

**Stillwater Town Board & Public Hearing
(Winding Brooke PDD & Rt 4 Corridor)
June 20, 2017 7:00 PM
Stillwater Town Hall**

Present: **Councilman Artie Baker
Councilman Ken Petronis
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**

Absent: **Councilwoman Lisa Bruno**

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

Sue Cunningham, Town Clerk took the roll call.

Supervisor Kinowski gave a brief overview of the Town Board meetings and rules of the meeting.

Special Presentation

1. Supervisor Kinowski presented Boy Scout Troop 4035 with an Eagle Scout plaque, which will hang in the Town Hall, with all the names of those who received their Eagle Scout badge. The head scoutmaster read all the names on the plaque that made Eagle Scout. Supervisor Kinowski thank all those who made Eagle Scout for their outstanding effort.
2. Mayor Rick Nelson spoke on a grant the Village is applying for which will help replace some aging pipes. Part of the grant is a new contract with the Town regarding purchase of water but negotiations on purchasing water from the Village has stalled. He would like the Town to come to a consensus to move forward.

7:19 pm Public Hearing (Winding Brook PDD)

Purpose: Is to afford the public the opportunity to comment on proposed amendments of the Winding Brook Planned Development District (Ordinance No. 2 – 1993 and Local Law 5-2012)

An Amedore Representative gave a brief review of the PDD and explained that the front piece of land is approved for as commercial but the developer would like to replace that portion with condos.

Public Input

Andrea L spoke on her reason for choosing Stillwater as their home, quality of life, small home town feel. She stated that she has a flood of concerns with this project.

Ron H spoke on behalf of the many residents who were in attendance. He brought up objectives the Town Board should consider such as environment, occupancy, types of housing and sizes, open space, recreation areas, utilities & services, etc. He spoke on the 2006 Comprehensive Plan in regard to rural character, open space resources, and agriculture traditions, condominiums being inconsistent with the needs of the community, the Town Code regarding general requirements of PDD regarding density & land use and increased traffic concerns & impact of the increased traffic.

Kevin P stated that they chose to live here because of the location, neighborhood and the seclusion. He spoke on his concerns with the proposed project in regard to traffic, property values declining, people walking through the neighborhood, and taxes.

Jim C who served on the Comprehensive Plan committee stated that the committee spent a lot of time on the Plan in order to maintain the rural character of Stillwater. He feels that development destroys the character.

Bob B who served as Planning Board Chairman for 6 yrs. commented that people move here for low density and commented on public utilities, water & sewer.

Carol D has concerns with traffic and would like to keep the developer from destroying quality of life they know.

Sarah stated they bought here because not as populated, quite neighborhood and the small hometown feel. She has major concerns with traffic and safety of the children. High density reduces the quality of life.

Sean L spoke on economical means to Stillwater, traffic issues, tax assessment levy, safer roads, high density, and commercial area.

David W inquired about infiltration of runoff polluting Saratoga Lake.

Jennifer C stated they moved here because of the small hometown feel. She is not opposed to something being done but not this proposal.

Ann C stated she was proud to live here but Condominiums are not inclusive to the area. It is fine for Colonie but not here.

Andrea M stated that this proposal was never disclosed nor was commercial area when purchasing home. She has concerns with the safety of the children, traffic, and effect on the environment & resources.

Jason R commented on Amedore website referring to the area as rural and secluded. He was not for amending or approving the proposed plan.

Supervisor Kinowski spoke on the original PDD, small community, water infrastructure, risk developers take, and what the new millenniums are looking for. The Town Board needs to look at what makes sense for all of Stillwater, what decisions need to be made, and discussions with the developers to see what can be done to answer some of the concerns presented tonight.

Supervisor Kinowski stated that there are two resolutions before the Town Board tonight but he is suggesting that the Board table them for now.

Councilwoman Vomacka commented that she grew up in Stillwater. What used to be part time homes have now become permanent homes around the lake. This is the cost with development and growth.

With everyone having the opportunity to comment Supervisor Kinowski closed the public hearing at 8:30 pm.

8:30 pm Public Hearing (Route 4 Corridor)

Purpose: To consider public comments regarding Local Law ____ of 2017, a Local Law amending the Town's Zoning Code (Local law 1 of 2001) to incorporate form-based zoning code provisions for the Route 4 Corridor.

Public Input

Bob B commented on the way zoning changes are being made, major zoning & density changes that have been made over the last five years without an updated Comprehensive Plan or a Town wide full Environmental Impact Statement. He feels that all zoning

changes & PDD's under discussion should be postponed until a new Comprehensive Plan and associated EIS are complete.

Caleb M commented on Fitch & Farley being rural areas and potential rezoning, GEIS fees, mixed use zoning will destroy areas, effect of increase density on water, sewer & school. He does not mind having to drive in order to go to dinner, movies or shopping.

Supervisor Kinowski commented on the water line and the declining enrollment at the school.

Bob B stated that he is not opposed to water but is opposed to population density.

Supervisor Kinowski commented on the water source, overlay process, and form base code. He said the Village is looking for growth to help them lower taxes, etc.

With everyone having the opportunity to comment Supervisor Kinowski closed the public hearing at 8:50 pm.

Bella Homes: Supervisor Kinowski explained that they are in a split zone, residential low density & resort residential, and are requesting to have the line moved to the back of the property. This was missed when the zoning was changed. He stated that the board would review and act on it at a later date.

Agenda Items

Resolutions #35-#39

Resolution #35 Resolution Making a SEQRA Determination Regarding the Winding Brook PDD Amendment

Introduced by: Supervisor

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

WHEREAS, Public Hearings were held on May 18, 2017 and June 15, 2017, to consider the proposed amendments; and

WHEREAS, the Town Board has considered the Full Environmental Assessment Form, completed by the Applicant, which is attached hereto,

Now, therefore, be it

RESOLVED, that the Town Board declares itself to be appropriate lead agency, hereby accepts the Full Environmental Assessment Form prepared by the Applicant in support the amendment to the Winding Brook PDD, determines the amendment of the PDD to be a Type I action pursuant to §617.4(b)(2) of SEQRA, has considered the criteria for determining the significance contained in §617.7(c) of SEQRA, determine that the project will not have a significant adverse impact on the environment, and hereby issues a Negative Declaration regarding the same.

Motion by Councilman Baker and seconded by Councilman Petronis to table Resolution No. 35 of 2017.

A voice vote was taken to TABLE Resolution No. 35, which motion was carried:

Motion carried. Resolution No. 35 of 2017 was TABLED unanimously.

Resolution #36 Adopt Local Law No. ____ of 2017, A Local Law Amending the Winding Brook PDD

Introduced by: Supervisor

WHEREAS, Amedore Homes has proposed to amend the Winding Brook PDD to build condominiums in the previously approved commercial area; and

WHEREAS, the Town Board conducted Public Hearings on May 18, 2017 and June 15, 2017, where the proposed Amendment to the Winding Brook PDD, was reviewed and comments from the public were received; and

WHEREAS, the proposed amendments are described in the attached Project Narrative last revised on June 1, 2017; and

WHEREAS, the proposed amendments to the existing PDD are underlined in proposed Local Law ____ of 2017 attached hereto; and

WHEREAS, by Resolution No. ____ of 2017, the Town Board previously determined that the adoption of the local law would not have any significant adverse environmental impact;

Now, therefore, be it

RESOLVED, that the Local Law ____ of 2017, a Local Law amending the Winding Brook PDD (LL5-2012 and Ordinance 2 – 1993) is hereby adopted as contained in the attachment hereto.

Motion by Councilman Baker and seconded by Councilman Petronis to table Resolution No. 36 of 2017.

A voice vote was taken to TABLE Resolution No. 36 of 2017, which motion was carried:

Motion carried. Resolution No. 36 of 2017 was TABLED unanimously.

**Resolution #37 Authorizing the Highway Superintendent
To Purchase TKT50LP Tilt Trailer**

Introduced by : Supervisor (Highway Superintendent)

WHEREAS, the Highway Superintendent has identified a need to purchase a TKT50LP Tilt Trailer for Highway Department services as provided in the 2017 budget; and

WHEREAS, the National Joint Purchasing Alliance (“NJPA”) bidding process generally meets the requirements of NY General Municipal Law §103, but must be evaluated on a case-by-case basis; and

WHEREAS, a TKT50LP Tilt Trailer is also available for purchase off the NY SOGS State Contract List as described in the attached quote from Trail King Industries, Inc.; and

WHEREAS, purchasing of equipment from the NYS OGS State Contract list qualifies for an exemption from the competitive bidding requirements of NY General Municipal Law §103;

Now, therefore, be it

RESOLVED, that the Highway Superintendent is authorized to purchase the proposed TKT50LP Tilt Trailer off the specified NYS OGS State Contract for an amount not to exceed \$30,632.65 including delivery without competitive bidding pursuant to NY General Municipal Law §103.

Motion by Councilman Petronis and seconded by Councilman Baker to adopt Resolution No. 37 of 2017.

A roll call vote was taken on Resolution No. 37 of 2017 as follows:

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

Motion carried. Resolution No. 37 of 2017 was adopted unanimously.

**Resolution #38 Setting a Public Hearing Regarding
The Town’s Intent to Apply for Funds Associated with the
Community Development Block Grant (CDBG) for Water District 1**

Introduced by: Supervisor

WHEREAS, the Town Board wishes to apply for grant funding through the Community Development Block to assist with the replacement of existing water piping in Water District No. 1 because the existing infrastructure is aged and prone to breaks; and

WHEREAS, the CDBG program is administered by the NYS Office of Community Renewal and the project may be eligible for 100% grant funding up to \$750,000 per year; and

WHEREAS, a public hearing is required prior to the submittal of a CDBG application to comply with the grant requirements;

Now, therefore, be it

RESOLVED that a public hearing is hereby scheduled for 7:05 PM on July 20, 2017 before the Stillwater Town Board at Town Hall, 881 Hudson Avenue, Stillwater, New York for the Town Board to consider comments related to the Town’s intent to apply for CDBG funds for replacement of water piping in Water District #1; and be it further

RESOLVED, that the Town Clerk is directed to publish notice of the public hearing at least 10 days, but not more than 20 days, in advance of the public hearing.

Motion by Councilman Petronis and seconded by Councilman Baker to adopt Resolution No. 38 of 2017.

A roll call vote was taken on Resolution No. 38 of 2017 as follows:

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

Motion carried. Resolution No. 38 of 2017 was adopted unanimously.

Resolution #39 Award Extra Pay to Several Employees

Introduced by: Supervisor

WHEREAS, due to the unexpected death of the Town’s bookkeeper, Colleen Zabielski, several Town Officials and employees worked extra hours outside of their normal job functions to fill the void; and

WHEREAS, the Town Board would like to compensate them for the extra work hours;

Now, therefore, be it

RESOLVED, that the Town Board wishes to thank and commend Sue Cunningham, Lorrain Buchal and _____ for going above and beyond their normal job responsibilities and hours; and be it further

RESOLVED, that Sue Cunningham and Lorrain Buchal be paid an extra \$1000 each (subject to tax and withholdings), and that Tiara Brown be paid an extra \$250 (subject to tax and withholdings) during the month of May & June, 2017.

Motion by Councilman Petronis and seconded by Councilman Baker to adopt Resolution No. 39 of 2017.

A roll call vote was taken on Resolution No. 39 of 2017 as follows:

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

Motion carried. Resolution No. 39 of 2017 was adopted unanimously.

Public Input

James C commented on the traffic on Brightman Rd in regard to the heavy trucks. He suggested that the Town put a weight limit on the road.

Dick D commented on the truck traffic and speed limit on Brightman Rd. and County Rd 76.

Resident of Winding Brooke commented on a study of the new millenniums on getting married and having kids late in life. He stated that 1 family condo’s is not the answer.

Bob B asked if at next month’s meeting there would be a public hearing in regard to PDD process.

Resident of Winding Brooke inquired what the next step would be.
Supervisor Kinowski stated that there could be and probably would be another meeting and letters would be sent out.

James C stated that he could get signatures on petitions if needed to place a weight limit on Brightman Rd.
Supervisor Kinowski spoke on the wording of petitions.

Coke C requested that the Town Board remember that Water District #1 already pays a high price for water from the Village during the water negotiations.
Supervisor Kinowski stated that soon the Town will be supplying the water to those residents not the Village. The negotiations are for a reasonable expense for those along County Rd 76 who want to tap into the Village water line.

Audited Claims

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

General	\$10,465.54
Town Outside	\$6,564.42
Highway	\$23,017.82
Water & Sewer	\$1,733.45
Capital Projects	\$500.00

Motion carried.

Motion by Councilman Petronis and seconded by Councilman Baker to adjourn the Town Board meeting and enter into executive session to discuss contracts at 9 :15 pm. (Note: the Town Board will not resume the regular Town Board meeting.)

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk