

January 14, 2019

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
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy
Mark Heggen, Comptroller

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the January 2, 2019 organizational meeting and January 2, 2019 regular meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

None

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 18 of 2019, a resolution scheduling a public hearing to consider an amendment to Chapter 125-8 of Town Code, adding an exception to the provisions for tax penalties for withdrawal from a term conservation easement.

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

WHEREAS, the town maintains a temporary Conservation Easement program, which authorizes reduced assessments on farmlands for easements of a certain term of years, and

WHEREAS, Chapter 125 of the Town Code requires the assessor to impose tax penalties where owners of farmland property petition the Town Board for cancellation of the term easement, prior to expiration of the term, with limited exceptions, and

WHEREAS, Kurt and Julie Swartz have an existing term farmland conservation easement on +/-72.9 acres of farmland at 110 Ashdown Road, known as Maple Hill Farm, and

WHEREAS, the Swartz's have applied to the state for participation in the New York State Farmland Protection Program, which provides funding assistance for the permanent acquisition of all development rights to the parcel under a permanent conservation easement to be acquired by the town, and

WHEREAS, on December 27, 2018, the Governor announced that Maple Hill Farm had been awarded a Farmland Protection Program Grant, and

WHEREAS, by Resolution No. 182 of 2018, the Town Board has expressed an interest in completing the acquisition of development rights to Maple Hill Farm with the assistance of the State Farmland Protection Program Grant, as well as supplemental funding through Saratoga PLAN, and

WHEREAS, the Town Board wishes to schedule a public hearing on a proposal to provide an exception to the penalty provisions of Chapter 125-8 of the Town Code, in cases where the holder of a term conservation easement agrees to convey, and the Town Board agrees to acquire, a permanent conservation easement over the same lands; now, therefore, be it

RESOLVED, that the Town Board hereby schedules a public hearing for February 4, 2019 at 7:03 pm on a proposal to add inclusion of a permanent conservation easement to the exceptions for tax penalties resulting from a withdrawal from a term conservation easement.

Supervisor Barrett said he doesn't believe there should be a penalty for leaving the Conservation Easement program under certain circumstances and this proposed amendment is minor housekeeping.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 19 of 2019, a resolution reappointing Lester Dennison as Chairman of the Fire Code Appeals Board.

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

WHEREAS, the term for the Chairman of the Fire Code Appeals Board expired on December 31, 2018, and

WHEREAS, the Town Supervisor has recommended that Lester Dennison, 4 Torrero Drive, Clifton Park, be reappointed as Chairman; now, therefore, be it

RESOLVED, that Lester Denison is hereby reappointed Chairman of the Fire Code Appeals Board, term to expire December 31, 2019.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 20 of 2019, a resolution granting authority to the State of New York to modify the existing water main and appurtenances on the NY Route 146/NY Route 146A/Vischer Ferry Road Roundabout Project, and subsequently the Town of Clifton Park agreeing to own, maintain, and repair new water features.

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

WHEREAS, the New York State Department of Transportation proposes the construction of a roundabout at the intersection of Route 146/Route 146A/Vischer Ferry Road in the Town of Clifton Park located in Saratoga County, PIN 1085.43, and

WHEREAS, the Town of Clifton Park desires, and the State of New York will include at the request of the municipality, and as part of the above-mentioned project, to provide at no cost to the town, water main and appurtenance items including: a new service connection to the landscaped median of the roundabout as well as installation of a yard hydrant for maintenance of the proposed roundabout landscaping, and altering of existing water valve boxes, pursuant to Section 10, Subdivisions 24 and 35 of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner, and

WHEREAS, the service life of the relocated and or replaced water main and appurtenances has not been extended, and

WHEREAS, the state will provide for the construction of the above-mentioned work as shown on the contract plans relating to the project and the Town of Clifton Park will maintain or cause to be maintained these water main and appurtenance features; now, therefore, be it

RESOLVED, that the Town of Clifton Park approves of the addition of the above water features to the project, and the State of New York will include water main and appurtenances within this construction project, and be it further

RESOLVED, that Supervisor Barrett is hereby authorized to enter into and execute an agreement with the State of New York and through the Commissioner of Transportation to accept ownership and maintain or cause to be maintained these water main and appurtenances on the above identified project as it relates to the Town of Clifton Park, and be it further

RESOLVED, that the Town Clerk of the Town of Clifton Park is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation; 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. 21 of 2019, a resolution declaring a public emergency pursuant to General Municipal Law Section 103(4) for repair and/or replacement of a telephone system computer processing unit and related components.

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

WHEREAS, on December 26-27, 2018 Allied Telcom was performing routine service upgrades to the telephone system at the Municipal Public Safety Building when the Information Specialist, Matthew Andrus was notified that the telephone system in use at multiple town offices were degrading and in imminent danger of failure, 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 the public, the Town Board may authorize the purchase of service, material and equipment without competitive bids, and

WHEREAS, Mr. Andrus, recommended that Allied Telcom, 120 Park Avenue, Cohoes, NY, be engaged for emergency repair work for the telephone system and the installation of a refurbished Samsung OS7400 cabinet and related components, and

WHEREAS, Allied Telcom was contacted to perform repairs to the hardware, software and peripherals on an emergency basis pursuant to correspondence dated January 7, 2019, attached; now, therefore, be it

RESOLVED, that the Town Board determines that the resulting damage to the telephone system at One Town Hall Plaza, as determined on January 7, 2019, constitutes an emergency for procurement purposes under Section 103(4) of General Municipal Law; and be it further

RESOLVED, that the Comptroller is authorized to pay to Allied Telcom an amount not to exceed \$11,095 from A-1620-200 (Town Hall-Equipment) for the project.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

No one wished to be heard.

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 7:20 p.m.

Patricia O'Donnell
Town Clerk