

TOWN OF CLIFTON PARK

TOWN BOARD MEETING

May 12, 2014

I. Call to Order/7:00 P. M.

II. Pledge to Flag

III. Roll Call

IV. Approval of Town Board Minutes

V. Communications/Announcements

VI. Business

- **Presentation by Dr. L. Oliver Robinson-Shenendehowa School Budget**
- **Honor Eagle Scout Douglas Brown**
- **Resolutions for Consideration**
- **Other Business**

VII. Open Public Privilege

NOTE:

Each speaker shall state name and address prior to addressing the Board and shall be granted the floor for a single time frame of up to five minutes. The Board asks that members of the public respect the opportunity of the speaker at the podium to be heard, and asks that the public refrain from conducting side meetings within the meeting room.

In an effort to ensure that the widest number of community viewpoints are heard, the Board asks members of groups or the public to withhold comment, if their viewpoints have already been presented.

The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the Town decision making process.

VIII. Adjournment

Resolutions for Consideration

Clifton Park Town Board Meeting

May 12, 2014

| <u>SOURCE</u> | <u>RESOLUTION</u> | <u>CONTACT</u> |
|---------------|--|----------------|
| 1. Supervisor | Honor Eagle Scout Douglas Brown | P. Barrett |
| 2. Supervisor | Accept an application for inclusion in the Conservation Easement program of a parcel of land located at 67 and 59 Hubbs Road | P. Barrett |
| 3. Planning | Adopt Local Law No. _____ of 2014 amending Local Law No. 5 of 2012, Section 103-14, Parkland Fees | P. Barrett |
| 4. Highway | Award bid for a Trailer Mounted Waste Collector for the Clifton Knolls Leaf District to Old Dominion Brush Co. | P. Barrett |
| 5. Security | Authorize the purchase of a 2014 Chevrolet Impala off of New York State Contract for use by Town Security | P. Barrett |
| 6. Supervisor | Resolution sending a Home Rule message to the New York State Legislature regarding proposed legislation to authorize the conveyance of easement over property at Veteran's Park which is adjacent to Elks property | P. Barrett |
| 7. Supervisor | Resolution sending a Home Rule message to the New York State Legislature regarding proposed legislation correcting Home Rule legislation for easement at Clifton Common | P. Barrett |
| 8. Councilman | Appoint Diane Johnson as a member of the Arts and Culture Commission | J. Whalen |
| 9. Supervisor | Authorize the issuance of a Mass Gathering Permit to Schmaltz Brewing Company for a to celebrate the 1 st Anniversary of the new Brewery | P. Barrett |

Resolution No. _____ of 2014, a resolution honoring Douglas Brown for attaining the rank of Eagle Scout.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Doug Brown, 5 Abbey Court, Clifton Park and a member of Troop 6, Jonesville, was awarded the rank of Eagle Scout, the highest award that a Boy Scout can earn; and

WHEREAS, in order to earn this rank Doug had to earn 21 merit badges, show leadership in the troop and organize and complete his project to benefit the local community, and

WHEREAS, Doug's Eagle Project focused on improving the aesthetics and surrounding area of the Shenendehowa Adult Community Center located in Clifton Park, and

WHEREAS, the project was completed at the Community Center and included the creation of a garden, including plants ranging from flowers to fruit bushes, pathway and sitting area and the construction of two benches that were dedicated to Pat Malinowski, the late receptionist at the community center, and

WHEREAS, Doug's dedication to the Boy Scout Oath, while using his time and energy to give back to his community will serve to prepare him for a meaningful, productive role in society; now, therefore, be it

RESOLVED, that the Clifton Park Town Board recognizes and honors Douglas Brown for attaining the rank of Eagle Scout.

Resolution No. _____ 2014, a resolution accepting an application for inclusion in the Conservation Easement program of a parcel of land located at 67 and 59 Hubbs Road, Ballston Lake.

Introduced by _____, who moved its adoption, seconded by_____.

WHEREAS, a public hearing was held on May 5, 2014 to receive public comment regarding an application for a Conservation Easement for inclusion of a parcel of land at 67 and 59 Hubbs Road into the Conservation Easement program, in accordance with Chapter 125 of the Town Code, as amended, and

WHEREAS, the Town Board has considered the application and the comments received; now, therefore, be it

RESOLVED, that the application for a parcel of land located at 67 and 59 Hubbs Road, owned by Emad Andarawis and Deborah Emmons-Andarawis (SBL 258.-1-59 and 258.-1-8) is hereby accepted and is granted a Conservation Easement in accordance with the provisions of Article XIII of Chapter 208-78 of the Town Code; and be it further

RESOLVED, that said applicant whose parcel has been granted a Conservation Easement shall execute an agreement provided by the Town of Clifton Park.

Resolution No. _____ of 2014, adopting Local Law No. ____ of 2014 amending Section 103-14, Parkland Fees of the Town Code.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, it has been recommended that a revision be made to Section 103-14, Parkland Fees of the Town Code; and

WHEREAS, on May 5, 2014 a public hearing was conducted by the Town Board to obtain input regarding the proposed change to Section 103-14, Parkland Fees of the Town Code; and

WHEREAS, the public was given the opportunity to speak in favor of or against the proposed changes to the local law; now, therefore be it

RESOLVED, the Town Board hereby adopts Local Law No. _____ of 2014 a local law amending Section 103-14, Parkland Fees; and be it further

RESOLVED, that this amendment is effective for applications filed after May 10, 2014, and be it further

RESOLVED, the Town Clerk is directed to publish appropriate notice of the same

Resolution No. _____ of 2014, a resolution awarding the bid for a Large Trailer-Mounted Yard Waste Collector for the Clifton Knolls Leaf District.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, on May 1, 2014 bids were publicly opened for the above referenced contract; and

WHEREAS, the low bidder for this contract was Old Dominion Brush Co., Richmond, Virginia, in the amount of \$41,432.00 minus a trade in allowance of \$5,000.00 for a 2006 Trailer-Mounted Yard Waste Collector, net price \$36,432.00; and

WHEREAS, the Highway Superintendent has reviewed the bid and has recommended the bid of Old Dominion Brush Co. be accepted for a net amount of \$36,432.00; now therefore be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid to Old Dominion Brush Co. in the amount of \$41,432 minus a trade in allowance of \$5,000, net price \$36,432.00 to be paid from SR-2376-200, with a Budget transfer of \$26,888 from Assigned Fund Balance to SR-2376-200-1500.

Resolution No. _____ of 2014, a resolution authorizing the purchase of a 2014 Chevrolet Impala from Emerling Chevrolet, Boston, New York, for use by Town Security.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Director of Safety and Security, Lou Pasquarell has identified a need for a new vehicle for use by Town Security, and

WHEREAS, Mr. Pasquarell has recommended that a 2014 Chevrolet Impala Limited 4-Door Standard Police Package (Model No. 9C1) available from Emerling Chevrolet, Boston, New York be purchased under New York State Contract IFB 22737, now therefore be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the purchase of a 2014 Chevrolet Impala Limited 4-Door Standard Police Package (Model No. 9C1), from Emerling Chevrolet, 900 Boston State Road, Boston, New York, as described in the attached documents, at a cost not to exceed \$20,772.01, under State Contract No. IFB 22737, to be paid from A-3120-200 (Security).

Resolution No. _____ of 2014, a resolution pursuant to Article IX of the New York State Constitution sending a Home Rule message in Support of Legislation authorizing the conveyance of Easement for wireless facilities adjacent to municipal parkland.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, The Town of Clifton Park has received an application to amend a Planned Development District zoning law to allow the construction of a wireless communications facility on property owned by the Benevolent and Protective Order of the Elks within the Town, and

WHEREAS, the Elks property is adjacent to municipal parklands held by the Town at Veterans Park, and

WHEREAS, the applicant for the facility has asked that the Town convey a non-exclusive easement over an existing park road which runs for some 462± feet along the property line immediately adjacent to the Elks property for the laying of wires and conduits for utilities and fiber optic lines as well as for the purpose of allowing ingress and egress to the facility, if approved and constructed, and

WHEREAS, the Town Board wishes to have the authority to convey such an easement if the facility is approved,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clifton Park herein formally requests that the New York State Legislature enact legislation proposed as Bill No. S7238 in the State Senate, and A9603 in the State Assembly during this legislative session, authorizing the Town of Clifton Park to convey a non-exclusive easement over, under and through municipal parkland as described in in the attached legislation for the purpose of accommodating the construction and maintenance of wireless communication facilities, and BE IT FURTHER

RESOLVED, that copies of this Resolution be forwarded to Assemblyman Jim Tedisco and New York State Senator Hugh Farley forthwith and that the Town Supervisor is authorized to prepare and execute on behalf of the Town any legal instruments necessary for this matter to be presented before the New York State Legislature.

Resolution No. _____ of 2014, a resolution pursuant to Article IX of the New York State Constitution sending a home rule message to the New York State Legislature regarding proposed legislation to authorize the Town Board to execute an easement of certain Town Parkland consistent with the As-Built Engineering Drawings for utilities and fiber optic lines accessory to the operation and maintenance of a wireless communications facility authorized by Chapter 68 of the Laws of 2012.

WHEREAS , The Town of Clifton Park has previously requested, and been granted legislative authorization to enter into a Lease and to convey certain easements necessary for the construction and operation and maintenance of a wireless communications facility on municipal parkland known as the Clifton Common, and

WHEREAS, Pursuant to that authorization, the Town did convey a non-exclusive easement consistent with the legislation identified above, and facilities were constructed during 2013, and

WHEREAS, The Town has received a proposal from Independent Wireless LLC for the construction of wireless facilities which, the Board has determined blends appropriately with existing structures and uses, will help meet the need for expanded wireless capacity in the Clifton Park Center Area of Town, and

WHEREAS, due to field conditions encountered in laying down underground utilities and conduits, minor deviations occurred during installation of the lines as compared with the original easement, and

WHEREAS, the Town has been asked to convey a corrected easement consistent with the As-Built location of the utilities and lines along the park road accessing the facility, and wishes to obtain legislative approval to do so;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clifton Park herein formally requests that the New York State Legislature enact legislation proposed as Bill No. S 7279 in the State Senate, and A 9608 in the State Assembly during this legislative session, authorizing the Town of Clifton Park to convey a corrected easement at the Clifton Common consistent with the As- Built location of Utility Lines and fiber optic conduit necessary for the operation and maintenance of the wireless communication facility constructed pursuant to prior legislation, and be it FURTHER

RESOLVED, that copies of this Resolution be forwarded to Assemblyman Jim Tedisco and New York State Senator Hugh Farley forthwith and that the Town Supervisor is authorized to prepare and execute on behalf of the Town any legal instruments necessary for this matter to be presented before the New York State Legislature.

Resolution No. _____ of 2014, a resolution appointing Diane Johnson as a member of the Arts and Culture Commission.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, an opening exists on the Arts and Culture Commission; and

WHEREAS, Diane Johnson, 23 Leonardo Drive, Clifton Park has expressed an interest in becoming a member of the Commission, and

WHEREAS, Diane's presence on the Arts and Culture Commission will confer a benefit to the Town; now therefore be it

RESOLVED, that Diane Johnson, 23 Leonardo Drive, Clifton Park is hereby appointed to the Arts and Culture Commission, term to expire December 31, 2016.

Resolution No. _____ of 2014, a resolution authorizing the issuance of a Mass Gathering Permit to Schmaltz Brewing Company for a party to celebrate the 1st Anniversary of the new Brewery.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Schmaltz Brewing Company has requested that the Town issue a Mass Gathering Permit for a party to be held at the Brewery located at 6 Fairchild Square to celebrate the 1st Anniversary of the operation of the Brewery, and

WHEREAS, the Celebration will be held on Saturday, May 17, 2014, from 1:00 to 5:00, with attendance estimated at 500±, and

WHEREAS, a one day permit was issued to the Brewery by the New York State Liquor Authority, and

WHEREAS, a permit is required per Section 64-3 of the Mass Gathering Law as a fee of \$25.00 per person will be charged, and

WHEREAS, the Town has been provided with information concerning this activity, and

WHEREAS, the Town has been named as an additional insured on the required insurance policy; now, therefore, be it

RESOLVED, that the Town Board is satisfied with the information provided and that the potential effect of the proposed public assemblage will have minimal effect upon the public health, safety and welfare of the people and property of the Town of Clifton Park; and be it further

RESOLVED, that the Town Board hereby directs that a permit be issued to the Schmaltz Brewing Company to celebrate the 1st Anniversary of the opening of the Brewery, Celebration to take place on May 17, 2014 from 1:00 to 5:00.

ROLL CALL VOTE

Ayes:

Noes:

Absent:

DECLARED ADOPTED

Patricia O'Donnell, Town Clerk

