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**Resolution #63 Adopting Local Law No. 6 of 2018,
A Local Law Amending Chapter 210 Attachment 1,
Table 1 “Summary of Allowed Uses”**

Introduced by: _____ Supervisor _____

WHEREAS, Local Law No. 6 of 2018, attached hereto, proposes to amend Chapter 210, Attachment, 1, Table 1 “Summary of Allowed Uses”; and

WHEREAS, at least one public hearing was held regarding the proposed amendment in a duly noticed Public Hearing on the final version of proposed Local Law at the regularly-scheduled Town Board meeting of July 19, 2018; and

WHEREAS, pursuant to 6 NYCRR §617.5 (a) and (c)(20) and (27), the Town Board’s consideration and adoption of legislative changes is a Type II Action and is not subject to review under SEQRA;

Now, therefore, be it

RESOLVED, that pursuant to the Town Board’s authority under NYS Town Law §261-C and Municipal Home Rule Law §10, the proposed Local Law No. 6 of 2018, Amending Chapter 210 Attachment 1, Table 1 “Summary of Allowed Uses’, is hereby adopted; and be it further

RESOLVED, that the Town Clerk is hereby directed to publish a descriptive notice of the adoption of the Local Law No. 6 of 2018 within 5 days of its adoption by the Town Board; and be it further

RESOLVED, that the Town Clerk is hereby directed to file a Certified Copy of Local Law No. 6 of 2018 with the New York State Department of State within 20 days of the date of its adoption by the Town Board; and be it further

RESOLVED, that the Director of the Department of Building and Planning shall file a copy of the Local Law No. 6 of 2018 with the Town and County Planning Boards; and be it further

RESOLVED, that the Town Clerk shall attach a copy of Local Law No. 6 of 2018 to the minutes of this Town Board meeting.

Motion by Councilman Baker and seconded by Councilwoman Vomacka to adopt Resolution No. 63 of 2018.

A roll call was taken on Resolution No. 63 of 2018 as follows:

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

Motion carried. Resolution No. 63 of 2018 was adopted unanimously.

Local Law 6 of 2018 Local Law Amending
Chapter 210 Attachment 1, Table 1
“Summary of Allowed Uses”
[Adopted 12-20-2001 by L.L. No.
1-2001]

1. The purpose of this Local Law is to amend the Town’s Zoning Code to restore
Places of Worship as an Allowed Use subject to Site Plan Approval in all Zoning

districts in the Town of Stillwater (“Town”) as a function of the Town Board’s authority under §265 of the Town Law of the State of New York.

- 2. The following amendments are made to the following Sections of Town Code Chapter 210 Attachment 1, Table 1 “Summary of Allowed Uses as provided in the attachment hereto”
 - a. 210 Attachment 1:2, Section “Civic,” Subsection, “Place of Worship” shall be amended to be an Allowed Use subject to Site Plan Approval within Traditional Zoning Districts R-R, LDR, RRD, B-1, BP, ID, R67, and R67 West as well as in the T2, T3N, T3G, T4 and T5 Transect Zones.
- 3. This Local Law shall be effective upon its filing with the New York Secretary of State or upon the date of its personal service on any individual.

Resolution #64 Awarding the Bid on Diesel/Gas Fuel

WHEREAS, competitive bids were solicited indicating the Town would award the bid by individual item prices and opened at the July 19, 2018 regularly scheduled Town Board Meeting for Diesel/Gas fuel; and

WHEREAS, two 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 John Ray and Sons provided the lowest conforming bids for Premium Ultra Low Sulfur Diesel at a price of \$2.2696 (based off Albany Tank Car price which is based on escalator or de-escalator) per gallon and #2 Heating Oil at a price of \$2.226 per gallon and is therefore awarded the contracts for these items; and be it further

RESOLVED, that G.A. Bove Fuels provided the lowest conforming bids for Non-Ethanol 91 Octane at a price of \$2.9069 per gallon and Ethanol 89 Octane at a price of \$2.4289 per gallon (based off Albany Tank Car price which is based on escalator or de-escalator) and is therefore awarded the contracts for these items; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to enter into agreements with John Ray and Sons and G.A. Bove Fuels and to disburse the needed funds as appropriate.

Motion by Councilman Baker and seconded by Councilwoman Vomacka to adopt Resolution No. 64 of 2018.

A roll call was taken on Resolution No. 64 of 2018 as follows:

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

Motion carried. Resolution No. 64 of 2018 was adopted unanimously.

Resolution #65

**Quit Claiming Interest in
Property Along Brickyard Road**

WHEREAS, in 2005 Camfield Purcell Water Works Inc. (“Camfield”) quit claimed a water pipe line and certain real property to the Town of Stillwater for \$10.00 along Brickyard Road; and

WHEREAS, Camfield intended to transfer the water pipe line with the real property immediately around it and underneath it but inadvertently conveyed a total of approximately twenty acres across what was at that time Tax Map Parcel 253.-1-32.11 and 32.2; and

WHEREAS, the above tax parcels were subsequently purchased by TGW Stillwater Associates LLC and Brigadier Estates LLC respectively, who have been paying the property taxes thereon, and are now designated as Tax Map Parcels 253.-1-32.11 and 32.21; and

WHEREAS, the above tax parcels are no usefulness to the Town except to the extent they may contain the now abandoned water pipe line and/or portion of the Brickyard Road right-of-way which pipeline and right-of-way are being reserved by the Town as a Permanent Easement for future use;

Now, therefore be it

RESOLVED, that the Tow Board hereby declares the above parcels to be surplus and authorizes the Supervisor to sign a Quit Claim Deed and associated documents conveying whatever interests the Town may have in Tax Map parcels 253.-1-32.11 and 32.21 to TGW Stillwater Associates LLC and Brigadier Estates LLC, respectively, for \$10.00 each; and be it further

RESOLVED, that the Supervisor is hereby authorized to accept for recording a Deed of Permanent Easement and associated documents from the above entities to preserve the Town’s interest in the bed of Brickyard Road and a ten foot adjacent strip on its West side believed to contain the now abandoned water pipe line; and be it further

RESOLVED that the proposed transfer of the Town’s interest in the above-referenced properties is subject to a permissive referendum pursuant to §64 of the NYS Town Law; and be it further

RESOLVED, that the Town Clerk is hereby directed to post and publish a Notice of Adoption of this Resolution, together with a copy of the Resolution, in the Town’s official newspaper or a daily newspaper alternative within 10 days after its adoption; and be it further

RESOLVED that the Town Clerk file a Certificate of No Petition for Referendum with the Saratoga County Clerk no less than 30 days, and no more than 40 days, after the Notice of Adoption of Resolution Subject to Permissive Referendum has been posted and published.

Motion by Councilman Baker and seconded by Councilwoman Vomacka to adopt Resolution No. 65 of 2018.

A roll call was taken on Resolution No. 65 of 2018 as follows:

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

Motion carried. Resolution No. 65 of 2018 was adopted unanimously.

Resolution #66 Budget Adjustments

WHEREAS, Anne Marie Hallum, Director of Fiscal Management has recommended that the following budget transfers and adjustments be accomplished:

BUDGET IMPACT STATEMENT: as stated above

Account No. Description	Amount	
BUDGET TRANSFERS		
B9950.9 Transfer to Capital projects	35655.75	Additional change order Brown’s Beach Pavilion
Fund Balance	-35655.75	Additional change order Brown’s Beach Pavilion
Transfer \$35,655.75 to Capital projects		
B9950.9 Transfer to Capital projects	10,000.00	To cover Chazen bills for Brown’s Beach Pavilion
Fund Balance	-10,000.00	To cover Chazen bills for Brown’s Beach Pavilion
Transfer \$10,000.00 to Capital Projects		
B1440.44 Attorney Contractual	3,800.00	To cover attorney’s fees for Panza Contract
B7140.4682 Brown’s Beach Contract	-3,800.00	To cover attorney’s fees for Panza Contract
B1910.4 Unallocated Insurance	300.00	To cover shortage on insurance premium
B7140.2 Playground Equipment	-300.00	To cover shortage on insurance premium
BUDGET INCREASE		
B2025 Marina Income	82,000.00	Marina Budge to cover payroll and contractual for Rest of year
B7180.100 Marina Payroll	52,000.00	Marina Budge to cover payroll
B7180.42 Marina Contractual	30,000.00	Marina Budge to cover contractual
B2770 Miscellaneous Income	4200.00	Monies from sale of BB shed and reimbursement Of electrical work Panza’s
B41440.44 Attorney Fee	4200.00	Attorney’s fees for Panza’s contract BB

RESOLVED, that the above Budget Transfers and Adjustments are hereby approved.

Motion by Councilman Baker and seconded by Councilwoman Vomacka to adopt Resolution No. 66 of 2018.

A roll call was taken on Resolution No.66 of 2018 as follows:

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

Motion carried. Resolution No. 66 of 2018 was adopted unanimously.

**Resolution #67 Authorizing James Murphy to Be Paid
For his Accrued Sick Leave Prior to Retirement**

Introduced by: _____ Supervisor _____

WHEREAS, James Murphy is retiring effective 08/31/2018; and

WHEREAS, as per Article 7-D of the CSEA Contract a retiring employee may use up to 14 days (112 hours) of sick leave prior to the effective date of retirement; and

WHEREAS, due to the needs of the business James Murphy was unable to use those 14 days, therefore, he is requesting to be paid for them at his current rate of pay for 112 hours.

Now, therefore, be it
RESOLVED, that the Town Board determines that James Murphy be paid at his current rate of pay (\$24.11) for 112 hours for a total of \$2,700.32.

Motion by Councilman Baker and seconded by Councilwoman Vomacka to adopt Resolution No. 67 of 2018.

A roll call was taken on Resolution No. 67 of 2018 as follows:

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

Motion carried. Resolution No. 67 of 2018 was adopted unanimously.

Public Input

Russ Bower inquired when Bocrest PDD would be back on the Town Board agenda. Supervisor Kinowski said possibly the Sept meeting.

Gina commented on the Bocrest PDD, asked the Town Board to consideration all aspects of the PDD and inquired on the benefit units.
Supervisor Kinowski stated that the Board will consider all aspects of the plan.
Engineer Lanaro stated that the benefit unit homeowners pay now will be reduced with the new PDD.

Coke C commented on the Brocest development and that the owners of the property should be known to the general public.
Supervisor Kinowski stated that paperwork is usually filed under an LLC.

Russ B stated that the owners should be available to answer questions from the residents and hear their concerns.

Audited Claims

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

General	\$19,144.30
Town Outside	\$32,310.96
Highway	\$40,969.47
Water & Sewer	\$3,786.90
Capital Projects	\$14,507.70

Motion carried.

Motion by Councilman Baker and seconded by Councilwoman Vomacka to adjourn the Town Board meeting at 7:40 pm and enter into executive session to discuss contractual license agreement. **Motion carried.** (Note: The Town Board will not resume the regular meeting).

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk