

TOWN OF CLIFTON PARK

TOWN BOARD MEETING

May 4, 2015

- 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
 - Recognize Winners of 2015 Arbor Day Poster Contest
 - Doug Butdorf, North Country Roots
Medical Marijuana Facility Presentation
 - 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 4, 2015

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Supervisor	Authorize the issuance of a Mass Gathering Permit to Shmaltz Brewing Company for a party to celebrate the 2 nd Anniversary of the Brewery	P. Barrett
2. Supervisor	Authorize the Supervisor to execute a twelve month renewal Contract with Public Sector HR Consultants, for Human Resource needs	P. Barrett
3. Supervisor	Adopt Local Law No. _____ of 2015 repealing Local Law No. 10 of 1999 establishing the International Center Planned Unit Development District and replacing the designation with Hamlet Mixed Use Zoning	P. Barrett
4. Parks & Rec.	Authorize the hiring of John Collins and Nicholas Padula as Counselors for the Town of Clifton Park Full Day Camp	P. Barrett
5. Parks & Rec.	Authorize Tim Ward and “Dig Deep” to serve alcohol during a fundraising softball tournament at Veteran’s Memorial Park October 31, 2015	P. Barrett
6. Parks & Rec.	Permit Kindra McHale, to serve alcohol during a family Gathering at Collins Park on July 11, 2015	P. Barrett
7. Parks & Rec.	Award contract for Fireworks for the Town of Clifton Park’s 4 th of July Celebration to Santore’s World Famous Fireworks and authorize the Supervisor to sign the Agreement for same	P. Barrett
8. Supervisor	Appoint Brendan Brustle, Andrew Matturo and William Wink to permanent status as part-time Animal Control officers per Civil Service certification	P. Barrett
9. Supervisor	Accept 30’ wide easement and two 5’ wide strips of land for trails/sidewalks from Country Club Golf	P. Barrett

Resolutions for Consideration

Clifton Park Town Board Meeting

May 4, 2015

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
10. Supervisor	Accept Conservation Easement from Crossings Property Development	P. Barrett
11. Highway	Authorize attendance at 2015 Highway Superintendent School in Ithaca, New York	P. Barrett
12. Supervisor	Authorize the Supervisor to sign a new Contract with CSEA, Local 1000 Highway Unit for the period January 1, 2016 through December 31, 2018	P. Barrett
13. Supervisor	Schedule Public Hearing to allow a Zoning Change relative to Medical Marijuana Dispensaries in the Town Center or B4 Zone	P. Barrett
14. Supervisor	Resolution authorizing and ratifying the renewal of the Town's Electric Contract with Integrys Energy Services of New York	P. Barrett

Resolution No. _____ of 2015, a resolution authorizing the issuance of a Mass Gathering Permit to Shmaltz Brewing Company for an event to be held to celebrate the 2nd Anniversary of the operation of the Brewery.

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

WHEREAS, Shmaltz 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 2nd Anniversary of the operation of the Brewery, and

WHEREAS, the celebration will be held on Saturday, June 27, 2015, from 1:00 to 5:00, with attendance estimated at 500± people in attendance, 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 patron will be charged or \$15.00 for designated drivers, 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 Shmaltz Brewing Company to celebrate the 2nd Anniversary of the opening of the Brewery, Celebration to take place on June 27, 2015 from 1:00 to 5:00.

Resolution No. _____ of 2015, a resolution authorizing the Supervisor to execute a twelve month renewal Contract with Public Sector HR Consultants, for Human Resource needs.

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

WHEREAS, by Resolution No. 131 of 2011, the Town Board authorized the retention of Public Sector HR Consultants LLC (PSHRC) to provide consulting services relative to Human Resources and Benefit Administration; and

WHEREAS, PSHRC provides cost effective services and expertise in areas of Personnel Management, Employee Recruitment and Training, Record Keeping and Benefits Administration; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute a twelve month renewal Contract with PSHRC commencing May 1, 2015 and ending April 30, 2016, at the rate of \$1000.00 per month, to be paid from A-1220-15 (Supervisor-Other Contractual).

Resolution No. _____ of 2015, a resolution adopting Local Law No. _____ of 2015, a local law repealing Local Law No.10 of 1999 which established the International Center Planned Unit Development District and replacing the designation with Hamlet Mixed Use Zoning.

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

WHEREAS, Local Law No. 10 of 1999 established a Planned Unit Development District for the “International Center” commonly known as “Southard House” located at 1585-1587 Route 146, Rexford, and

WHEREAS, the uses at the Premises consist of office buildings and retail uses, and

WHEREAS, Willard and Bonnie Daggett have requested that the Planned Unit Development District be repealed and replaced with Surrounding Hamlet Mixed Use Zoning, and

WHEREAS, the Hamlet Mixed Use Zoning Designation is consistent with the existing and surrounding uses, and would provide more flexibility to the property owners while not adversely impacting surrounding uses, and

WHEREAS, on April 20, 2015, the Town Board conducted a Public Hearing to consider Local Law No. _____ of 2015 repealing Local Law No. 10 of 1999, to be replaced with the Hamlet Mixed Use Zoning Designation, and

WHEREAS, the public was given the opportunity to speak in favor of or against the proposed local law, and

WHEREAS, on April 17, 2015, the Saratoga County Planning Board noted no significant county-wide impacts from the proposed repeal of Local Law No. 10 of 1999, which established the International Center Planned Unit Development District, now, therefore be it

RESOLVED, that the Town Board hereby adopts Local Law No. _____ of 2015 repealing Local Law No. 10 of 1999 which established the International Center Planned Unit Development District, and be it further

RESOLVED, that, pursuant to Local Law _____ of 2015 the Planned Unit Development District designation be replaced with Hamlet Mixed Use Zoning Designation under Chapter 208-43-1 et seq., to be consistent with the zoning assigned to surrounding parcels, and be it further

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

Resolution No. _____ of 2015, a resolution authorizing the hiring of new Camp Counselors for the Full Day Camp for the 2015 Summer Season.

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

WHEREAS, it is necessary that additional Camp Counselors be hired by the Office of Parks, Recreation and Community Affairs for the Town of Clifton Park Summer Day Camp Program; and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs has recommended that John Collins, 21 Parkside Trail, Ballston Lake and Nicholas Padula, 1654 Crescent Road, Clifton Park be hired; now therefore be

RESOLVED, that John Collins and Nicholas Padula be hired as Camp Counselors for the Town's 2015 Full Day Camp Program, effective May 29, 2015 through August 21, 2015; and be it further

RESOLVED, that the new Camp Counselors be paid at Step 1, \$8.00 per hour, from A-7320-E4800 (Summer Rec. Full Day-Counselors)

Resolution No. _____ of 2015 permitting Timothy Ward and “Dig Deep” to serve alcohol during a fundraising softball tournament at Veteran’s Memorial Park on October 31, 2015.

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

WHEREAS, Timothy Ward and “Dig Deep”, 10A Summerwind Lane, Ballston Lake has requested a waiver of the Town’s “No Alcohol” policy for the consumption of alcohol during a charity softball tournament at Veteran’s Memorial Park on October 31, 2015; and

WHEREAS, it is the Town’s policy to require the using agency to monitor the consumption of alcohol, be responsible for the group’s activities, and to provide the Town with appropriate evidence of insurance to indemnify the Town; now therefore be it

RESOLVED, that Timothy Ward and “Dig Deep” is authorized to consume alcohol during a fundraising softball tournament on October 31, 2015 from 1:30 p.m. to 7:30 pm at Veterans Memorial Park providing that they provide the Town with a certificate of insurance in the amount of \$1,000,000, naming the Town of Clifton Park as an insured, so as to indemnify the Town for any incidents which may result with the waiver of the “no alcohol” policy for the event.

Resolution No. _____ of 2015 permitting Kindra McHale to serve alcohol during a family gathering at Collins Park on July 11, 2015.

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

WHEREAS, Kindra McHale, 10 Colonial Court, Ballston Lake has requested a waiver of the Town's "No Alcohol" policy for the consumption of alcohol during a family gathering at Collins Park on July 11, 2015; and

WHEREAS, it is the Town's policy to require the permit holder to monitor the consumption of alcohol, be responsible for the group's activities, and to provide the Town with appropriate evidence of insurance to indemnify the Town; now therefore be it

RESOLVED, that Kindra McHale and attendees of the family gathering are authorized to consume alcohol July 11, 2015 from 1:00 p.m. to 4:00 pm at Collins Park providing that they provide the Town with a certificate of insurance in the amount of \$1,000,000, naming the Town of Clifton Park as an insured, so as to indemnify the Town for any incidents which may result with the waiver of the "no alcohol" policy for the event.

Resolution No. _____ of 2015 a resolution awarding the contract for Fireworks, for the Town of Clifton Park's 4th of July Celebration to Santore's World Famous Fireworks and authorizing the Supervisor to sign the Agreement for same.

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

WHEREAS, bids were solicited for the annual Fourth of July Fireworks display; and

WHEREAS, Santore's World Famous Fireworks, 846 Stillwater Bridge Road, Schaghticoke, New York was the sole bidder, in an amount of \$15,000.00, for a twenty minute musically choreographed pyrotechnic display; and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs has recommended that due to the superior qualifications and previous experience that the bid of Santore's World Famous Fireworks in the amount of \$15,000.00 be accepted; now, therefore, be it

RESOLVED, that the bid for the Fourth of July Fireworks display be awarded to Santore's World Famous Fireworks, Schaghticoke, New York at a cost not to exceed \$15,000.00, as budgeted from (A-7550-052 Festivals/Performing Arts-July 4th Fest); and be it further

RESOLVED, that the Supervisor is hereby authorized to sign an Agreement reflecting the above terms, subject to review and approval by the Town Attorney of the Agreement.

Resolution No. _____ of 2015, a resolution appointing Brendan Brustle, Andrew Maturro and William Wink to permanent status as part-time Animal Control Officers per Civil Service certification.

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

WHEREAS, Brendan Brustle, 30 Acorn Avenue, Clifton Park, Andrew Maturro, 2215 Huntridge Drive, Clifton Park and William Wink, 20 Northcrest Drive, Clifton Park were provisionally appointed to the position of part-time Animal Control Officer, and

WHEREAS, Brendan Brustle, Andrew Maturro, and William Wink, successfully passed the Civil Service Exam for the position of part-time Animal Control Officer and were certified as permanent employees on April 28, 2015; now, therefore, be it

RESOLVED, that Brendan Brustle, 30 Acorn Avenue, Clifton Park, Andrew Maturro, 2215 Huntridge Drive, Clifton Park and William Wink, 20 Northcrest Drive, Clifton Park are hereby appointed to permanent status as part-time Animal Control Officers for the Town of Clifton Park, per Civil Service Certification as of April 28, 2015.

Resolution No. _____ of 2015, a resolution accepting a thirty foot wide emergency access easement and two five foot wide strips of land to be used for future trail/sidewalk from Country Club Golf, LLC.

Introduced by _____, who moved its adoption, seconded by

WHEREAS, as a condition of approval of Subdivision Plan, Lands of Country Club Golf, LLC, dated June 10, 2014 the Town of Clifton Park Planning Board required that the applicant convey a thirty foot wide emergency access easement and two five foot wide strips of land for future trail/sidewalk, now, therefore, be it

RESOLVED, that the Town Board hereby accepts the conveyance of the following:

Name of Owner
Country Club Golf, LLC

- 30 foot wide easement for Emergency Access
- 5 foot wide parcel, known as Strip "A" on subdivision plan, containing .007 acres of land for future sidewalk/trail purposes
- 5 foot wide parcel, known as Strip "B" on subdivision plan, containing .133 acres of land for future sidewalk/trail purposes

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 the 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 2015, a resolution accepting a Conservation Easement from Crossings Property Development LLC.

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

WHEREAS, the Town of Clifton Park granted Site Plan Approval on April 22, 2014 with respect to the property for the construction of a 35,000 square foot medical office building and all associated infrastructure and utilities, and

WHEREAS, as a condition of the Site Plan Approval and pursuant to best management practices for storm water management as outlined in Section 5.3.1 of the New York State Storm Water Management Design Manual, Grantor is required to declare a “Conservation of Natural Areas” restriction on a portion of the property as described on Exhibit “B” attached hereto, now, therefore, be it

RESOLVED, that the Town Board hereby accepts the conveyance of a Conservation Easement from Crossings Property Development LLC, briefly described as follows:

Name of Owner

- 5.13 Acres of Land Crossings Property Development LLC
SBL 272.00-1-16

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 2015 a resolution authorizing the Highway Superintendent to attend the 2015 Association of Towns Highway School in Ithaca New York.

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

WHEREAS, Highway Superintendent Richard Kukuk has requested authorization to attend the 2015 Highway School at Ithaca College in Ithaca, New York, June 1-3, 2015, at a cost not to exceed \$675; and

WHEREAS, Mr. Kukuk's attendance at the conference would confer a benefit to the Town; now therefore be it

RESOLVED, that Richard Kukuk is hereby authorized to attend the 2015 Association of Town's Annual Highway School in Ithaca, New York, June 1-3, 2015, at a cost not to exceed \$675.00, to be paid from A05010-00001. (Highway Admin.-Training & Conferences)

Resolution No. _____ of 2015, a resolution authorizing the Town Board to ratify the Memorandum of Agreement with the Civil Service Employees Association, Inc. Highway Unit representing Town of Clifton Park Highway Unit of Saratoga County Local 846.

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

WHEREAS, an agreement has been reached between the Town of Clifton Park and the Civil Service Employees Association, Inc., AFSCME Local 1000, AFL-CIO for the Town of Clifton Park, Highway Unit of Saratoga County Local 846, and

WHEREAS, this agreement will cover a three (3) year term, commencing on January 1, 2016 and terminating on December 31, 2018; now, therefore, be it

RESOLVED, that the Town Board hereby ratifies the Memorandum of Agreement dated April 21, 2015 with the Civil Service Employees Association, Inc. unit representing Town of Clifton Park Highway Unit of Saratoga County Local 846, copy of which is annexed hereto as Exhibit "A", all provisions to be incorporated into a new contract as appropriate; and be it further

RESOLVED, that the provisions in the previous contract not modified by this Memorandum of Understanding to remain.

Resolution No. ____ of 2015, a resolution scheduling a public hearing to consider Local Law No. ____ of 2015, relative to proposed zoning changes to Chapter 208 to recognize Medical Marijuana Dispensaries within the Town Zoning Code.

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

WHEREAS, on July 5, 2014, Governor Cuomo signed the Compassionate Care Act, which provided for the legal use of Marijuana products under certain conditions and subject to state regulation, and

WHEREAS, pursuant to the Act, the New York State Department of Health will select a limited number of Registered Organizations which will be allowed to be licensed by the State to operate up to four locations to dispense marijuana products pursuant to regulation, and

WHEREAS, the Town has been advised that at least one potential registered organization has expressed interest in local approvals to locate a medical marijuana dispensary within the Town, and

WHEREAS, the current zoning code does not make provision for medical marijuana dispensaries due to the recent changes in state law which introduced the concept in New York, and

WHEREAS, guidance from the State of New York is limited to provisions indicating that dispensaries should not be located within residential Zones, and

WHEREAS, the Town Board wishes to seek public comment on a proposal to provide for this land use within the Town Center Zones and within all of the Business, Highway Business, Corporate Commerce and Light Industrial Zones, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing will be held on May 18, 2015, at 7:05 PM, to consider Local Law No. ____ of 2015, relative to proposed zoning changes to Chapter 208 of the Zoning Code to provide for medical marijuana dispensaries within the Town's TC and Business Zones, including Corporate Commerce and Light Industrial, by amendment to Sections 208-32, 33, 37, 208-45 (B), 208-50.2, 208-53, 208-64 and 208-20-3.1 and 3.4, allowable uses, and be it further

RESOLVED, that the Clerk is directed to publish notice of the Public Hearing accordingly.

Resolution No. _____ of 2015, a resolution authorizing and ratifying the renewal of the Town's Electricity Contract with Constellation Energy Services of New York, formerly Integrys Energy Services of New York.

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

WHEREAS, the Town's most recent Electricity Supply Contract with Integrys Energy Services of New York is due to expire on January 16, 2016, and

WHEREAS, Integrys Energy Services has been acquired by Constellation Energy Services, a designated supplier for the Municipal Electric and Gas Alliance, with competitive pricing acquired through various Wholesale Supply Services, and

WHEREAS, Energy prices fluctuate on a daily basis, and locking in future rates requires that future Contracts be executed in a timely manner in response to such price movements; and

WHEREAS, Constellation Energy Services can meet the Town's needs to maximize the return on future remote net metering credits through the anticipated Solar Energy Project with GroSolar by consolidating Energy bills for Supply and Delivery Services through National Grid.

WHEREAS, the Town wishes to renew its Wholesale Electric Supply Contract for Calendar Year 2016 to ensure Price and Budgetary Stability for the Town's Electricity needs, now therefore be it

RESOLVED, that the Supervisor is authorized to execute the attached Electric Supply Contracts with Constellation Energy Services of New York, effective from December 7, 2015 through December 21, 2016 and from December 13, 2015 through January 2, 2017, respectively, and that the Town Board ratifies the Commitments signed by the Supervisor on May 4, 2015.

