

TOWN OF CLIFTON PARK

TOWN BOARD MEETING

November 17, 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**
 - **Public Hearing 7:05 P.M./Proposed alteration of the Boundaries of the Water Supply District known as Clifton Park Consolidated Hydrant District No. 1**
 - **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

November 17, 2014

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Supervisor	Adopt 2015 Town of Clifton Park Budget	P. Barrett
2. Assessment Office	Authorize the Assessor to re-levy unpaid Saratoga County Sewer District I sewer bills	P. Barrett
3. Assessment Office	Authorize the Assessor to re-levy unpaid Town of Ballston water bills	P. Barrett
4. Assessment Office	Authorize the Assessor to re-levy unpaid Olde Nott Farm 2012 and 2013 unpaid Sewer District sewer bills	P. Barrett
5. Assessment Office	Authorize the Assessor to re-levy unpaid Rivercrest Sewer District Extension No. 1, 2012 & 2013 sewer bills	P. Barrett
6. Assessment Office	Authorize the Assessor to re-levy unpaid Clifton Park Water Authority water bills	P. Barrett
7. Planning	Authorize Engineering Consultant Agreement for Vischer Ferry Nature & Historic Preserve	P. Barrett
8. Supervisor	Authorize the Supervisor to file commitment documents with Saratoga County for collection of Town's share of 2015 Sales Tax Revenue	P. Barrett
9. Supervisor	Authorize all necessary action in connection with the United States Securities and Exchange Commission's Municipalities Continuing Disclosure Cooperation Initiative	P. Barrett
10. Supervisor	Adopt Local Law No. _____ of 2014, a local law amending Local Law No. 3 of 2010, Chapter 35, Community Arts and Culture Commission, Membership, Terms	P. Barrett
11. Planning	Schedule Public Hearing to consider a Zoning Law Amendment to Chapter 208 of the Town Code specific to the potential adoption of the Clifton Park Town Center Zoning Code, Version 4.0	P. Barrett

Resolutions for Consideration

Clifton Park Town Board Meeting

November 17, 2014

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
12. Supervisor	Accept Woodland Drive Stub Street from Abele Builders	P. Barrett
13. Supervisor	Accept 15' Easement from Joyce Bernard through Lots 694 and 696 Clifton Park Center Road	P. Barrett
14. Highway	Authorize St. George's School to use Town roadways for their annual Turkey Trot on November 27, 2014	P. Barrett
15. Supervisor	Honor Eagle Scout Abir Ahmed Majumder	P. Barrett

Resolution No. _____ of 2014, a resolution adopting the 2015 Budget for the Town of Clifton Park.

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

WHEREAS, a public hearing was held on the Preliminary Budget on November 6, 2014 to obtain comment from the public regarding the proposed Budget for 2015; and

WHEREAS, the comments of the public have been incorporated into the proposed budget; now therefore be it

RESOLVED, that the 2015 Town of Clifton Park Budget is hereby adopted per Schedule A.

Resolution No. _____ of 2014, a resolution authorizing the Assessor to re-levy delinquent sewer charges on the 2015 property tax bills.

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

WHEREAS, the Saratoga County Sewer District No. 1 has reported unpaid sewer bills per the attached schedule for the Saratoga County Sewer District No. 1; and

WHEREAS, it is necessary for the Assessor to re-levy the unpaid bill on the property owner's 2015 tax bill to ensure payment of the same; now therefore be it

RESOLVED, that the Town Board accepts the reported delinquent sewer charges for the Saratoga County Sewer District No. 1 per the attached schedule and authorizes the Assessor to re-levy that amount on the property owners' 2015 School and County Tax bills; and be it further

RESOLVED, that all proceeds be returned in February to the Saratoga County Sewer District No. 1.

Resolution No. _____ of 2014, a resolution authorizing the Assessor to re-levy delinquent water charges on the 2015 property tax bills.

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

WHEREAS, the Town of Ballston Water Department has reported unpaid Town of Ballston water bills for Town of Clifton Park users per the attached; and

WHEREAS, it is necessary for the Assessor to re-levy the unpaid bill on the property owner's 2015 tax bill to ensure payment of the same; now therefore be it

RESOLVED, that the Town Board accepts the reported delinquent water charges for the Town of Ballston Water Department per the attached and authorizes the Assessor to re-levy that amount on the property owners' 2015 School and County Tax bills; and be it further

RESOLVED, that all proceeds be returned in February to the Town of Ballston.

Resolution No. _____ of 2014, a resolution authorizing the Assessor to re-levy delinquent sewer charges on the 2015 property tax bills.

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

WHEREAS, Michael O'Brien, Facilities Manager of the Clifton Park Sewer District No.1 has reported unpaid sewer bills per the attached schedule for users of the Old Nott Farm Sewer District; and

WHEREAS, it is necessary for the Assessor to re-levy the 2012 and 2013 unpaid bills on the property owner's 2015 tax bill to ensure payment of the same; now therefore be it

RESOLVED, that the Town Board accepts the reported delinquent sewer charges for the Old Nott Farm Sewer District per the attached schedule and authorizes the Assessor to re-levy that amount on the property owners' 2015 Town and County Tax bills; and be it further

RESOLVED, that all proceeds be returned in February to the Old Nott Farm Sewer District.

Resolution No. _____ of 2014, a resolution authorizing the Assessor to re-levy delinquent sewer charges on the 2015 property tax bills.

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

WHEREAS, Michael O'Brien, Facilities Manager of the Rivercrest Sewer District No.1 has reported unpaid sewer bills per the attached schedule for users of the Rivercrest Sewer District Extension No. 1; and

WHEREAS, it is necessary for the Assessor to re-levy the unpaid 2012 and 2013 bills on the property owner's 2015 tax bill to ensure payment of the same; now therefore be it

RESOLVED, that the Town Board accepts the reported delinquent sewer charges for the Rivercrest Sewer District Extension No. 1 per the attached schedule and authorizes the Assessor to re-levy that amount on the property owners' 2015 Town and County Tax bills; and be it further

RESOLVED, that all proceeds be returned in February to the Rivercrest Sewer District Extension No. 1.

Resolution No. _____ of 2014, a resolution authorizing the Assessor to re-levy delinquent water charges on the 2015 property tax bills.

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

WHEREAS, the Clifton Park Water Authority has reported unpaid water bills per the attached schedule, and

WHEREAS, it is necessary for the Assessor to re-levy the unpaid bill on the property owner's 2015 tax bill to ensure payment of the same; now therefore be it

RESOLVED, that the Town Board accepts the reported delinquent sewer charges for the Clifton Park Water District per the attached schedule and authorizes the Assessor to re-levy that amount on the property owners' 2015 School and County Tax bills; and be it further

RESOLVED, that all proceeds be returned in February to the Clifton Park Water Authority.

Resolution No. ___ of 2014, a resolution authorizing the execution of an engineering consultant agreement for the Vischer Ferry Nature & Historic Preserve – Gateway and Accessibility Improvements Project to accomplish the project envisioned through three grant contracts; and,

WHEREAS, the Town Board has previously authorized the execution of three applicable grant contracts towards the engineering design and construction costs from: the Hudson River Valley Greenway Grant; NYS Canal Corporation Consolidated Funding Application; and the National Scenic Byway Grant Contract PIN ISB1.32.321; and,

WHEREAS, the Town of Clifton Park Town Board conducted a professional engineering consultant selection process, known as a Request for Qualifications and Letter of Interest for LDSA firms recognized by NYS DOT; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Town of Clifton Park Town Supervisor to sign and execute the Engineering Consultant Agreement with Barton & Loguidice, D.P.C. (B&L) for Phase One services, for the project letter and contract documents known as the Vischer Ferry Nature & Historic Preserve – Gateway and Accessibility Improvements Project, dated Nov. 5, 2014, PIN 1SB9.05, and be it further

RESOLVED, that the total fee for Phase I services is \$34,300, to be budgeted from H36-1440-135, with a transfer of \$27,440 to H36-4090 (Capital Proj.VF Gateway-Federal Funds) and an increase to H36-5031 (Cap. Projects-Interfund Transfer) of \$6,860 which is funded by a transfer from the General Fund A-8150-15.

Resolution No. _____ of 2014, a resolution authorizing the Town Supervisor to file commitment documents with Saratoga County for collection of the Town's Share of the 2015 Sales Tax Revenues.

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

WHEREAS, the Town of Clifton Park is required to file commitment papers regarding the collection of Sales Tax Revenue for 2015; now therefore be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the collection of Sales Tax Revenue, to be paid in cash for 2015, from Saratoga County; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to file the appropriate documents of commitment with Saratoga County.

NOVEMBER ___, 2014

RESOLUTION NO. ___ of 2014

RESOLUTION AUTHORIZING ALL NECESSARY ACTION IN CONNECTION WITH THE UNITED STATES SECURITIES AND EXCHANGE COMMISSION'S MUNICIPALITIES CONTINUING DISCLOSURE COOPERATION INITIATIVE.

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

WHEREAS, the Town of Clifton Park, Saratoga County, New York (the "Town") has previously issued one or more series of serial bonds and bond anticipation notes pursuant to the provisions of the New York State Local Finance Law, as amended (collectively, the "Bonds"); and

WHEREAS, Continuing Disclosure obligations require issuers of Municipal Bonds to post financial audit and information on certain electronic repositories within 60 days after completion, and to reference any omissions or late postings on subsequent issues, and

WHEREAS, the Town's official statements prepared in connection with the primary offering of Bonds for recent special districts (collectively, the "Official Statements") included certain information regarding the Town's past compliance with its continuing disclosure undertakings (the "Prior Undertakings") entered into pursuant to Rule 15c2-12 (the "Rule") of the United States Securities and Exchange Commission (the "SEC"); and

WHEREAS, on March 10, 2014, the SEC announced a "Municipalities Continuing Disclosure Cooperation Initiative" (the "MCDC Initiative") relating to inaccurate statements made in offering documents regarding prior continuing disclosure compliance pursuant to the Rule; and

WHEREAS, the MCDC Initiative affords favorable treatment terms to municipal issuers, including the Town, who self-report inaccurate statements made in offering documents regarding prior continuing disclosure compliance; and

WHEREAS, to participate in the MCDC Initiative, an issuer must provide to the SEC the Municipalities Continuing Disclosure Cooperation Initiative Questionnaire for Self-Reporting Entities (the "Questionnaire"), and thereafter, accept a settlement consenting to the institution of a cease and desist proceeding, whereby the Town will undertake to follow certain procedures including, but not limited to: (i) establishing appropriate policies and procedures and training regarding continuing disclosure undertakings, (ii) complying with existing continuing disclosure undertakings, including updating past delinquent filings within 180 days, (iii) cooperating with any subsequent investigation by the SEC, (iv) disclosing in a clear and conspicuous fashion the settlement terms in any official statement for any offering by the issuer within the next five (5)

years, and (v) providing the SEC with a compliance certificate regarding the foregoing on the one year anniversary of the date of the institution of proceedings under the MCDC Initiative; and

WHEREAS, the Town Board is advised that recent special district bonds may not have noted that certain postings of financial information to the repositories had occurred beyond applicable deadlines, and

WHEREAS, the Town Board has determined it to be in the Town's best interests to self-report certain statements made in one or more Official Statements regarding the Town's compliance with the Prior Undertakings under the MCDC Initiative;

WHEREAS, the Town Board has further determined it to be in the Town's best interests to adopt continuing disclosure policies and procedures in order to more effectively comply with its continuing disclosure undertakings under the Rule; and

WHEREAS, the Town Board desires to authorize the Town Supervisor, after consultation with Bond Counsel to the Town, to self-report under the MCDC Initiative and in so doing to consent to the applicable settlement terms under the MCDC Initiative, including a possible SEC cease and desist proceeding; and

WHEREAS, the deadline for the Town to report under the MCDC Initiative is December 1, 2014.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD as follows:

Section 1. The Town shall self-report under the MCDC Initiative and accept the SEC settlement terms under the MCDC Initiative, including a cease and desist proceeding.

Section 2. The Town Supervisor is hereby authorized on behalf of the Town to execute and deliver the Questionnaire and any other documents and instruments, in form and substance approved by the Town Supervisor after consulting with the Town's bond counsel, and to do and cause to be done any and all acts and things necessary or proper for the Town's participation in the MCDC Initiative.

Section 3. The Town Supervisor is hereby authorized and directed to establish, on behalf of the Town and in consultation with the Town's bond counsel, continuing disclosure policies and procedures, which shall be filed with the Town Clerk and distributed to all appropriate Town personnel.

Section 4. This resolution shall take effect immediately. A copy of this resolution shall be placed on file in the office of the Town Clerk where the same shall be available for public inspection during business hours.

VOTE

Ayes:

Noes:

Absent:

DECLARED ADOPTED

November ____, 2014

Patricia O'Donnell, Town Clerk

Resolution No. ____ of 2014, a resolution adopting Local Law No. ____ of 2014, a local law amending Local Law No. 3 of 2010, Section 35, Community Arts and Culture Commission.

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

WHEREAS, the Community Arts and Culture Commission have recommended that Chapter 35-3 of the Town Code, Membership Terms, be amended, and

WHEREAS, a public hearing was held on November 10, 2014 and no comments were received; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park hereby adopts Local Law No. _____ of 2014, a local law amending Section 35-3 of the Town Code, Membership Terms; and be it further

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

Resolution No. ____ of 2014, a resolution scheduling a public hearing to consider a Zoning Law Amendment to Chapter 208 of the Town Code specific to the potential adoption of the Clifton Park Town Center Zoning Code, Version 4.0.

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

WHEREAS, the Town of Clifton Park applied for and was awarded a grant from the Capital District Transportation Committee to develop a zoning code amendment which includes form based elements, and

WHEREAS, the proposed zoning amendment is a result of the goals and recommendations from prior planning efforts and public participation within the study area that include: Exit 9 Land Use & Transportation Linkage Program, 2008 and Town Center Plan, 2012; and

WHEREAS, the Draft Zoning Code Amendments have been developed to advance the goals, recommendations and visions of the Clifton Park Town Center Plan previously adopted by the Town Board by Resolution No 163 of 2012, and

WHEREAS, a public workshop was held on March 6, 2013 at which time a presentation was made by Town Staff and the Town's Professional Design Consultants describing the prior Town Center Planning efforts and an overview of how form-based codes work in principle and practice, and

WHEREAS, in addition to the public workshop, the Town's Planning team also met with major landowners and stakeholders on March 7, 2013 within the project area and had follow-up meetings and discussions; and

WHEREAS, a public open house was held on March 8, 2013 at the Clifton Park Halfmoon Public Library to view the preliminary form-based zoning codes being created by the Town's Planning team, and

WHEREAS, both written and verbal public input gathered throughout the zoning code update process has helped to shape the proposed zoning amendments; and

WHEREAS, a form-based zoning approach was chosen because it utilizes graphics to explain the desired appearance of the development, with an eye toward creating quality spaces; and

WHEREAS, the Town through the proposed zoning amendments desires to create a rich atmosphere where the various uses create a synergy that provides for a diversified and sustainable development,

WHEREAS, Pursuant to NYCRR Part 617, the Town Board has been established as the SEQRA Lead Agency, and

WHEREAS, New York State Town Law requires that a public hearing be conducted prior to adoption or revision of zoning, now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park shall hold a public hearing pertaining to the amendment to Chapter 208 of the Town Code specific to the potential adoption of the Clifton Park Town Center Zoning Code, Version 4.0 on the 8th Day of December 2014 at 7:05 p.m., in the Wood Memorial Room at Town Hall, One Town Hall Plaza, Clifton Park, New York 12065, and at which hearing all persons desiring to be heard thereon will be heard, and be it further

RESOLVED, that the Town Clerk of the Town of Clifton Park is hereby authorized and directed to publish notification of the said public hearing at least ten days prior, as required by law.

Resolution No. _____ of 2014, a resolution accepting the conveyance of Woodland Drive from Edward P. and Susan Abele.

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

WHEREAS, as a condition of approval for a 21 Lot Subdivision located at 1562 Crescent Road, the Town of Clifton Park Planning Board required that the applicant convey a Stub Street to the Town of Clifton Park which is now known as Woodland Drive, located off of Southbury Road, now, therefore, be it

RESOLVED, that the Town Board hereby accepts the conveyance of Woodland Drive, briefly described as follows:

Name of Owner	Edward P. and Susan Abele
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- Woodland Drive (portion of SBL 284.13-4-16)

and, be it, further

RESOLVED, that this conveyance is expressly conditioned upon receipt of an approval by the Town Attorney of all necessary documents including review of the recorded Deed in the Saratoga County Clerk's Office, provision of title report, provisions for payment of all taxes, recording fees, and assessments which are acceptable to the Town Attorney, and be it further

RESOLVED, that there be appended to the within resolution, a copy of the recorded conveyance after it has been filed with the Saratoga County Clerk.

Resolution No. _____ of 2014, a resolution accepting the conveyance of a fifteen foot easement from Joyce F. Bernard.

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

WHEREAS, as a condition of approval for the Bernard Subdivision (2014-037) the Town of Clifton Park Planning Board required that the applicant convey a 15 foot easement along Clifton Park Center Road to the Town of Clifton Park for a future multi-use pathway, now, therefore be it

RESOLVED, that the Town Board hereby accepts the conveyance of a fifteen foot easement along Clifton Park Center Road, briefly described as follows:

Name of owner	Joyce Bernard
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- 15' Easement along Clifton Park Center Road (SBL 270.-2-45.1)
Through Lots 694 and 696 Clifton Park Center Road

and be it further

RESOLVED, that this conveyance is expressly conditioned upon receipt of an approval by the Town Attorney of all necessary documents including review of the recorded Deed in the Saratoga County Clerk's Office, provision of title report, provisions for payment of all taxes, recording fees, and assessments which are acceptable to the Town Attorney, and be it further

RESOLVED, that there be appended to the within resolution, a copy of the recorded conveyance after it has been filed with the Saratoga County Clerk.

Resolution No. _____ of 2014, a resolution authorizing St. George's School to use Town roadways for their 3rd Annual Turkey Trot on November 27th, 2014.

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

WHEREAS, St. George's School on Route 146 would like to host its 3rd Annual Turkey Trot on Thanksgiving morning, November 27, 2014; and

WHEREAS, the 5K event will begin at St. George's School, proceed to Moe Road then Clifton Park Center Road, into Shenendehowa Campus by Tesago Elementary School, continue through the Campus reaching main entrance on Route 146, right on Route 146 and end back at St. George's School; now, therefore, be it

RESOLVED, that authorization is given to St. George's School to use Town roadways for their 3rd Annual Turkey Trot 5K Race event, on November 27, 2014; at 8:00 A.M.

Resolution No. _____ of 2014, a resolution honoring Abir Ahmed Majumder for attaining the rank of Eagle Scout.

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

WHEREAS, Abir Ahmed Majumder and a member of Troop 246, Clifton Park, was awarded the rank of Eagle Scout, the highest award that a Boy Scout can earn; and

WHEREAS, in order to earn this rank Abir had to earn 22 merit badges, show leadership in the troop as Troop Senior Patrol Leader and organize and complete his project to benefit the local community, and

WHEREAS, Abir's Eagle Project focused on improving the aesthetics and surrounding of the Clifton Park Elks Lodge 2466 located in Clifton Park with the creation of a Memory Garden, and

WHEREAS, the project completed at the Clifton Park Elks Lodge 2466 included the creation of a garden, including beautiful plants and flowers as well as a reflection area and the construction of benches that were dedicated to the memory of absent Elks Club members, and

WHEREAS, Abir'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 Abir Ahmed Majumder for attaining the rank of Eagle Scout.

