

**Stillwater Town Board**  
**June 1, 2017 7:00 PM**  
**Stillwater Town Hall**

**Present:**      **Councilman Artie Baker**  
**Councilman Ken Petronis**  
**Councilwoman Lisa Bruno**  
**Councilwoman Ellen Vomacka**  
**Supervisor Ed Kinowski**

**Also Present: Sue Cunningham, Town Clerk**  
**Mark Minick, Highway Supt.**  
**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.

**Adoption of Minutes: Motion** by Councilwoman Bruno and seconded by Councilwoman Vomacka to adopt the minutes of April 20<sup>th</sup> & May 18<sup>th</sup> of 2017. **Motion** carried.

## Agenda items

## Resolution #32 Summer Scheduling of Town Board Meetings for 2017

Introduced by: Supervisor

WHEREAS, Resolution No. 1 of 2017 scheduled both an agenda meeting and a business meeting for the Town Board on the first and third Thursdays of each month, respectively; and

WHEREAS, due to vacations of residents, staff members and board members, the Town Board traditionally modifies its schedule to hold just one meeting per month in July and August;

Now, therefore, be it

RESOLVED, that the Town Board hereby determines that the Town Board meeting schedule be modified to reflect that the Town Board will conduct only one meeting in the months of July, August and September, that being a business meeting on the third Thursday of each month (July 20<sup>th</sup>, August 17<sup>th</sup> and September 21<sup>st</sup>); and be it further

RESOLVED, that beginning in October and continuing through the end of the calendar year, the Town Board will resume both an agenda meeting and a business meeting on the first and third Thursdays of each month, respectively.

**Motion** by Councilwoman Vomacka and seconded by Councilwoman Bruno to adopt Resolution No. 32 of 2017.

A roll call vote was taken on Resolution No. 32 of 2017 as follows:

|                      |     |
|----------------------|-----|
| Supervisor Kinowski  | YES |
| Councilman Baker     | YES |
| Councilman Petronis  | YES |
| Councilwoman Bruno   | YES |
| Councilwoman Vomacka | YES |

**Motion carried.** Resolution No. 32 of 2017 was adopted unanimously.

**Resolution #33                      Scheduling a Second Public Hearing Regarding The  
Winding Brook PDD Amendment**

Introduced by: Supervisor

WHEREAS, Lansing Engineering PC has submitted an application on behalf of the Winding Brook for an amendment to the Winding Brook PDD; and

WHEREAS, both the Building Department's engineer and the attorney for the Town have reviewed the application and proposed PDD amendments, have provided their comments to the applicant and the applicant has responded thereto in writing; and

WHEREAS, the appropriate changes have been proposed to the existing PDD language to incorporate condominiums but also the engineer's and attorney's comments; and

WHEREAS, a Public Hearing was conducted on May 18, 2017 but significant changes have been proposed to the Public Benefit portion of the Local Law;

Now, therefore, be it

RESOLVED, that the application by Lansing Engineering PC and Amedore Homes regarding the amendment of the Winding Brook Planned Development District (Ordinance No. 2 – 1993 and Local Law 5-2012) be scheduled for a Public Hearing on June 15, 2017 at 7:10PM at the Town Hall, 881 Hudson Avenue, Stillwater, New York; and be it further

RESOLVED, that pursuant to the authority vesting in the Town Board by virtue of the New York State Constitution and the Municipal Home Rule Law, the Town Board hereby exercises its authority to supersede New York State Town Law Sections 264 and 265 requiring ten (10) days prior publication of the Public Hearing and shortening the period to five (5) days prior to the hearing pursuant to Municipal Home Rule Law Section 20; and be it further

RESOLVED, that the Town Clerk is directed to immediately post and publish the attached Notice of Public Hearing in the Schenectady Gazette or the Mechanicville Express preferably ten (10) days prior to June 15, 2017 but no later than five (5) days prior to June 15, 2017 and to obtain Affidavits of Publication therefore; and be it further

RESOLVED, that the Town Board exercises its authority pursuant to §20 of the Municipal Home Rule Law to waive the requirements of Town Law §264 and §265 and Stillwater Town Code Chapter 210 §138, to mail individual notices of the Public Hearing with a copy of the proposed zoning changes to residents affected by the Winding Brook PDD Amendment, not less than 10 days before the Public Hearing; and be it further

RESOLVED, that the Town Clerk shall complete and file in the Office of the Town Clerk the attached Affidavits of Posting/Publication, not later than June 15, 2017; and be it further

RESOLVED, that the Town Clerk shall submit a copy of the proposed Local Law \_\_\_\_\_ of 2017 with attachments to the Town Planning Board; and be it further

RESOLVED, that the Town Board has reviewed Part I of the project's Environmental Assessment Form and declares itself the appropriate Lead Agency to consider the environmental impacts of the project; and be it further

RESOLVED, that the Director of Building and Planning is hereby directed to immediately refer the proposed Zoning Code Amendments to the Saratoga County Planning Board pursuant to Section 239-m of the General Municipal Law, respectively, for its review and recommendations prior to June 15, 2017; and be it further

RESOLVED, that the Director of Building and Planning with the assistance of the Chazen Companies, shall ensure compliance with NYS Agriculture & Markets Law Articles 25-AA, 25-AAA, especially Section 305-a thereto, and also ensure that the

requirements of the State Environmental Quality Review Act (“SEQRA”) and complied with.

**Motion** by Councilwoman Vomacka and seconded by Councilwoman Bruno to adopt Resolution No. 33 of 2017.

A roll call vote was taken on Resolution No. 33 of 2017 as follows:

|                      |     |
|----------------------|-----|
| Supervisor Kinowski  | YES |
| Councilman Baker     | YES |
| Councilman Petronis  | YES |
| Councilwoman Bruno   | YES |
| Councilwoman Vomacka | YES |

**Motion carried.** Resolution No. 33 of 2017 was adopted unanimously.

Supervisor Kinowski requested a brief executive session to discuss possible litigation. **Motion** by Councilman Baker and seconded by Councilman Petronis to go into executive session to discuss litigation. **Motion carried.**

**Motion** by Councilwoman Vomacka and seconded by Councilwoman Bruno to resume the regular Town Board meeting. **Motion carried.**

**Resolution #34            Setting a Public Hearing to Consider Local Law No. \_\_\_\_  
   Of 2017, A Local Law Amending Chapter 210,  
   Article IV of the Zoning Code Regarding Planned Development Districts  
   and Chapter 210, Section 138 Regarding Notice of Public Hearing**

Introduced by: Supervisor

WHEREAS, the Planned Development District (PDD) Approval Process is in need of amendment; and

WHEREAS, a Public Hearing is needed to further inform the public about the consideration of Local Law No. \_\_\_\_ of 2017 regarding PDDs and Notice of Public Hearings and how they may affect their properties; and

Now therefore be it,

RESOLVED, that a public hearing is hereby scheduled for 7:00 p.m. on July 20, 2017 at Stillwater Town Hall, 881 Hudson Avenue, Stillwater, New York 12170 to consider Local Law No. \_\_\_\_ of 2017, A Local Law Amending Chapter 210, Article IV of the Zoning Code regarding Planned Development Districts and Chapter 210, Section 138 Regarding Notice of Public Hearings;

RESOLVED, that pursuant to the authority vesting in the Town Board by virtue of the New York State Constitution and the Municipal Home Rule Law, the Town Board hereby exercises its authority to supersede New York State Town Law Sections 264 and 265 requiring ten (10) days prior publication of the Public Hearing and shortening the period to five (5) days prior to the hearing pursuant to Municipal Home Rule Law Section 20; and be it further

RESOLVED, that the Town Clerk is directed to immediately post and publish a Notice of Public Hearing in the Schenectady Gazette or the Mechanicville Express preferably ten (10) days prior to July 20, 2017 but no later than five (5) days prior to July 20, 2017 and to obtain Affidavits of Publication therefore; and be it further

RESOLVED, that the Town Board exercises its authority pursuant to §20 of the Municipal Home Rule Law to waive the requirements of Town Law §264 and §265 and Stillwater Town Code §210-138 to mail individual notices of the Public Hearing with a copy of the proposed Local Law to property owners within 500 feet of the area encompassed by the proposed zoning changes; and be it further

RESOLVED, that the Town Clerk shall complete and file in the Office of the Town Clerk Affidavits of Posting/Publication, not later than July 20, 2017; and be it further

RESOLVED, that the Town Clerk shall submit a copy of the Local Law \_\_\_\_\_ of 2017 with attachments to the Town Planning Board upon its adoption.

**Motion** by Councilwoman Vomacka and seconded by Councilman Baker to adopt Resolution No. 34 of 2017.

A roll call vote was taken on Resolution No. 34 of 2017 as follows:

|                      |     |
|----------------------|-----|
| Supervisor Kinowski  | YES |
| Councilman Baker     | YES |
| Councilman Petronis  | YES |
| Councilwoman Bruno   | YES |
| Councilwoman Vomacka | YES |

**Motion carried.** Resolution No. 34 of 2017 was adopted unanimously.

**Supervisor Kinowski**

Bookkeeper: Supervisor Kinowski reported that a new bookkeeper has been selected. Ann Marie Hallum will start working on June 5<sup>th</sup> part-time and as of June 19<sup>th</sup> will begin full time.

Family Day: Supervisor Kinowski reported that Family Day has been cancelled due to all the rain we’ve had and the fields being too wet. Family Day will be rescheduled for Sept 15<sup>th</sup> & 16<sup>th</sup>.

Supervisor Kinowski also gave a brief report on Bans/Bonds being renewed and on a shared service program being initiated by the Governor.

**Public Input**

Rick Nelson reported that the United Church will be holding a breakfast open to everyone on Saturday with a ribbon cutting on the renovations made to the hall.

**Audited Claims**

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

|                  |             |
|------------------|-------------|
| General          | \$12,284.00 |
| Town Outside     | \$13,454.56 |
| Highway          | \$35,268.20 |
| Water & Sewer    | \$2,754.00  |
| Capital Projects | \$31,229.57 |

**Motion carried.**

**Motion** by Councilman Baker and seconded by Councilman Petronis to adjourn the Town Board meeting at 7:30pm and enter into executive session to discuss a personal matter. **Motion carried.**

Respectfully submitted by

Sue Cunningham  
Stillwater Town Clerk