

TOWN OF CLIFTON PARK TOWN BOARD MEETING

September 5, 2017

- 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**
 - **Flag Presentation - David Brinkmoeller, Clifton Park VFW Post 1498**
 - **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
September 5, 2017

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Planning	Authorize a professional services agreement for possible zoning amendments to the Form Based Town Center Zoning Code.	P. Barrett
2. Planning	Authorize the installation of a streetlight at the entrance to the Kain Preserve subdivision.	P. Barrett
3. Safety & Security	Authorize Animal Control Officer, Teresa Cook, to attend the Effective Animal Cruelty Investigations and Prosecutions training from September 11-12, 2017.	P. Barrett
4. Supervisor	Appoint Linda DiCaprio and James Mahon to the Ethics Board.	P. Barrett
5. Sewer	Authorize Change Order No. 1 to Contract No. 2 - ACM Monitoring of Sanitary Sewer Replacement Project.	P. Barrett
6. Stormwater	Award a contract to Burden Aquatics Inc. for Bio Maintenance of ponds in Clifton Knolls Park District.	A. Standaert
7. Supervisor	Accept the conveyance of a portion of Roadways and a Stormwater Management Parcel within the Fairway Woods Subdivision Phase 3 and Phase 4	P. Barrett
8. Historic Preservation	Accept an application for inclusion in the Conservation Easement Historic Preservation Program for 349 Vischer Ferry Road.	J. Whalen
9. Supervisor	Establish the Vischer's Landing Park District.	P. Barrett
10. Comptroller	Authorize the Town Supervisor to file commitment documents with Saratoga County for collection of the Town's Share of the 2018 Sales Tax Revenues.	P. Barrett

11. Supervisor

Schedule a public hearing to consider a license to maintain encroachment on a portion of highway right-of-way at 82 Bradt Road.

P. Barrett

Resolution No. _____ of 2017, a resolution to authorize a professional services agreement for engineering, design and planning services relative to potential zoning amendments to the Form Based Town Center Zoning Code, and to transfer \$10,000.00 from Contingency.

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

WHEREAS, the Town Board wishes to explore the feasibility and authorize professional services for engineering, design and planning to prepare form based zoning code amendments, subject to approval, for an area east of Interstate 87 included in the original Town Center Plan Study Area ; and

WHEREAS, currently there are sufficient funds in the Town's Contingency Account to make a transfer of \$10,000 to meet the needs of this study; and

WHEREAS, the engineering studies will provide details for the project, including organizing working group and stakeholder meetings, revisions to the study area boundary and schedule, proposed changes to Tables of Allowable Uses, and other Form Based Code Documents and draft materials to comply with SEQRA; now therefore be it

RESOLVED, that the Comptroller is authorized to make a transfer from Contingency in the amount of \$10,000.00 to A-1440-135; and be it further

RESOLVED, that the Town Board authorizes the Supervisor to sign the agreement for the Scope of Services with M. J. Engineering and Land Surveying, P.C., for an amount not to exceed \$22,700 from A-1440-135.

Resolution No. _____ of 2017, a resolution authorizing the installation of a street light at the entrance to the Longkill Subdivision also known as Kain Preserve, at the intersection of Kain Terrace and Longkill Road.

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

WHEREAS, the Longkill Subdivision was approved by Resolution by the Clifton Park Planning Board on July 10, 2007 per the approved subdivision plan, titled, "Longkill Subdivision"; and

WHEREAS, Section 179-78A of the Town Code requires that owners and developers provide appropriate streetlighting at intersections of proposed streets with existing arterial streets in accordance with an Illuminations Engineering Society, NMPC, and NYSEG standards; and

WHEREAS, the installation of the street light is warranted at this time; now, therefore be it

RESOLVED, that authorization is hereby granted for the installation of a street light at the entrance to the Longkill Subdivision, at the intersection of Kain Terrace and Longkill Road; and be it further

RESOLVED, that said street light shall be charged to the Clifton Park Lighting District No. 1 and that a copy of this authorization shall be forwarded to the National Grid utility company.

Resolution No. _____ of 2017, a resolution authorizing the Animal Control Officer to attend the Effective Animal Cruelty Investigations and Prosecutions in New York State – Oneida County, taught by the New York State Division of Criminal Justice Service (DCJS), Office of Public Safety, in partnership with the Mohawk Valley Police Academy and the ASPCA. This will be the most comprehensive Animal Cruelty Investigation Course ever offered by DCJS.

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

WHEREAS, Teresa Cook, Animal Control Officer, has requested authorization to attend the New York State DCJS Training Course – in Utica, N.Y. Oneida County from September 11 – 12, 2017; and

WHEREAS, this course covers Effective Animal Cruelty Investigations and Prosecutions and Teresa Cook’s attendance at this training course would provide a benefit to the town of Clifton Park as the Animal Control Officer; now, therefore, be it

RESOLVED, that Teresa Cook, Animal Control Officer, is hereby authorized to attend the Effective Animal Cruelty Investigations and Prosecutions in New York State – DCJS, Office of Public Safety, in partnership with the Mohawk Valley Police Academy and the ASPCA. Training Course in Utica, N.Y. Oneida County from September 11 – 12, at a cost not to exceed \$300.00.

Resolution of 2017, a resolution appointing Linda DiCaprio and James Mahon as members of the Ethics Board.

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

WHEREAS, two vacancies exist on the Ethics Board, and

WHEREAS, both terms will expire December 31, 2018; and

WHEREAS, Supervisor Barrett recommends that Linda DiCaprio, 7 Blueberry Lane, Clifton Park and James Mahon, 1 Woodstock Drive, Clifton Park be appointed as members of the Ethics Board to fill the unexpired terms; now therefore be it

RESOLVED, that Linda DiCaprio and James Mahon are hereby appointed to the Clifton Park Ethics Board, terms to expire December 31, 2018.

Resolution No. _____ of 2017, a resolution authorizing Change Order No. 1 to Contract No. 2 for the Town of Clifton Park Sewer District No. 1 Sanitary Replacement Project Asbestos Containing Material (ACM) Abatement Monitoring.

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

WHEREAS, on September 19, 2016, the contract for ACM Abatement Monitoring work was awarded by Resolution No. 225 of 2016, to Professional Service Industries, Schenectady, New York, in the amount of \$12,540.00, and

WHEREAS, the project incurred additional costs in order to comply with Department of Labor Variance preparation, and

WHEREAS, McDonald Engineering has verified all costs listed in the invoices for an additional amount of \$996.00, now, therefore be it

RESOLVED, that the Town Board hereby accepts Change order No. 1 to increase the contract by \$996.00 to be paid from H-46-8111-200.

Resolution No. _____ of 2017, a resolution authorizing Change Order No. 1 for a Bio Maintenance Program for 3 of the Clifton Knolls ponds.

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

WHEREAS, Resolution No. 116 of 2017 authorized the contract for water quality improvement applications of the three Town owned ponds in Clifton Knolls to Burden Aquatics Inc.; and

WHEREAS, Scott Reese, Stormwater Technician, has recommended that additional Bio Maintenance treatments be performed in addition to existing contract; now therefore be it

RESOLVED, that Change Order No. 1 of the contract with Burden Aquatics Inc. to perform professional services relating to water quality improvement for the Clifton Knolls ponds is hereby authorized for an increase amount not to exceed \$6,400.00 with \$4,800.00 to be transferred from SP3-7131-024 for the 3 Clifton Knolls Ponds and \$1,600 to be transferred from A-7190-24 for the Barney Road Golf Course Pond; and be it further

RESOLVED, that Town Supervisor, Phil Barrett is authorized to sign the contract.

Resolution No. _____ of 2017, a resolution accepting the conveyance of a portion of Roadways and a Stormwater Management Parcel within the Fairway Woods Subdivision Phase 3 and Phase 4, subject to easements retained for driveway access.

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

WHEREAS, as a condition of approval for the Fairway Woods Phase 3 Subdivision signed on 7/12/2007 and Fairway Woods Phase 4 Subdivision signed on 1/31/2010, the Town Planning Board required that the applicant convey lands to the Town for such purposes as are incidental thereto and for the benefit of the grantee; now, therefore, be it

RESOLVED, that the Town Board hereby accepts the conveyance of a portion of roadways and a Stormwater Management parcel from Massullo Brothers Builders, Inc., briefly described as follows:

- Portion of Tipperary Way
SBL: 258.20-3-99
- Portion of Portion of Fairleigh Way
SBL: 258.20-3-99
- Stormwater Management Parcel
SBL: 258.16-2-17

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, metes and bounds description of the conveyance and retained easements, 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 as it has been filed with the Saratoga County Clerk.

Resolution No. _____ of 2017, a resolution accepting an application for inclusion in the Conservation Easement Historic Preservation program of a parcel of land located at 349 Vischer Ferry Road, Town of Clifton Park.

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

WHEREAS, a public hearing was held on August 21, 2017 to allow the Town Board to receive public comment regarding an application for a Conservation Easement for inclusion of a parcel of land at 349 Vischer Ferry Road into the Conservation Easement Historic 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 349 Vischer Ferry Road, Clifton Park, owned by Priscilla Kelly (SBL:277.-1-17) and known as the Shopmyer House, is hereby accepted and is granted a 15 year conservation easement in accordance with the attached application, pursuant to Chapter 125 of the Town Code.

Resolution No. _____ Of 2017, a resolution authorizing the establishment of the Vischer's Landing Park District

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

WHEREAS, the Town Board of the Town of Clifton Park (the "Town") proposes to undertake the formation of a Park District for the Vischer's Landing Subdivision to the East of Vischer Ferry Road, between Greenlea Drive and Redfield Park, as described in the Map, Plan and Report prepared by the Town's Planning Staff, which is on file in the Town Clerk's office; and

WHEREAS, the maximum annual cost of the services to be performed by the Park District in the first year is \$3,000 and

WHEREAS, the annual costs of the Park District to the typical property within the District is \$150.00, which will be financed through ad valorem assessments upon each of the properties listed on Exhibit A (attached), and

WHEREAS, the Town Board held a public hearing on August 21, 2017 to hear all persons interested in the Project, at Town of Clifton Park Town Hall, One Town Hall Plaza, Clifton Park, New York;

NOW, THEREFORE, the Town Board of the Town of Clifton Park hereby determines that:

1. The notice of hearing was published and posted as required by law, and is otherwise sufficient.
2. All the property and property owners within the proposed District are benefited thereby.
3. All the property and property owners benefited are included within the limits of the proposed District.
4. The establishment of this District is in the public interest.

IT IS FURTHER DETERMINED AND RESOLVED that the map, plan and report prepared by Town Planning staff dated August 7, 2017 be adopted, and,

IT IS FURTHER RESOLVED that the Town Board hereby approves the establishment of the Vischer's Landing Park District as the boundaries are identified within the adopted Map, Plan and Report, and approves of the expenditures for maintenance and services as outlined within the report, as may be amended from time to time by the Park District through the annual Budget process, to be offset by assessments on the property benefited, such assessments and charges to be assessed, levied and collected in the same manner as all other charges against the District, and consistent with the engineering Map, Plan and Report as adopted.

Resolution No. _____ of 2017, a resolution authorizing the Town Supervisor to file commitment documents with Saratoga County for collection of the Town's Share of the 2018 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 2018; 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 2018, 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.

Resolution No. _____ of 2017, a resolution scheduling a public hearing to consider a license to maintain encroachment on a portion the highway right-of-way of the intersection of Blue Barns Road and Bradt Road in Clifton Park.

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

WHEREAS, Simeon Slovacek has requested a license to allow a 100+ year old barn to maintain its encroachment in the Town Right-of-Way for property at 82 Bradt Road at its intersection with Blue Barns Road, Clifton Park (SBL:263.-1-40); and

WHEREAS, New York State Law 130 (7)(G) provides authority for the Town Board to consider a request for a revocable license to maintain the encroachment of an existing structure within the right-of-way of public streets otherwise reserved for highway purposes; and

WHEREAS, Simeon Slovacek wishes to apply for a building permit to construct improvements and upgrades to the structure including the construction of restroom and shower facilities; and

WHEREAS, the Town Board wishes to invite public comment and input from interested parties concerning the application for a license to maintain encroachment on the highway right-of-way pursuant to NYSTL 130 (7)(G); now therefore be it

RESOLVED, that a public hearing is scheduled for September 18, 2017 at 7:05 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York to consider the property owned by Simeon Slovacek for a revocable license to maintain encroachment on the Town Right-of-Way; and be it further

RESOLVED, that the property owner give notice to all adjacent property owners and other entities as provided on in advance of the public hearing and submit receipts of mailing to the Town Clerk's office prior to the date of the public hearing; and be it further

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