

August 20, 2018

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.

Present: Supervisor Barrett
Councilman Whalen
Councilwoman Standaert
Councilman Romano
Councilwoman Walowit
Deputy Town Clerk Teresa Brobston

Also Present: Deputy Town Attorney Anthony Morelli
Dahn Bull, Superintendent of Highways
Mark Heggen, Comptroller
Daniel Clemens, Supervisor of Buildings and Grounds
Michael O'Brien, Collections System Manager
John Scavo, Director of Planning

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the August 6, 2019 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett gave an update on the Kids Corner playground improvements. He announced it should be all set and ready to open once the rubber base is installed, sometime in September. He thanked the community who helped come up with the design and Buildings & Grounds for the installation.

Councilwoman Standaert announced Youth Court is entering their 5th year in existence. 7th – 12th graders are encouraged to become potential members. Applications are available on website, calling Town Hall or emailing Councilwoman Standaert.

Supervisor Barrett thanked everyone who attended the Clifton Park Senior Community Center open house. He explained it was to encourage new memberships. He stated the center has added new trips, activities and classes. Informational tables and performances were included in the open house. He stated since the town has taken the center over, it is growing.

PRESENTATION BY SIEMENS

Shadrach Treat, Account Executive, presented the Audit Summary showing inventory of street lighting in town which yielded 620. He explained the status and results for each of the lights. Energy Savings Benefits were explained along with new equipment and LED's benefits. All new fixtures will include a control node to enable communication to and from the fixture. This allows for asset management, dimming, and future smart city applications. Project Financial Benefits were explained. He outlined the next steps in the project. Presentation document attached.

Supervisor Barrett explained there is an additional cost to include the control node and explained the benefits of installing them at the same time when changing the lights.

Supervisor Barrett explained, as a Town Board, decisions of the control nodes to be included in the installation and the type of financing, if any, will need to be considered.

PUBLIC PRIVILEGE ON RESOLUTIONS

Resolution No. 197 of 2018, a resolution authorizing Janet Gomes to attend the NYSAMCC Annual Conference in Lake Placid, September 16-19, 2018.

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

WHEREAS, the state requires all court clerks to attend a training session on a yearly basis, and

WHEREAS, New York State Association of Municipal Court Clerks will provide the necessary training for court clerks at the annual fall conference held in Lake Placid from September 16-19, 2018, and attendance at this meeting would provide a public benefit to the town; now, therefore, be it

RESOLVED, that Court Clerk Janet Gomes, is hereby authorized to attend the NYSAMCC annual conference in Lake Placid from September 16-19, 2018, to be paid from A1110-001 (Municipal Court-Training & Conferences) at an estimated cost not to exceed \$942.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 198 of 2018, a resolution declaring a public emergency pursuant to General Municipal Law Section 103(4) at 1 Terrace Court.

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

WHEREAS, on July 8, 2018, the residence at 1 Terrace Court sustained damage from a Clifton Park Sewer District #1 backup, making the finished lower level of the home unsanitary and uninhabitable, and

WHEREAS, Section 103(4) of the NYS General Municipal Law provides that in cases of an emergency situation arising from unforeseen circumstances affecting public buildings or the health or safety of its inhabitants, the Town Board may authorize the purchase of service, material and equipment without competitive bids; now, therefore, be it

RESOLVED, that the Town Board determines that the damage to the Degni residence at 1 Terrace Court, caused by excessive sewage backup on the day/evening of July 8, 2018 constitutes an emergency for procurement purposes under Section 103(4) of General Municipal Law; and be it further

RESOLVED, that the Town Board authorizes Michael O'Brien, Collection System Manager, to enter into a contract with Quick Response Restoration of Clifton Park, NY, or other qualified repair contractors to perform emergency repairs, and to pursue the town's insurance policies as applicable for the reimbursement of costs to the town.

Collection System Manager O'Brien explained the damages incurred by the resident was major damage. He stated the homeowners are well on their way to being put back together and should be completed by September.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 199 of 2018, a resolution that action to consider and adopt a resolution regarding a local law amending Local Law No. 2 of 1967 providing for the creation of a Planned Development District to be known as Park West Planned Development District, constitutes an unlisted action, and issuing a negative declaration under SEQRA.

Introduced by Councilman Whalen, who moved its adoption, seconded by Councilman Romano.

WHEREAS, an application has been presented to the Town Board for a change in the Zoning Code to establish a Planned Development District consisting of up to 132 units of residential housing, pursuant to the condominium form of ownership, on a 23.5 ± acre parcel of land at the southeast corner of the intersection of NYS Route 146 and Route 146A, and

WHEREAS, the Town Board has consulted with MJ Engineering, as town designated engineers, for the review of the proposal pursuant to the State Environmental Quality Review Act, and

WHEREAS, the applicant has prepared and submitted a Long Form Environmental Assessment Form for the review of the proposed legislation, and

WHEREAS, Jaclyn Hakes, MJ Engineering, has prepared Parts 2 and 3 of the EAF, recommending that the Town Board classify the proposed legislative action as an unlisted action, and issue a negative declaration for its Determination of Significance, and

WHEREAS, the Town Board has reviewed the Environmental Assessment forms, attached, prepared by the applicant and by MJ engineering; now, therefore, be it

RESOLVED, that the Town Board accepts the recommendation of the town's designated engineering consultants, and hereby determines that the adoption of the proposed local law constitutes an unlisted action pursuant to SEQRA, and will not have a negative impact on the environment, and be it further,

RESOLVED, that the Town Board hereby issues a negative declaration with regard to the proposal; and be it further,

RESOLVED, that this resolution shall take effect immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 200 of 2018, a resolution adopting Local Law No. 5 of 2018 establishing the Park West Planned Development District, and to repeal the existing zoning regulations for the district area more fully described below, by amending Local Law No. 2 of 1967, as amended by Local Law No. 10 of 1996, of the Town Code, entitled "Local Law Relating to Zoning for the Town of Clifton Park".

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

WHEREAS, an application has been presented to the Town Board for a change in the Zoning Code of the Town of Clifton Park to enable the construction of residential condominium style housing consisting of up to 132 units of residential housing on a 23.5+/- acre parcel of land at the southeast corner of the intersection of NYS Route 146 and Route 146A, and

WHEREAS, on February 5, 2018, the Planning Board provided an advisory opinion to the Town Board supporting the project and recommending approval of zoning legislation to approve the application for the zoning change, and

WHEREAS, on May 21, 2018, the Saratoga County Planning Board issued a determination under Section 239-m of the NYS General Municipal Law, finding that the proposed project represented no county-wide or inter-community impacts, and

WHEREAS, the Town Board conducted a public hearing on the proposed legislation on June 18, 2018 to receive comment for and against the proposal, and

WHEREAS, the Town Board accepts the recommendation of the Planning Board pursuant to Section 208-74 of the Town Code, and finds that the proposed zoning change is consistent with the town's Comprehensive Plan documents, and

WHEREAS, the project developer has proposed a public benefit in the form of an unrestricted community benefit payment in the amount of \$3,800 per unit, for each of the up to 132 units authorized by the zoning legislation, payable upon issuance of building permits for each unit, and

WHEREAS, the Town Board has reviewed the action pursuant to the State Environmental Quality Review Act and has issued a negative declaration pursuant to the act; now, therefore, be it

RESOLVED, that the Town Board determines that the proposal is consistent with the goals of the town's Comprehensive Plan and with the objectives of Section 208-71 A of the Town Code, and, be it further

RESOLVED, that Local Law No. 5 of 2018, a Local Law amending Local Law No. 2 of 1967, as amended by Local Law No. 10 of 1996 of the Town Code, entitled "Local Law Relating to Zoning for the Town of Clifton Park," providing for the creation of Park West Planned Development District, attached, is hereby adopted, and be it further

RESOLVED, that the town's zoning map is hereby amended by adoption of the supplemental zoning map, attached, and be it further

RESOLVED, that the Town Board accepts the proposed community benefit payment of \$3,800 per unit payable upon issuance of building permits, pursuant to Section 208-71 of the Town Code; and be it further

RESOLVED, that the Town Clerk file said notice with the New York State Department of State as required by law.

Supervisor Barrett explained the applicant had submitted several different options for this development and feels this is the best solution. Applicant proposed apartments which followed the parcel zoning which is Commercial, the Town Board denied. Based on the public hearing comments, the applicant presented changes and a PDD is required to change it to residential. The condo design will be a townhome design with units owned by resident, not rented. Buffering to surrounding existing homes were carefully considered.

Scott Lansing, Project Engineer, presented the current PDD application review. He explained the setback and no-cut buffers were increased.

Supervisor Barret also explained the town has been in communication with state DOT about the 146-146A updates with regards to the entrances to this project as well and thanked the residents for their input.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 201 of 2018, a resolution authorizing execution of a contract for the acquisition of parcels known as the Dwaas Kill Natural Area and Waite Road property from Saratoga PLAN.

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

WHEREAS, Saratoga PLAN acquired 31.8 acres in 1998 and 1989 in the Town of Clifton Park, which property is in close proximity to the Dwaas Kill Nature Preserve, currently owned and managed by the town as a nature preserve, and

WHEREAS, in 1998, Saratoga PLAN acquired 96.9 acres off Waite Road which is contiguous to Garnsey Park, owned by the town, and

WHEREAS, Saratoga PLAN has expressed interest in conveying the properties to the town, and the Town Board wishes to accept the real property rights pursuant to terms and conditions set forth in the Agreement; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute an agreement to accept the conveyance of the properties for park purposes without compensation; and be it further

RESOLVED, that upon conveyance, the 31.8± acre property and the 96.9-acre property as described in Schedules A & B will be designated as public parks in perpetuity.

Supervisor Barrett explained this property transaction will be a transfer of ownership not purchasing it.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 202 of 2018, a resolution hiring Head Lifeguards for the end of the 2018 summer season for town pools.

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

WHEREAS, the Town Board wishes to hire head lifeguards to assist in the management of the town pools, and

WHEREAS, due to head guards leaving for college at the end of the pool season, all three pools have vacancies for head lifeguards as of August 10, 2018, and

WHEREAS, the Supervisor has recommended that the following individuals be hired as head lifeguards at the following rate:

<u>Name</u>	<u>Pool</u>	<u>Address</u>	<u>Rate</u>
Megan Costello	Locust Lane	21 Ironwood Street, Clifton Park	\$9.95
Stephanie Morgan	Country Knolls	4 Evergreen Terrace, Ballston Lake	\$10.70
Amanda Pendergast	Barney Road	8 Nottingham Way North, Clifton Park	\$11.20
Brendan Pickel	Barney Road	3 Gingham Avenue, Clifton Park	\$10.45
Sarah Wettergreen	Locust Lane	60 Via Da Vinci, Clifton Park	\$10.20

Now, therefore, be it

RESOLVED, that the above individuals shall be hired as Head Lifeguards for Barney Road Pool (A-7150-E4690), Country Knolls Pool (SP5-7151-E4690) and Locust Lane Pool (A-7152-E4690) Pool as of August 10, 2018 through October 1, 2018, to be paid at the rate as stated.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 203 of 2018, a resolution authorizing the purchase of a Bobcat Compact Track Loader.

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

WHEREAS, Daniel Clemens, Buildings and Grounds Supervisor, has identified a need for a compact track loader for town owned lands and parks, and

WHEREAS, Clark Equipment Co, dba Bobcat Company, West Fargo, ND, has a T550 T4 Bobcat Compact Track Loader, per the attached Quotation Number: HMM-10359, at a total cost not to exceed \$49,1693.54 for purchase under New York State Contract #PC67141, and

WHEREAS, Daniel Clemens has recommended the equipment be purchased from Bobcat Company pursuant to the New York State Contract identified above; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Buildings & Grounds Supervisor Clemens to purchase the compact track loader equipment from Bobcat Company, in a total amount not to exceed \$49,693.54, \$24,846.77 from A-7110-200 (Buildings & Grounds-Equipment) and \$24,846.77 from SP37131-200 (Clifton Knolls Park District-Equipment).

Daniel Clemens, Buildings & Grounds Supervisor, explained all the uses throughout town that the equipment can perform. The loader will benefit the Clifton Knolls Park District to complete projects and use at the ponds.

Supervisor Barrett explained the ponds in Clifton Knolls are very weedy. In the past they have been treated. Unfortunately, with regulation changes and cost, the town is looking to purchase a mechanical harvester that will help eliminate the weeds.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 204 of 2018, a resolution authorizing the Planning Department to submit a grant application to the Transportation Alternatives Program (TAP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) for the Clifton Park's Town Center Walkability: Clifton Country Road Pedestrian Enhancements Project.

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

WHEREAS, the Town Board policy supports improvements within the Town Center to increase non-driver accessibility, pedestrian facilities and infrastructure projects improving mobility within the town to the maximum extent practicable, and

WHEREAS, the adopted Town Center Plan and Town Center Form Based Code have helped rejuvenate private sector investment for mixed-use opportunities within the Clifton Country Road Corridor, and

WHEREAS, in August 2018, the town entered into an engineering consultant agreement with Greenman Pedersen, Inc. to develop general mapping of the assumed project limits, project work plan description, and provide an estimated cost breakdown for the Clifton Country Road Pedestrian Enhancements Project, and

WHEREAS, the Town Board supports projects for improving safety, access and walkability within the Town Center; now, therefore, be it

RESOLVED, that the Clifton Park Town Board authorizes the town Planning Department to submit a grant application to New York State for the current TAP and CMAQ solicitation, and be it

RESOLVED, that the Town Supervisor and designated Planning staff are authorized to execute all necessary documentation required to submit a completed grant application to New York State; and be it further

RESOLVED, that the Town of Clifton Park shall provide the necessary match commitment as outlined with the 2018 TAP-CMAQ Budget Summary within the town's application.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 205 of 2018, a resolution authorizing a salary increase for Deputy Town Attorney Anthony Morelli.

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

WHEREAS, Resolution No. 1 of 2017 assigned the duties of Deputy Town Attorneys Louis Renzi and Anthony Morelli, and

WHEREAS, the resignation of Louis Renzi, effective 7/31/2018, has created a vacancy and opening in the Town Attorney's office representing the town in Justice Court, and

WHEREAS, the Town Board hereby wishes to assign those duties representing the Town Attorney's office in Justice Court proceedings to Mr. Morelli; now, therefore, be it

RESOLVED, that Anthony Morelli is assigned to represent the Town Attorney's office at the Justice Court, for an interim term, and be it further

RESOLVED, that a salary increase is hereby authorized for Deputy Town Attorney Anthony Morelli with compensation adjusted to \$1619.19 biweekly, during the performance of Justice Court duties; and be it further

RESOLVED, that the Comptroller is authorized to transfer \$7,168.80 from A-1420-E256 (Legal Office-Louis Renzi) to A-1420-E0720 (Legal Office-Anthony Morelli).

Supervisor Barrett thanked Louis Renzi for his service to the town and wished him all the best.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 206 of 2018, a resolution accepting the attached list of alternate Lifeguards to be hired, if needed, for the three town owned pools.

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

WHEREAS, Supervisor Barrett has recommended that the list of individuals listed as Schedule "A", be accepted as alternate lifeguards for the remainder of the 2018 season; now, therefore, be it

RESOLVED, that the attached Schedule "A", be accepted as the list of alternate lifeguards, to be hired if needed; and be it further

RESOLVED, that the alternate lifeguards shall be paid \$9.50/hour from the appropriate fund: A-7150-E4690 (Barney Road Life Guards), A-7152-E4690 (Locust Lane Life Guards), or SP5-7151-E4000 (Longkill Park District #1 Guards), retroactive to August 15, 2018.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 207 of 2018, a resolution authorizing the Superintendent of Highways to execute a contract with Transfinder for the installation of Servicefinder System to provide fleet management and inventory software services, maintenance and support.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilwoman Standaert.

WHEREAS, Dahn Bull, Superintendent of Highways, has recommended that Transfinder's software will help the department to manage the service and repair documentation, maintenance calendars and work orders for all town owned vehicles, and

WHEREAS, Highway Superintendent Dahn Bull advises that Transfinder, 440 State Street, Schenectady, NY, is the only provider offering fleet management and inventory software, maintenance and support services within the Capital Region capable of meeting the needs of the Highway Department, and

WHEREAS, the Town Board wishes to modernize operations and increase efficiency; now, therefore, be it

RESOLVED, that the Town Board authorizes the Highway Superintendent to execute an agreement with Transfinder, 440 State Street, Schenectady, NY, for Servicefinder System software installation, training, and support as outlined in said proposal as a sole source vendor at a cost of \$9,500 for software, training and support for year one, and \$2,500 for maintenance and support for year two, and be it further

RESOLVED, that the Comptroller is authorized to transfer the \$12,000 from contingency to A-5010-4 (Highway Adm.-Computer).

Highway Superintendent Bull explained several years ago the Highway Department took over maintenance of all (140) town vehicles. This program will enable the Highway staff to be up to date on parts, supplies and maintenance for the fleet.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 208 of 2018, a resolution certifying retirement days for elected and appointed officials.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, it is necessary to establish standard work days for elected and appointed officials to be reported to the New York State and Local Employees' Retirement System based on the record of activities maintained; now, therefore, be it

RESOLVED, that the Town Board hereby establishes standard work days for elected and appointed officials, per Schedule "A".

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Tom Mithen, 24 Hampton Circle, speaking on behalf of his son-in-law, Mike DeMasi, who lives at 17 Valencia Lane, explained the concern over the speed of traffic on Valencia Lane and cars using it as a crossroad. He stated his son-in-law sent a letter to the Supervisor with the concern and immediately a speed radar was placed on Valencia Lane. He felt this helped with the situation for now and requested a "Children At Play" sign to be posted. He thanked the Supervisor for his quick response.

Frank Berlin, Main Street, questioned if there are penalties for people who cut into “no-cut” zones. He suggested an aerator to be used in the Barney Road ponds to control weeds. He stated he is very please that the town and Saratoga PLAN joined up to acquire the property on Waite Road and the Dwaaskill Natural Area.

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

Motion carried at 8:45 p.m.

Teresa J. Brobston
Deputy Town Clerk