

Stillwater Town Board
January 19, 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, 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.

Adoption of Minutes: Motion by Councilman Petronis and seconded by Councilwoman Vomacka to adopt the minutes of January 5th of 2017. **Motion carried.**

Presentation **Winding Brook PDD Amendments**

An Engineer representing Amodore Homes gave a special presentation of amendments which they are proposing to the PDD, which include multi-family homes, condominiums and businesses along Rte 423.

Brief discussion was held on commercial bldg., drainage, wetland flow, roadway, condominiums, buildout and public benefit.

Reports **Town Board & Dept. Heads**

Councilwoman Bruno

2017 Clean up: Councilwoman Bruno reported that the dates for this year's clean-up are scheduled for May 13th and Oct 7th.

2017 Concert series: Councilwoman Bruno reported on the dates for the summer concert series but location has yet to be determined.

Ice Bar: Councilwoman Bruno reported that an ice bar will be set up at Doc Browns weather permitting.

Supervisor Kinowski

Resignation: Supervisor Kinowski stated he received an email from Bob Barshied resigning his position from the planning Board.

Motion by Councilman Petronis and seconded by Councilwoman Bruno to accept the resignation of Bob Barshied.

Agenda Items **Resolutions #2--#9**

**Resolution #2 Referring the Winding Brook PDD
To the Stillwater Planning Board for Review**

Introduced by: Supervisor

WHEREAS, Lansing Engineering has submitted an application for an Amendment to the Winding Brook PDD; and

WHEREAS, it is the practice of the Town Board to refer planned development district applications and amendments to the Town Planning Board for its review and comments prior to considering the PDD amendment for approval; and

WHEREAS, the Town Board has reviewed the attached Project Narrative, Proposed

Local Law, and also the review letter of Paul Male, Acting Director of Building Planning & Development and James P. Trainor, Attorney for the Town, as well as Lansing Engineering responses;

Now, therefore, be it

RESOLVED, that the application by Lansing Engineering regarding the Winding Brook PDD Amendment be and hereby is referred to the Town Planning Board for its review and report back to the Town Board as soon as practicable.

Motion by Councilwoman Bruno and seconded by Councilwoman Vomacka to adopt Resolution No. 2 of 2017.

A roll call vote was taken on Resolution No. 2 of 2017 as follows:

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

Motion carried. Resolution No. 2 of 2017 was adopted unanimously.

Resolution #3 Appointing a Comprehensive Plan Advisory Committee

Introduced by: Supervisor _____

WHEREAS, pursuant to the NYS General Municipal Law, the Town of Stillwater is required to prepare and adopt a comprehensive, long-term general plan (“Comprehensive Plan”) for the physical development of the Town; and

WHEREAS, the Comprehensive Plan (also known as long-term general plan, master plan, or land use plan) presents the vision and long-term goals and objectives that guide the physical development and orderly management of growth of the Town for the foreseeable future; and

WHEREAS, the plan may include accompanying charts, drawings, diagrams, schedules and reports, including those addressing current and future problems that may affect the Town as a whole; and

WHEREAS, in order to ensure transparency and citizen involvement, the Town wishes to call upon a Council-appointed committee to be known as the “Comprehensive Plan Advisory Committee” to assist in the planning process; and

WHEREAS, the Comprehensive Plan Advisory Committee will oversee the preparation of a proposed Comprehensive Plan update: 1) to ensure alignment with the Town Board’s expectations; and 2) for consideration and adoption; and

WHEREAS, the Comprehensive Plan Advisory Committee shall serve as a recommending body to ensure findings, recommendations, and strategies are in alignment with the overarching goals and vision of the Town Board and reflect community input; and

WHEREAS, the Comprehensive Plan Advisory Committee meetings will be open to the public and noticed in accordance with the State of New York open meeting law; and

WHEREAS, the Comprehensive plan Advisory Committee may include members of other Town of Stillwater boards, commissions, community leaders, the chairs of stakeholder groups, and subject matter experts;

Now, therefore, be it

RESOLVED, the Town Board hereby establishes the Comprehensive Plan Advisory Committee, which shall sunset pursuant to the last section of this resolution; and be it further

RESOLVED, that the purpose of the Comprehensive Plan Advisory Committee is to:

Oversee the preparation of a proposed Comprehensive Update Plan: 1) to ensure alignment with the Town Board’s expectations; and 2) for consideration and adoption; and serve as the recommending body to ensure that the Comprehensive Plan Update is in alignment with Town Board’s expectations; and to ensure findings, recommendations, and strategies are in alignment with the overarching goals and vision of the Town Board and reflect community input; and be it further

RESOLVED, that the Comprehensive Plan Advisory Committee shall consist of members appointed by the Town Board from various Town of Stillwater boards, commissions, community leaders, the chairs of stakeholder groups, and subject matter experts; and be it further

RESOLVED, that the Comprehensive Plan Advisory Committee shall elect a chairperson and vice-chairperson from its membership, who shall serve for the duration of the Comprehensive Plan Update project; and be it further

RESOLVED, that the staffing needs of the Comprehensive Plan Advisory Committee will be determined and provided by the Building, Planning and Development Department; and be it further

RESOLVED, that the Comprehensive Plan Advisory Committee may make, and forward to the Town Board, one or a series of recommendations at any time during its existence for consideration. Final recommendations must be submitted to the Town for review no later than January 31, 2018; and be it further

RESOLVED, that the Comprehensive Plan Committee shall sunset and close its service upon completion and adoption of the Comprehensive Plan Update. The sunset date shall not exceed December 31, 2018.

Motion by Councilwoman Bruno and seconded by Councilwoman Vomacka to adopt Resolution No. 3 of 2017.

A roll call vote was taken on Resolution No. 3 of 2017 as follows:

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

Motion carried. Resolution No. 3 of 2017 was adopted unanimously.

Resolution #4 Scheduling the Annual Frost Faire

Introduced by: Supervisor

WHEREAS, it has become a tradition in the Town to schedule and co-sponsor with the Saratoga National Battlefield a Frost Faire in January for Town residents;

Now, therefore, be it

RESOLVED, that the Town Board hereby schedules the Annual Frost Faire on January 28, 2017 at the Saratoga National Battlefield; and be it further

RESOLVED, that the Town Clerk is authorized to coordinate the event and expend budgeted funds in an amount not to exceed \$500.00 for the event.

Motion by Councilwoman Bruno and seconded by Councilwoman Vomacka to adopt Resolution No. 4 of 2017.

A roll call vote was taken on Resolution No. 4 of 2017 as follows:

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

Motion carried. Resolution No. 4 of 2017 was adopted unanimously.

Resolution #5 Authorizing the Replacement of Highway Tandem Axle Truck

WHEREAS, the Highway Superintendent has recommended that the Highway Tandem Axle Truck be replaced; and

WHEREAS, the proposed expenditure has been included in the 2017 budget;

Now, therefore, be it

RESOLVED, that the Highway Superintendent be authorized to purchase a new tandem axle truck off the Oneida County Contract list for an amount not to exceed \$190,000;

And be it further

RESOLVED, that Highway Superintendent is also authorized, but not required, to declare the truck being replaced as surplus to the Town and to conduct an auction to sell it.

Motion by Councilwoman Bruno and seconded by Councilwoman Vomacka to adopt Resolution No. 5 of 2017.

A roll call vote was taken on Resolution No. 5 of 2017 as follows:

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

Motion carried. Resolution No. 5 of 2017 was adopted unanimously.

**Resolution #6 Awarding the Bid for Constructing
A New Building Foundation at Brown's Beach**

WHEREAS, competitive bids were solicited and opened on January 17, 2017 for the construction of the new building foundation at Brown's Beach; and

WHEREAS, bids were submitted and the General Municipal Law requires that the contract be awarded to the lowest most responsible bidder;

Now, therefore, be it

RESOLVED, that Contract #1 for the Helical Pile Foundation System at Brown's Beach is hereby awarded to the lowest most responsible bidder, Reagan's Tree Service Inc. dba Techno Post of Albany, at the bid price as follows: Total for All Bid Items (Bid #1 and #3): \$101,600; Bid Item #1 – Base Bid: \$86,000; Bid Item #2 – Helical Piles; Deviations from Base Length: \$52.00/foot; Bid Item #3 – Field Order Allowance: \$15,000 (same for all bidders) pursuant to the attached bid; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to enter into an agreement with Reagan's Tree Service Inc. dba Techno Post of Albany for the stated price and to disburse the needed funds as appropriate.

Motion by Councilwoman Bruno and seconded by Councilwoman Vomacka to adopt Resolution No. 6 of 2017.

A roll call vote was taken on Resolution No. 6 of 2017 as follows:

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

Motion carried. Resolution No. 6 of 2017 was adopted unanimously.

Resolution #7 Regarding the Demolition Of 3 Dorchester Drive

WHEREAS, 3 Dorchester Drive in the Town of Stillwater (SBL 253.25-1-14) appears to be an abandoned structure previously owned by decedents Brian and Betty Smith whose foreclosed mortgage was recently assigned to NS163, LLC of 3 Corporate Drive, Suite 208, Shelton, CT 06484 on January 6, 2017; and

WHEREAS, the attached reports certify that the building on the premises is a direct hazard and an immediate danger to the health, safety or welfare of the neighbors and the public; and

WHEREAS, Section 69-10 of the Town Code (copy attached) and sections 108, 109 and 110 of the 2015 International Property Maintenance Code, as incorporated into the New York State Fire Prevention and Building Code at sections 1220.1 and 1226.1, empower the Town Board and the Code Enforcement Officer, with the concurrence of the Town Police, Fire Chief whose district encompasses the subject property, or the Health Officer or President of the Board of Health of the Consolidate Health District of Stillwater, to take immediate action to abate or remove a dangerous condition such as that described in the attachments hereto to include demolishing the building;

Now, therefore be it

RESOLVED, that the Town Board hereby finds, based on the attached reports that the condition of the building located at 3 Dorchester Drive, Town of Stillwater (SBL 253.25-1-14) is such which, in its opinion, requires immediate action to abate a direct hazard and in immediate danger to the health, safety and welfare of the neighbors and of the public; and be it further

RESOLVED, that the Town Police, appropriate Fire Chief, the Health Officer or President of the Consolidated Health Board of Stillwater has concurred with the Town's assessment of the building's condition; and be it further

RESOLVED, that the Town Board hereby authorizes the Town Supervisor and Code Enforcement Officer, pursuant to the emergency provisions of Section 69-10 of the Stillwater Town Code and sections 108, 109 and 110 of the 2015 International Property Maintenance Code, as incorporated into the New York State Fire Prevention and Building Code at sections 1220.1 and 1226.1, to take any action authorized therein, including but not limited to, the immediate demolition of the unsafe building located at 3 Dorchester Drive, without prior notice or hearing, which is reasonably necessary to abate or remove the dangerous condition; and be it further

RESOLVED, that the Director of Building, Planning and Development is directed, pursuant to Section 69-10 of the Stillwater Town Code, to serve notice on the property owner(s) in the same manner as effecting service as provided in Section 69-6 of the Stillwater Town Code, within 48 hours of Town's initiating of the abatement, removal or

demotion action.

Motion by Councilwoman Bruno and seconded by Councilwoman Vomacka to adopt Resolution No. 7 of 2017.

A roll call vote was taken on Resolution No. 7 of 2017 as follows:

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

Motion carried. Resolution No. 7 of 2017 was adopted unanimously.

**Resolution #8 Approving and Endorsing an Application
for a \$20,000 Greenway Communities Grant for the
Champlain Canalway Trail Action Plan Update Project**

WHEREAS, the Town of Stillwater agrees to serve as the municipal sponsor in the application to the Hudson River Valley Greenway for a grant under the Greenway Communities Grant Program for a project entitled *Champlain Canalway Trail Action Plan Update*, to be located in 18 municipalities including the towns of Whitehall, Fort Ann, Kingsbury, Fort Edward, Northumberland, Greenwich, Saratoga, Stillwater, Halfmoon, and Waterford; villages of Whitehall, Fort Ann, Fort Edward, Schuylerville, Victory, Stillwater and Waterford; and the 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 governing board of the Town of Stillwater hereby does approve and endorse the application for a \$20,000 grant under the Greenway Communities Grant Program due on February 3, 2017, for a project known as *Champlain Canalway Trail Action Plan Update* and located within this and 17 other communities.

Motion by Councilwoman Bruno and seconded by Councilwoman Vomacka to adopt Resolution No. 8 of 2017.

A roll call vote was taken on Resolution No. 8 of 2017 as follows:

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

Motion carried. Resolution No. 8 of 2017 was adopted unanimously.

**Resolution #9 Appointing Paul Pecor as Sergeant to the
Stillwater Police Department**

Introduced by: _____ Supervisor _____

WHEREAS, the Town Board has determined a need to appoint a new Police Sergeant to replace Police Sergeant Charles T. Rockwell Jr., who submitted his resignation effective on April 2nd, 2016 and formally established and on file at the Saratoga County Personnel Office; and

WHEREAS, after due consideration of receiving a number of applications for said position, and conducting several interviews, have selected Police Officer Paul Pecor for promotion to Sergeant;

Now, therefore, be it

RESOLVED, that the Town Board hereby appoints Police Officer Paul Pecor to the Position of Police Sergeant in the Stillwater Police force; and

RESOLVED, the Town Board also wishes to recognize his many achievements to date, qualifications and dedication to meet the current and future needs of our Police Department.

Motion by Councilwoman Bruno and seconded by Councilwoman Vomacka to adopt Resolution No. 9 of 2017.

A roll call vote was taken on Resolution No. 9 of 2017 as follows:

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

Motion carried. Resolution No. 9 of 2017 was adopted unanimously.

Public Input

Rich D inquired about the capacity of the sewer line with all the building on Saratoga Lake.

Supervisor Kinowski stated that consideration was taken into effect for future development and that there was plenty of capacity.

Rick Nelson, Village Mayor, inquired if the Town Board is interested in any names to fill the open planning board position.

Supervisor Kinowski stated that the alternate would be given the chance to take the open seat but would like names recommended to fill as an alternate.

Rick also inquired about Resolution #8 and if it was specific to the Town.

Supervisor Kinowski explained that other Towns have been tap out and it is basically used in name only.

A brief discussion was held on the trail and connecting thru the Village.

Audited Claims

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

2016 Claims

General	\$1,410.23
Town Outside	\$239.75
Highway	\$9,709.57
Water	\$188.64

2017 Claims

General	\$10,927.42
Town Outside	\$2,853.92
Highway	\$4,629.21
Water	\$1.96
Capital Projects	\$110.36

Motion carried.

Motion by Councilman Baker and seconded by Councilman Petronis to adjourn into executive session to discuss a personnel issue at 8:05pm. **Motion carried.**

(Note: The Town Board will not resume back into the business meeting.)

Respectfully submitted by

Sue Cunningham
Stillwater Town Clerk