

March 9, 2015

The regular meeting of the Town Board of the Town of Clifton Park was held in the Town Office Building at 7:00 p.m., Supervisor Barrett presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG

Present: Councilman Whalen
Councilwoman Standaert
Councilman Romano
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy
Mark Heggen, Comptroller
Richard Kukuk, Superintendent of Highways
John Scavo, Director of Planning
Jeffrey Vedder, Supervisor Convenience Transfer Station

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett reported single stream recycling program at the town Transfer Station started on March 3rd.

The Supervisor reported a PUD has been received for 94 apartments units by Abele Builders at the Exit 8 area.

Councilman Whalen reminded residents that local author and historian David Pietrusza will be at the Clifton Park/Halfmoon Library on March 18th at 7:00 p.m. This program is sponsored by the town's Arts and Culture Commission.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 59 of 2015, a resolution extending the hours of the Convenience Transfer Station for the annual Spring Clean Up/Green Up Week.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, a request has been made by Jeffrey Vedder, Transfer Station Supervisor, for authorization to extend the hours of the Convenience Transfer Station for the annual Spring Clean Up/Green Up Week to include Sundays, April 19th and 26th, and

WHEREAS, authorization for overtime costs for the extended hours is required; now, therefore, be it

RESOLVED, that the Transfer Station Supervisor is hereby authorized to extend the hours of the Convenience Transfer Station for the annual Spring Clean Up/Green Up Week to include Sundays April 19th and 26th with the extended hours to be as set forth in the attached Schedule A; and be it further

RESOLVED, that the Sunday hours will be for the collection of leaves and brush only while all other items will be taken during the regular hours from Tuesday through Saturday and authorization is further granted for the overtime requirements to be paid as budgeted in A-8160-74 (General Fund-Convenience Transfer Station-Overtime).

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 60 of 2015, a resolution authorizing the hiring of pool management for the 2015 season, per Schedule A.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, it is necessary that management staff be hired to operate the three town-owned pools for the 2015 season, and

WHEREAS, the Town Board wishes to rehire the returning pool directors and managers for the three town-owned pools, and to hire David Czechowski as Learn to Swim Director and Certification Trainer as per Schedule "A"; now, therefore, be it

RESOLVED, that the individuals listed on the attached Schedule "A" are hereby hired as staff for the three town-owned pools; and be it further

RESOLVED, that all hires are effective with start dates and ending dates as per Schedule A.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 61 of 2015, a resolution awarding the bid for Seasonal/Restroom Cleaning during sports league play in town parks.

Introduced by Councilman Whalen, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, the contract for seasonal restroom cleaners for town parks has expired, and

WHEREAS, the town desires to retain seasonal restroom cleaners for Town Parks during sports league play from April 1 through October 31, 2015, and payment for these services have been budgeted for 2015, and

WHEREAS, bids for seasonal restroom cleaners were solicited and opened on February 23, 2015, and

WHEREAS, the sole bidder was Mater's, in a total amount of \$9,900 for the cleaning of the rest rooms at Clifton Common, Collins Park and Veteran's Park, and

WHEREAS, the town may choose to extend the contract with Mater's beyond 2015 season; now, therefore, be it

RESOLVED, that the bid of Mater's, 601 London Square Drive, Clifton Park, New York, be accepted to provide janitorial services at town parks through the completion of sports league play at a cost not to exceed \$9,900 for the 2015 season, to be paid as budgeted, \$7,425 from A-

7112-23 (Clifton Common Cleaning), \$1,980 from A-7113-23 (Collins Park Cleaning) and \$495 from A-7024-23 (Veteran's Park Cleaning) for the 2015 season.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 62 of 2015, a resolution authorizing the Comptroller and Assistant Comptroller to attend the New York State Government Finance Officers Association (NYSGFOA) Annual Conference in Albany, New York.

Introduced by Councilman Whalen, who moved its adoption, seconded by Councilwoman Standaert.

WHEREAS, Comptroller Mark Heggen has requested that he and Assistant Comptroller Stephanie Drenchko be authorized to attend the NYSGFOA Annual Conference to be held March 24-27, 2015, at the Albany Marriott, in Albany, New York, and

WHEREAS, their attendance at this conference will confer a benefit upon and be in the best interest of the Town of Clifton Park; now, therefore, be it

RESOLVED, that Comptroller Mark Heggen and Assistant Comptroller Stephanie Drenchko are hereby authorized to attend the NYSGFOA Conference March 24-27, 2015, in Albany, New York, at a cost for both attendees not to exceed \$790 to be paid from A-1315-001 (General Fund Comptroller's Office-Travel & Conferences), to be vouchered appropriately.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 63 of 2015, a resolution to adopt the Clifton Park Town Center Form Based Development Code.

Introduced by Councilman Romano, who moved its adoption, seconded by Councilwoman Standaert.

WHEREAS, by Resolution 163 of 2012, the Town Board adopted the Town Center Plan, and

WHEREAS, by Resolution No. 186 of 2012, the Town Board accepted a grant from Capital District Transportation Committee to assist the town in implementing the Town Center Plan through the Town Center Zoning Code Revisions Project for the Exit 9, and

WHEREAS, the Town Board appointed a Town Center Study Advisory Committee consisting of community stakeholders to collaborate with regional transportation agencies that participate in the Capital District Transportation Committee's Linkage Program which included representatives from the Capital District Transportation Committee, Capital District Transportation Authority, Capital District Regional Planning Commission and New York State Department of Transportation, and

WHEREAS, public workshops were held beginning in March of 2013, along with presentations by town staff and consultants, meetings with landowners and stakeholders, and

WHEREAS, both written and verbal public input gathered throughout the zoning code update process was considered and included in the Draft Zoning Code Amendments, and

WHEREAS, meetings with various owners and stakeholders continued throughout 2013 and 2014, with Town Board members and staff meeting with individual stakeholders to receive input and comment on the Draft Zoning Code, and

WHEREAS, a public hearing was held on proposed amendments to the town's Zoning Code through implementation of the Clifton Park Town Center Form Based Development Code, Version 4.0, on December 8, 2014, and

WHEREAS, as a result of that hearing and input received from the public, changes were added to the proposed amendments, including an increase in the proposed cap on the maximum dwelling units to be allowed per acre and per project within the town center area, and a decrease in the minimum acreage eligible for consideration as a Planned Unit Development District within most of the Town Center Zone Districts, and

WHEREAS, a second public hearing on the updated, proposed amendments was held on February 2, 2015, at which additional comment and public input was received, and

WHEREAS, amendments to Section 208 of the Town Code, adopting Version 5.0 of the Town Center Form Based Development Code will provide greater flexibility to owners, developers and businesses within the Exit 9 Study Area, as well as more density and complementary uses, and

WHEREAS, the Town Board supports the proposed zoning amendments to the Town Center Area, and wishes to provide more flexibility to the owners and stakeholders within the Town Center Area, and to introduce mixed uses within the area to provide residential uses that will complement existing and future commercial uses, and

WHEREAS, a reduction in the acreage needed for Planned Unit Development consideration from ten (10) acres to five (5) acres for most of the study area also provides greater flexibility for consideration of effective project planning within the Town Center Area; now, therefore, be it

RESOLVED, as Lead Agency, the Clifton Park Town Board hereby adopts the attached Full Environmental Assessment Form and issues a Negative Declaration pursuant to the State Environmental Quality Review Act, and be it further

RESOLVED, that Chapter 208 of the Town Code, Zoning, is hereby amended by adding Section 208-20, et seq., Clifton Park Town Center Form Based Development Code, Version 5.0, and, be it further

RESOLVED, that Local Law No. 1 of 1991, as amended, which established the Leonard Geriatric Planned Unit Development District of the Town Code, is hereby repealed and replaced with applicable sections of the Town Center Zoning Code which provide for nursing home services as allowed uses with special permits, and be it further

RESOLVED, that Local Law No. 3 of 1987, as amended, which established the Village Plaza Planned Unit Development District, is hereby repealed and replaced with Clifton Park Town Center Form Based Development Code, Section 208-20 et seq., and be it further

RESOLVED, that Local Law No. 6 of 1998, which established the Northcrest Park Extension Planned Development District, is hereby repealed and replaced with Clifton Park Town Center Form Based Development Code, Section 208-20 et seq., and be it further

RESOLVED, that Local Law No. 10 of 2003, which established the Maxwell Drive South Mixed Use Planned Unit Development District, Section A217-360 of the Town Code, remains in full force and effect, and be it further

RESOLVED, that Chapter 208, of the Town Code, Zoning, is further amended by amendment to Section 208-71, Planned Unit Development Districts, as attached, to reduce the minimum acreage lots eligible for consideration for Planned Unit Development designation within most of the Town Center Zoning Districts, and be it further

RESOLVED, that all prior zoning designations inconsistent with Town Center Form Based Zoning Districts are hereby repealed and replaced; and be it further

RESOLVED, that these amendments are effective immediately.

Supervisor Barrett thanked all who worked on and participated in the Plan. He said a great amount of redevelopment has occurred in the Exit 9 area since 2000 and knowing that there will be new development in the future, it was clear that it was necessary to provide additional flexibility for projects and also to attract different projects through the Town Center Plan and subsequent zoning. Supervisor Barrett explained the process was never about one type of parcel or project but the study encompasses the entire Town Center Plan area. He stated over the past few years \$70 million in investments in new health care facilities has occurred in town. He said the goal is to sustain the success the Exit 9 area has achieved. He noted the continuous growth of businesses that have been located in town for a period of time embarking on major redevelopment projects or major expansion. Supervisor Barrett stated having a diversified economy is a much better situation than having too much of one particular segment of the economy. A diversified economy with complementary uses is very important.

Councilman Romano said the Town Center Plan will help prepare for the future.

Supervisor Barrett said the town doesn't want to be just one type of economy and has the opportunity to have both a downtown and a mall. He said it is important to be flexible.

Councilman Whalen said he hasn't met anyone who is opposed to the Town Center Zoning Code and read a prepared statement, attached.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Kathy Ophart, Daniel Lill Court, speaking against the proposed PUD application for Christinamarie Drive, noted there will be increased traffic problems on Crescent Road, overcrowding at the school, noise and lighting problems for residents due to buffer being disturbed. She said there are also wetlands in the area. She asked if the property can be redeveloped with private homes with a cul de sac going on to Crescent Road.

Supervisor Barrett said the area is currently zoned residential for single family homes but the PUD is necessary for apartments. He reviewed the process involved with PUD application, noting if this application does not receive Town Board and Planning Board approval then the project would be "dead". He recommended interested parties follow the agendas on the town website for information.

Kathleen Kennett, Hiawatha Drive, spoke against the proposed PUD application noting it backs up to her property and the access road would be 100 feet from her back yard. She stated it will

be more dangerous with increased traffic. Ms. Kennett this proposal is a huge concern and will drastically change her way of life.

Supervisor Barrett said the plan is available for review at the Planning Department and/or Town Clerk's office.

Nancy Lander, Daniel Lill Court, spoke against the proposed PUD, noting the Exit 8 corridor is getting very crowded. She expressed concern regarding wetlands, noting there is a stream running through her yard and the same builder had to come to her home after it was built to build a drainage system around her house. Ms. Lander stated this will affect the quality of life in the area and changes the whole milieu.

Supervisor Barrett this decision will be made in early April and any action taken at that time.

MOTION by Councilwoman Walowit, seconded by Councilman Whalen, to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of Town business.

Motion carried at 7:45 p.m.

Patricia O'Donnell
Town Clerk