

TOWN OF CLIFTON PARK

TOWN BOARD MEETING

March 14, 2016

- 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
 - 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

March 14, 2016

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Sewer	Award a contract to eliminate existing cross connection within the Clifton Knolls subdivision	P. Barrett
2. Supervisor	Award the contract for the Stony Creek Park District #1 Path Replacement	P. Barrett
3. Comptroller	Authorize Comptroller and Assistant Comptroller to attend the NYS Government Finance Office's Association Annual Conference in Albany, NY, April 5-8, 2016	P. Barrett
4. Building and Zoning	Consider adoption of Local Law ___ of 2016 to amend sections 103-15.2, 208-109C(3)(d) and 208-109D(4) of the Town Code to amend notification listing fees and the requirements to notify neighbors within 500 feet of a non-residential use seeking area variances or a review of administrative determinations.	P. Barrett
5. Supervisor	Authorize the Supervisor to sign an agreement with Shen LaCrosse Club to use town facilities for practice and games as scheduled	P. Barrett
6. Council member	Appoint Paul Szczesny as a member of the Historic Preservation Commission	J. Whalen

Resolution No. _____ of 2016, resolution awarding a contract to eliminate an existing cross connection between the existing storm sewer connection and the existing sanitary sewer system within the Clifton Knolls subdivision.

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

WHEREAS, by Resolution No. 126 of 2015, the Town Board, took lead agency status, and declared the Casablanca Court storm water pipe replacement & relocation project to be an unlisted action pursuant to SEQRA, and issued a negative declaration regarding the same, and

WHEREAS, John M. McDonald Engineering have prepared bid documents for the elimination of an existing cross connection between the public storm sewer facilities and the existing sanitary sewer system at 27 Casablanca Court and 26 Secada Drive, and

WHEREAS, bids were received and opened on March 9, 2016, and

WHEREAS, the low bidder for the contract was Bellamy Construction Co., Inc., in the amount of \$67,045.00 for the correction of drainage issues at 27 Casablanca Court and 26 Secada Drive, and

WHEREAS, McDonald Engineering has checked the references of Bellamy Construction Co., Inc. on other similar projects and finds that they are qualified to perform the work for which they bid, McDonald Engineering recommends that the town award the contract to Bellamy Construction Co., Inc., and

WHEREAS, homeowners in the vicinity of the project area have executed easement documents to allow for the installation and maintenance of appropriate storm sewer facilities, now, therefore, be it

RESOLVED, that the bid to eliminate an existing cross connection between the existing storm sewer connection and the existing sanitary sewer system at 27 Casablanca Court and 26 Secada Drive is hereby awarded to Bellamy Construction Co. Inc. of Scotia, New York, in an amount not to exceed \$67,045.00 to come from H43-8540-200, and be it further

RESOLVED that the Supervisor is authorized to execute contract documents consistent with the bid documents, and be it further

RESOLVED, that the Supervisor is authorized to accept permanent easements for the installation and maintenance of the resulting facilities and to sign the attached easement documents.

Resolution No. _____ of 2016, a resolution awarding the contract for the Stony Creek Park District #1 Path Replacement Project.

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

WHEREAS, proposals were publicly opened on March 1, 2016, for replacement of the path in the Stony Creek Park District #1, and

WHEREAS, proposals were received from ten local contractors, and

WHEREAS, the low bid was submitted by M. Sullivan Construction, Inc. in the amount of \$89,000, and

WHEREAS, McDonald Engineering has checked the references of M. Sullivan Construction, Inc. on other similar projects and find that they are qualified to perform the work for which they bid, McDonald Engineering recommends that the bids be awarded M. Sullivan Construction, Inc. of Albany, New York; now, therefore, be it

RESOLVED, that the bid for replacement of the Stony Creek Park District #1 Path be awarded to M. Sullivan Construction, Inc. for an amount no greater than \$89,000, and be, it further

RESOLVED, that costs the Stony Creek Park District #1 Path Replacement Project be budgeted with a transfer from Assigned Fund Balance to SP9-7115-200.

Resolution No. _____ of 2016, 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 _____, who moved its adoption, seconded by _____.

WHEREAS, Comptroller Mark Heggen has requested that he and Assistant Comptroller Stephanie Drenchko be authorized to attend the NYSGFOA Annual Conference to be held April 5-8, 2016, 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 NYSGOFA Conference April 5-8, 2016, in Albany, New York, at a cost for both attendees not to exceed \$780.00 to be paid from A-1315-001 (General Fund Comptroller's Office-Travel & Conferences), to be vouchered appropriately.

Resolution No. _____ of 2016, a resolution adopting a local law to amend Sections 103-15.2 and 208-109 of the Town Code to require neighbor notifications for area variances and administrative appeals.

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

WHEREAS, the Town's Zoning Code provides that landowners applying for use variances provide notification to all property owners within 500 feet of the property lines on the subject property, and

WHEREAS, the Code had exempted area variance applicants and those filing administrative appeals of the Zoning Officer's interpretations from the notification requirement, and

WHEREAS, the Town Board finds that the Zoning Board of Appeals may benefit from neighborhood input regarding area variances, as well as in cases where the Zoning Officer's interpretation of the Code is appealed to the Board, and

WHEREAS, the Town Board has held public hearings (January 19, 2016 and March 7, 2016) on proposals to require neighbor notifications, for both nonresidential and residential properties, and

WHEREAS, the proposal limits the requirement for such neighbor notifications in the case of residential applicants to property owners adjacent to or abutting the subject property to limit the administrative burden on such applicants while still providing landowners most likely to be impacted by the variance with the notice of the application, now therefore, be it

RESOLVED, that the Town Board hereby adopts Local Law No. __ of 2016, attached, a local law amending § 103-15.2 and §208-109 of the Town Code, and be it further

RESOLVED, that the neighbor notification requirement will be effective for new area variances and administrative appeals applications received after April 1, 2016, and be it further

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

§ 103-15.2 Notification listing fee.
[Added 4-6-1998 by L.L. No. 2-1998]

[The] Upon request, the involved department will create a listing of all names and addresses, mailing labels, and a map of all adjoining landowners within 500 feet of a parcel under consideration for subdivision, variance, special use permit or site plan pursuant to §§ 179-15.1, 208-79D(2), 208-109C(2)(d), 208-109C(3)(d), and 208-115F. The fee [is \$3 per parcel to be notified with a minimum charge of \$50 and maximum charge of \$500] of \$50 is payable at the receipt of the list. This service is not mandatory.

§ 208-109 Board of Appeals.

(3) Area variances.

(d) [Notifications. The formal notifications as required for use variances in § 208-109C(2)(d) above will not normally be required in the case of a request for an area variance. However, if the situation warrants it, the Chairman of the Zoning Board of Appeals may require the applicant to accomplish such notifications.] Notification requirements.

(1) Applications for area variances for residential uses.

The following persons shall be notified at least 10 days prior to the first hearing on an application for area variances by owners of residential property: all owners of property abutting, contiguous to or adjacent to the property for which the variance is sought.

(2) Applications for area variances by non-residential uses.

The following persons shall be notified at least 10 days prior to the first hearing on an application for an area variance by owners of non-residential property: owners of all property within 500 feet of the perimeter of the subject parcel.

(3) In each case, the notification shall identify the subject parcel for which the variance is sought, a brief summary of the relief sought, the time of the first public hearing, thereon, and a statement that the application may be reviewed in the Building Department during normal business hours, please call the Building Department at 371-6651 if you have any questions about the process for consideration.

§ 208-109 Board of Appeal.

C. Powers. The Board of Appeals shall have the following powers:

- (1) [Orders, requirements, decisions, interpretations and determinations.] Review of Administrative Determinations. The Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, interpretation or determination appealed from and shall make such order, requirement, decision, interpretation or determination as in its opinion ought to have been made in the matter by the administrative official charged with the enforcement of such ordinance or local law and to that end shall have all the powers of the administrative official from whose order, requirement, decision, interpretation or determination the appeal is taken.

§ 208-109

D. Special Procedures relative to appeal for administrative review or variance.

- (4) Notification requirements.

- (a) Applications for review of administrative determinations for residential uses. The following persons shall be notified at least 10 days prior to the first hearing on an application for review of administrative determinations by owners of residential property: all owners of property abutting, contiguous to or adjacent to the property for which the review is sought.
- (b) Applications for review of administrative determinations by non-residential uses. The following persons shall be notified at least 10 days prior to the first hearing on an application for a review of administrative determinations by owners of non-residential property: owners of all property within 500 feet of the perimeter of the subject parcel.
- (c) In each case, the notification shall identify the subject parcel for which the review is sought, a brief summary of the relief sought, the time of the first public hearing, thereon, and a statement that the application may be reviewed in the Building Department during normal business hours, please call the Building Department at 371-6651 if you have any questions about the process for consideration.
- (d) Proof of notification shall be filed with the Board prior to the hearing on the application.

Resolution No. _____ of 2016, a resolution authorizing the Supervisor to sign an agreement with Shen Lacrosse Club to use town facilities for practice and games as scheduled.

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

WHEREAS, Shenendehowa Lacrosse Club provides recreational lacrosse opportunities for players in 3rd through 8th grades, and

WHEREAS, the Town Board wishes to make the arena available for youth lacrosse as per the attached schedule; and

WHEREAS, the Lacrosse club has provided a certificate of insurance naming the Town as additionally insured, covering club use of the facility, now therefore be it

RESOLVED that Shen Lacrosse Club is authorized to rent the Prestige Services Arena at the rate of \$100.00 per hour based upon the attached schedule, and be it further

RESOLVED that the Supervisor is authorized to sign the attached letter of agreement with The Shen Lacrosse Club.

Resolution of 2015, appointing Paul Szczesny to the Historic Preservation Commission.

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

WHEREAS, an opening exists for a member to the Historic Preservation Commission,
and

WHEREAS, Paul Szczesny, 418 Vischer Ferry Road, Clifton Park has been recommended to serve on the Commission, and

WHEREAS, Mr. Szczesny's appointment to the Historic Preservation Commission would confer a benefit to the Town of Clifton Park, now, therefore, be it

RESOLVED, that Paul Szczesny is hereby appointed to the Historic Preservation Commission to serve at the pleasure of the Town Board.