

TOWN OF CLIFTON PARK TOWN BOARD MEETING

August 20, 2018

- 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
August 20, 2018

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Town Court	Authorize Janet Gomes to attend Court Clerk training September 16-19, 2018	P. Barrett
2. Sanitary Sewer	Declare an emergency pursuant to GML 103(4) at 1 Terrace Court on July 8, 2018	P. Barrett
3. Supervisor	Classify legislation adopting a Planned Development District for SEQRA and issue determination of significance	P. Barrett
4. Supervisor	Adopt Local Law No. 5 of 2018 allowing for the creation of Park West PDD	P. Barrett
5. Planning	Approve agreement to accept conveyance of properties at Waite Road and the Dwaas Kill recreational area from Saratoga PLAN	P. Barrett
6. Supervisor	Authorize the hiring of Head Lifeguards for the remainder of the pool season 2018	P. Barrett
7. Buildings & Grounds	Authorize the purchase of a Bobcat Truckloader for Buildings & Grounds	P. Barrett
8. Planning	Authorize the Planning Director to submit a TAP/CMAQ grant application for pedestrian enhancements along a portion of Clifton Country Rd in the Town Center.	P. Barrett
9. Supervisor	Authorize salary increase for Assistant Town Attorney Anthony Morelli	P. Barrett
10. Supervisor	Authorize the hiring of Alternate Lifeguards for the end of the 2018 Pool Season	P. Barrett
11. Highway	Authorize the Superintendent of Highways to sign an agreement with Transfinder for vehicle maintenance and inventory software	P. Barrett
12. Comptroller	Certify retirement days for elected and appointed officials.	P. Barrett

Resolution No. _____ of 2018, a resolution authorizing Janet Gomes to attend the NYSAMCC Annual Conference in Lake Placid, September 16-19, 2018.

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

WHEREAS, the State requires all Court Clerks to attend a training session on a yearly basis, and

WHEREAS, NYSAMCC will provide the necessary training for court clerks at the annual fall conference held in Lake Placid from September 16-19, 2018, and attendance at this meeting would provide a public benefit to the Town; now, therefore, be it

RESOLVED, that Court Clerk, Janet Gomes, is hereby authorized to attend the NYSAMCC annual conference in Lake Placid from September 16-19, 2018, to be paid from A1110-001 (Training & Conferences) at an estimated cost not to exceed \$942.00.

Resolution No. _____ of 2018, a resolution declaring a public emergency pursuant to General Municipal Law Section 103(4) at 1 Terrace Court.

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

WHEREAS, on July 8, 2018, the residence at 1 Terrace Court sustained damage from a Clifton Park Sewer District #1 backup, making the finished lower level of the home unsanitary and uninhabitable, and

WHEREAS, Section 103(4) of the NYS General Municipal Law provides that in cases of an emergency situation arising from unforeseen circumstances affecting public buildings or the health or safety of its inhabitants, the Town Board may authorize the purchase of service, material and equipment without competitive bids, now, therefore, be it

RESOLVED, that the Town Board determines that the damage to the Degni Residence at 1 Terrace Court caused by excessive sewage backup on the day/evening of July 8, 2018 constitutes an emergency for procurement purposes under Section 103(4) of General Municipal Law, and be it further

RESOLVED, that the Town Board authorizes Michael O'Brien, Collection Systems Manager, to enter into a contract with Quick Response Restoration of Clifton Park, NY, or other qualified repair contractors to perform emergency repairs, and to pursue the Town's Insurance policies as applicable for the reimbursement of costs to the Town.

Resolution No. _____ of 2018, a resolution that action to consider and adopt a resolution regarding a local law amending Local Law No. 2 of 1967 providing for the Creation of a Planned Development District to be known as Park West Planned Development District constitutes an Unlisted Action, and issuing a Negative Declaration under SEQRA.

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

WHEREAS, an application has been presented to the Town Board for a change in the Zoning Code to establish a Planned Development District consisting of up to 132 units of residential housing, pursuant to the condominium form of ownership, on a 23.5 ± acre parcel of land at the Southeast Corner of the Intersection of NYS Route 146 and Route 146A, and

WHEREAS, the Town Board has consulted with MJ Engineering, as Town Designated Engineers, for the review of the proposal pursuant to the State Environmental Quality Review Act, and

WHEREAS, the applicant has prepared and submitted a Long Form Environmental Assessment Form for the review of the proposed legislation, and

WHEREAS, Jaclyn Hakes, MJ Engineering, has prepared Parts 2 and 3 of the EAF, recommending that the Town Board classify the proposed legislative action as an Unlisted Action, and issue a Negative Declaration for its Determination of Significance, and

WHEREAS, the Town Board has reviewed the Environmental Assessment Forms, attached, prepared by the applicant and by MJ engineering, now therefore, be it

RESOLVED, that the Town Board accepts the recommendation of the Town's Designated Engineering consultants, and hereby determines that the adoption of the proposed local law constitutes an unlisted action pursuant to SEQRA, and will not have a negative impact on the environment; and be it further,

RESOLVED, that the Town Board hereby issues a Negative Declaration with regard to the proposal, and be it further,

RESOLVED, that this resolution shall take effect immediately.

Resolution No. _____ of 2018, a resolution adopting Local Law No. 5 of 2018, to establish the Park West Planned Development District, and to repeal the existing zoning regulations for the District Area more fully described below., by Amending Local Law No. 2 of 1967, as amended by Local Law No. 10 of 1996, of the Town Code, entitled “Local Law Relating to Zoning for the Town of Clifton Park,

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

WHEREAS, an application has been presented to the Town Board for a change in the Zoning Code of the Town of Clifton Park to enable the construction of residential condominium style housing consisting of up to 132 units of residential housing on a 23.5+/- acre parcel of land at the Southeast Corner of the Intersection of NYS Route 146 and Route 146A, and

WHEREAS, on February 5, 2018, the Planning Board provided an advisory opinion to the Town Board, supporting the project and recommending approval of zoning legislation to approve the application for the Zoning change, and

WHEREAS, on May 21, 2018, the Saratoga County Planning Board issued a determination under Section 239-m of the NYS General Municipal Law, finding that the proposed project represented no county-wide or inter-community impacts, and

WHEREAS, the Town Board conducted a Public Hearing on the proposed legislation on June 18, 2018, to receive comment for and against the proposal, and

WHEREAS, the Town Board accepts the recommendation of the Planning Board pursuant to Section 208-74 of the Town code, and finds that the proposed zoning change is consistent with the Town’s Comprehensive planning documents, and

WHEREAS, the project developer has proposed a public benefit in the form of an unrestricted community benefit payment in the amount of \$3800.00, per unit, for each of the up to 132 units authorized by the zoning legislation, payable upon issuance of Building Permits for each unit, and

WHEREAS, the Town Board has reviewed the action pursuant to the State Environmental Quality Review Act and has issued a negative declaration pursuant to the Act; now, therefore be it

RESOLVED, that the Town Board determines that the proposal is consistent with the goals of the Town’s comprehensive plan and with the objectives of Section 208-71 A of the Town Code, and be it further,

RESOLVED, that Local Law No. 5 of 2018, a Local Law Amending Local Law No. 2 of 1967, as amended by Local Law No. 10 of 1996 of the Town Code, entitled “Local Law Relating to Zoning for the Town of Clifton Park providing for the creation of Park West Planned Development District”, attached, is hereby adopted, and be it further

RESOLVED, that the Town's Zoning Map is hereby amended by adoption of the Supplemental Zoning Map, attached, and be it further

RESOLVED, that the Town Board accepts the proposed community benefit payment of \$3,800 per unit payable upon issuance of Building Permits, pursuant to Section 208-71 of the Town Code, and be it further

RESOLVED, that the Town Clerk file said notice with the New York State Department of State as required by law.

Chapter A217. Planned Development Districts

Article Park West PLANNED DEVELOPMENT DISTRICT

[Adopted ____-2018 by L.L. No. 5-2018]

§ A217-405 . Title.

This article shall be known and may be cited as a "Local Law Amending Local Law No. 10-1996 of the Town of Clifton Park, Entitled 'Local Law Relating to Zoning for the Town of Clifton Park, Providing for the Creation of a Planned Unit Development District to be known as "Park West Planned Development District"

§ A217-406 . Establishment of District.

Chapter **208**, Zoning, of the Code of the Town of Clifton Park and the Zoning Map^{uu} of the Town of Clifton Park as set forth therein and made a part thereof be and the same hereby are amended by changing from Residential District R-1 and Neighborhood Business B-3 a portion thereof as hereinafter described and by creating within the boundaries of said newly described area a Planned Development District to be known as "Park West Planned Development District."

§ A217-Condominium Ownership

The Development of the District will be pursuant to the Condominium form of ownership form in accordance with Article 9B of the New York State Real Property Law.

§ A217-407 . Boundaries.

The area of Park West PLANNED DEVELOPMENT DISTRICT consists of approximately 23.48 acres ("project site") and is bounded and described as follows: All that tract, piece or parcel of land situate in the Town of Clifton Park, Saratoga County, New York, comprising an irregular shaped lot lying generally at the intersection of Route 146 and Route 146A and being more particularly bounded and described as set forth on Schedule A attached hereto.

§ A217-408 . Development.

A. Park West PLANNED DEVELOPMENT DISTRICT shall consist of up to of twenty-seven (27) 4-unit buildings, five (5) 2-unit buildings and fourteen (14) single family detached units for a total of one hundred thirty-two (132) condominium units. In addition to the owner occupied condominium buildings, approximately 3,000 square foot clubhouse that could be utilized by the residents as a central gathering place is also authorized.

The development of the Park West PLANNED DEVELOPMENT DISTRICT has been presented and is described according to a site plan (the "site plan") filed with the Planning Board of the Town of Clifton Park, a copy of which is on file with the Town and incorporated into this article as an exhibit. Determinations on accessory

uses, signage, setbacks and alterations or amendments to the operative site plan are hereby delegated to the Planning Board to the extent such amendments are not inconsistent with this legislation.

B. Each of the said buildings shall consist of one to four two-story dwelling units.

C. The proposed PLANNED DEVELOPMENT DISTRICT will include open space accounting for approximately 13 acres of the 23.48-acre parcel, or approximately 57% overall, with a large portion of the parcel remaining wooded, brush/meadow, and wetland areas. Open space areas serve to preserve existing natural vegetation, to create recreational areas, to protect drainage corridors, to provide buffers to adjoining uses and to protect wetlands and environmentally sensitive areas.

D. The Project Sponsor has committed, upon final approval of the Site Plan and receipt of all municipal approvals for the PLANNED DEVELOPMENT DISTRICT Project, to convey and dedicate to the Town of Clifton Park by Conservation Easement, as Defined by Article 49 of the NYS Environmental Conservation Law, an area of approximately 4.23 acres of land, to include a 100 foot buffer area which will be maintained to separate the PLANNED DEVELOPMENT DISTRICT units from the southern property lines of the Sherwood Forest neighborhood.

E. There will be a condominium Association formed in accordance with Article 9B of the New York State Real Property Law, in which the residents within development district authorized by this article will also be members/owners.

§ A217-409 Submission of plans.

Before construction of Park West PLANNED DEVELOPMENT DISTRICT is started or any building permit is issued relating thereto, final plans, specifications and proposed building placement shall be submitted to the Town Planning Board for site plan review, and to the Building Department for review of compliance with relevant Building codes; upon approval by the Building Department and Planning Board, the final plans and specifications for Park West or any section thereof shall be filed with the Town Clerk and the County Clerk.

§ A217-410 Points of ingress and egress.

The main entrance into the project will be from Route 146A and is situated approximately 950± feet north of the 146/146A intersection and will include a landscaped boulevard. An emergency access drive is proposed at the southern portion of the community, which will connect to NYS Route 146 (driveway access for Ravenswood restaurant). The road systems that service the Park West PLANNED DEVELOPMENT DISTRICT shall be privately owned and maintained. The roads will be constructed to Town standards, and will be of such width and capacity to provide for access by emergency services vehicles pursuant to applicable Fire Codes and Building Codes. Authority for the final approval of the configuration of the internal road system is delegated to the Planning Board consistent with applicable codes.

§ A217-411 Water and Sewerage facilities.

A.
Water shall be provided by the Clifton Park Water Authority.

B.
The sewer system is to be serviced through the Saratoga County Sewer District No. 1.

C. Access to the Water and sewer facilities owned by the CPWA, and SCSD, respectively within the district shall be provided by permanent easement.

§ A217-412 . Construction regulations.

All improvements shall be designed and constructed pursuant to plans and specifications approved by a duly licensed engineer and by the Town Planning Board, and when, the duly licensed engineer shall certify to the Town of Clifton Park that the improvements were constructed in compliance with the New York State Building Code. The engineer performing the work herein described shall be employed by and at the sole expense of the developer, and all construction, during performance thereof and upon completion, shall be subject to the inspection and approval of the Town Building Inspector.

§ A217-413 . Sunset provision.

This amendment shall be deemed automatically revoked and the zoning shall revert to its existing zoning status as it appears in the Clifton Park Town Code on August 20, 2018, if, within 36 months from the effective date of this article, commencement of the construction of dwelling units has not begun or, if after construction has begun, unless substantial progress continues without undue interruption thereafter.

§ A217-414 . Zoning Map.

Section 208 of said Local Law No. 10-1996, , as amended by that of Local Law No. 10 of 1996, is hereby amended by repealing existing zoning designations for area within the district and replacing same with these Park West PLANNED DEVELOPMENT DISTRICT regulations, and by amending the Town's zoning Map by reference to the supplemental zoning map, attached hereto as Schedule B.

Resolution No. _____ of 2018, a resolution authorizing execution of a contract for the acquisition of parcels known as the Dwaas Kill Natural Area and Waite Road Property from Saratoga PLAN.

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

WHEREAS, Saratoga PLAN acquired 31.8 acres in 1998 and 1989, in the Town of Clifton Park, which property is in close proximity to The Dwaas Kill Nature Preserve, currently owned and managed by the Town as a Nature Preserve, and

WHEREAS, in 1998, Saratoga PLAN acquired 96.9 acres off of Waite Road which is contiguous to Garnsey Park, owned by the Town, and

WHEREAS, Saratoga PLAN has expressed interest in conveying the properties to the Town, and the Town Board wishes to accept the real property rights pursuant to terms and conditions set forth in the Agreement; now therefore be it

RESOLVED that the Supervisor is authorized to execute an Agreement, to accept the conveyance of the properties for park purposes without compensation, and be it further

RESOLVED that upon conveyance, the 31.8± acre property and the 96.9 acre property as described in Schedules A & B will be designated as Public Parks in perpetuity.

Resolution No. _____ of 2018, a resolution hiring Head Lifeguards for the end of the 2018 Summer Season for Town Pools.

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

WHEREAS, the Town Board wishes to hire Head Lifeguards to assist in the management of the Town Pools; and

WHEREAS, due to head guards leaving for college at the end of the pool season, all three pools have vacancies for head lifeguards as of August 10, 2018; and

WHEREAS, the Supervisor has recommended that the following individuals be hired as head lifeguards at the following rate:

<u>Name</u>	<u>Pool</u>	<u>Address</u>	<u>Rate</u>
Megan Costello	Locust Lane	21 Ironwood Street, Clifton Park	\$9.95
Stephanie Morgan	Country Knolls	4 Evergreen Terrace, Ballston Lake	\$10.70
Amanda Pendergast	Barney Road	8 Nottingham Way North, Clifton Park	\$11.20
Brendan Pickel	Barney Road	3 Gingham Avenue, Clifton Park	\$10.45
Sarah Wettergreen	Locust Lane	60 Via Da Vinci, Clifton Park	\$10.20

Now, therefore be it

RESOLVED, that the above individuals shall be hired as Head Lifeguards for Barney Road Pool (A-7150-E4690), Country Knolls Pool (SP5-7151-E4690) and Locust Lane Pool (A-7152-E4690) Pool as of August 10, 2018 through October 1, 2018, to be paid at the rate as stated.

Resolution No. _____ of 2018, a resolution authorizing the purchase of a Bobcat Compact Track Loader.

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

WHEREAS, Daniel Clemens, Supervisor of Buildings and Grounds, has identified a need for a compact track loader for Town owned lands and parks, and

WHEREAS Clark Equipment Co, dba Bobcat Company, West Fargo, ND has a T550 T4 Bobcat Compact Track Loader per the attached Quotation Number: HMM-10359, at a total cost not to exceed \$49,1693.54 for purchase under New York State Contract #PC67141, and

WHEREAS, Daniel Clemens has recommended the equipment be purchased from Bobcat Company pursuant to the New York State Contract identified above; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor of Buildings & Grounds to purchase the compact track loader equipment from Bobcat Company, in a total amount not to exceed \$49,693.54, \$24,846.77 from A-7110-200 and \$24,846.77 from SP37131-200.

Resolution No. _____ of 2018, a resolution authorizing the Planning Department to submit a grant application to the Transportation Alternatives Program (TAP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) for the Clifton Park's Town Center Walkability: Clifton Country Road Pedestrian Enhancements Project.

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

WHEREAS, the Town Board policy supports improvements within the Town Center to increase non-driver accessibility, pedestrian facilities and infrastructure projects improving mobility within the Town to the maximum extent practicable; and

WHEREAS, the adopted Town Center Plan and Town Center Form Based Code have helped rejuvenate private sector investment for mixed-use opportunities within the Clifton Country Road Corridor ; and

WHEREAS, in August 2018, the Town entered into an engineering consultant agreement with Greenman Pedersen, Inc. to develop general mapping of the assumed project limits, project work plan description, and provide an estimated cost breakdown for the Clifton Country Road Pedestrian Enhancements Project; and

WHEREAS, the Town Board supports projects for improving safety, access and walkability within the Town Center; now therefore be it

RESOLVED, that the Town Board of Clifton Park authorizes the Town Planning Department to submit a grant application to New York State for the current TAP and CMAQ solicitation; and be it further

RESOLVED, that the Town Supervisor and designated Planning Staff are authorized to execute all necessary documentation required to submit a completed grant application to New York State.

RESOLVED, that the Town of Clifton Park Shall provide the necessary match commitment as outlined with the 2018 TAP-CMAQ Budget Summary within the Town's Application

Resolution No. _____ of 2018, a resolution authorizing a salary increase for Deputy Town Attorney, Anthony Morelli.

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

WHEREAS, Resolution No. 1 of 2017 assigned the duties of Deputy Town Attorneys Louis Renzi and Anthony Morelli, and

WHEREAS, the resignation of Lou Renzi, effective 7/31/2018, has created a vacancy and opening in the Town Attorney's office representing the Town in Justice Court, and

WHEREAS, the Town Board hereby wishes to assign those duties representing the Town Attorney's Office in Justice Court proceedings to Mr. Morelli; now, therefore be it

RESOLVED, that Anthony Morelli is assigned to represent the Town Attorney's Office at the Justice Court, for an interim term, and be it further

RESOLVED, that a salary increase is hereby authorized for Deputy Town Attorney Anthony Morelli with compensation adjusted to \$1619.19 biweekly, during the performance of Justice Court duties, and be it further

RESOLVED, that the Comptroller is authorized to transfer \$7,168.80 from A-1420-E256 to A-1420-E0720.

Resolution No. _____ of 2018, a resolution accepting the attached list of alternate Lifeguards to be hired if needed, for the three Town owned Pools.

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

WHEREAS, Supervisor Barrett has recommended that the list of individuals listed as Schedule "A", be accepted as alternate Lifeguards for the remainder of the 2018 season; now, therefore, be it

RESOLVED, that the attached Schedule "A", be accepted as the list of alternate Lifeguards, to be hired if needed, and be it further

RESOLVED, that the alternate Lifeguards shall be paid \$9.50/hour from the appropriate fund: A-7150-E4690 (Barney Road Life Guards), A-7152-E4690 (Locust Lane Life Guards), or SP5-7151-E4000 (Longkill Park District #1 Guards), retroactive to August 15, 2018.

Resolution No. _____ of 2018, authorizing the Superintendent of Highways to execute a contract with Transfinder for the installation of Servicefinder System to provide fleet management and inventory software services, maintenance and support.

WHEREAS, Dahn Bull, Superintendent of Highways has recommended that Transfinder's software will help the department to manage the service and repair documentation, maintenance calendars and work orders for all Town owned vehicles, and

WHEREAS, Highway Superintendent Dahn Bull advises that Transfinder, 440 State Street, Schenectady, NY is the only provider offering fleet management and inventory software, maintenance and support services within the Capital Region capable of meeting the needs of the Highway Department, and

WHEREAS, the Town Board wishes to modernize operations and increase efficiency; now, therefore be it

RESOLVED, that the Town Board authorizes the Highway Superintendent to execute an agreement with Transfinder, 440 State Street, Schenectady, NY for Servicefinder System software installation, training, and support as outlined in said proposal as a sole source vendor at a cost of \$9,500 for software, training and support for year one, and \$2,500 for maintenance and support for year two, and, be it further

RESOLVED, that the Comptroller is authorized to transfer the \$12,000 from contingency to the Highway General Fund A-5010-4.

Resolution No. _____ of 2018, a resolution certifying retirement days for elected and appointed officials.

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

WHEREAS, it is necessary to establish standard work days for elected and appointed officials to be reported to the New York State and Local Employees' Retirement System based on the record of activities maintained; now therefore be it

RESOLVED, that the Town Board hereby establishes standard work days for elected and appointed officials, per Schedule "A".