input**

Dick D inquired if the Browns Beach building would be completed or just a shell. Supervisor Kinowski stated that they have a couple of options to build up or to do it in phases. A brief discussion was held on the building usage, size, entrance to beach, etc.

**Audited Claims**

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

General	\$11,835.09
Town Outside	\$13,561.33
Highway	\$12,807.98
Water & Sewer	\$4326.00
Capital Projects	\$17,00.00
Trust & Agency	\$114.00

**Motion carried.**

**Motion** by Councilwoman Vomacka and seconded by Councilman Baker to adjourn the Agenda Meeting at 7:40 pm and enter into executive session to discuss a personnel issue. **Motion carried.** (Note: The Town Board will not resume back into the regular meeting).

Respectfully submitted by

Sue Cunningham  
Stillwater Town Clerk