

TOWN OF CLIFTON PARK TOWN BOARD MEETING

April 1, 2019

- 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**
 - **Presentation by Dave Miller, Chairman of the Open Space, Trails and Riverfront Committee**
 - **Presentation by John Scherer, Town Historian**
 - **Public Hearing on the Definition of Breweries and Distilleries – 7:05pm**
 - **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**

TOWN OF CLIFTON PARK
COUNTY OF SARATOGA
STATE OF NEW YORK

NOTICE OF PUBLIC HEARING REGARDING
PROPOSED AMENDMENTS TO THE CHAPTER 208 OF THE TOWN ZONING CODE
RELATIVE TO THE LIGHT INDUSTRIAL ZONING DISTRICTS

Please take notice that the Town Board of the Town of Clifton Park will conduct a public hearing on April 1 2019, at 7:05 p.m. in the Wood Memorial Meeting Room in the Town Office Building, located at One Town Hall Plaza, Town of Clifton Park, County of Saratoga, State of New York to consider amendments to the Town's code relative to the Light Industrial Zoning District.

The proposed legislation would define Breweries, Distilleries, as well as taprooms and tasting rooms incidental to their use, as allowed uses within the Light Industrial zones.

Copies of the proposed local law are posted at <https://cliftonpark.org/government/legal-notices.html> , and are available for review in the Town Clerk's office during normal business hours.

Patricia O'Donnell, Town Clerk

§ 208-64 **Permitted and prohibited uses.**

A. Permitted uses; LI-1 area. [Amended 12-9-1996 by L.L. No. 11-1996; 5-16-2005 by L.L. No. 6-2005]

- (1) An owner shall be permitted to have more than one tenant in an approved facility, provided that all occupancies fall within the permitted use. The following uses are expressly permitted in the LI-1 area of the LI District, subject to the district regulations and performance standards as set forth herein.
 - (a) Assembling/fabrication, processing or light manufacturing of products, provided that such activity is not violative of the district regulations as set forth herein, and further provided that such activity does not result in any noxious noise or odor outside the district and does not have a deleterious effect on the air or water quality.
 - (b) Storage, warehousing or distribution of manufactured products.
 - (c) Animal care facilities.
 - (d) Warehousing, public.
 - (e) Public utility uses, including but not limited to electrical substations, telephone exchange or other similar use.
 - (f) Research and development facilities. [Amended 2-28-2011 by L.L. No. 7-2011]
 - (g) Emergency ambulance facilities if and only as long as these facilities are under contract to the Town of Clifton Park to provide general health services to the Town.
 - (h) Buildings accessory to the above which are an integral part of any of the above uses and are not in conflict with the purpose of this article as set forth above.
 - (i) Offices and office parks. [Amended 2-28-2011 by L.L. No. 7-2011]
 - (j) Equipment maintenance. [Added 2-28-2011 by L.L. No. 7-2011]
 - (k) Brewery, Micro
 - (l) Brewery, Large
 - (m) Distillery
 - (n) Tap Room/Tasting Room

[ACCESSORY BUILDING

See "building, accessory."]

[ACCESSORY RETAIL

The retail sales of various products (including food service) intended to be ancillary to the primary uses within an office or industrial complex. Accessory retail is also intended to meet the daily needs of immediate employee populations through the offering of goods and services in close proximity in order to promote sustainability and reduce traffic. Typical accessory retail uses include, but are not limited to, a cafe, coffee/sandwich shop, automated teller machine, bank, and mini-market/newsstand.]

[Added 2-28-2011 by L.L. No. 7-2011]

ACCESSORY USE

[See "building, accessory use of."]

ACCESSORY USE

A term applied to a use, building or other structure, clearly incidental or subordinate, but customary to the principal use, located on the same lot with the principal use. Uses accessory to residential homes may occupy not more than 25% of the total floor area thereof used for residential purposes.

[[BUILDING, ACCESSORY USE OF

A use customarily incidental to the use of a building for dwelling purposes, not occupying more than 25% of the total floor area thereof used for residential purposes, including the office or studio of an accountant, acupuncturist, architect, artist, audiologist, barber, chiropractor, dentist, engineer, hairdresser, landscape architect, land surveyor, lawyer, musician, notary, nurse (visiting nurse), occupational therapist, optometrist, osteopath, physician, physical therapist, podiatrist, private investigator, psychologist, social worker, speech pathologist, surveyor or teacher, residing on the premises, provided that there is no advertising display visible from the street other than a small, unlighted nameplate not over two square feet in area. The above shall not be interpreted to include the office or place of business of a mortician.]]

Article II Definitions

BREWERY, LARGE

An establishment where beer and malt beverages are made on the lot at an annual beer production rate in excess of 15,000 barrels. A large brewery may engage in ancillary sales of merchandise promoting the products produced thereby.

BREWERY, MICRO

An establishment where beer and malt beverages are made on the lot and then sold or distributed, and which produces less than 15,000 barrels (a barrel is approximately 31 gallons) of beer or malt beverages per year. Microbreweries sell to the public by one or more of the following methods: the traditional three-tiered system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and directly to the consumer. A micro-brewery may engage in ancillary sales of merchandise promoting the products produced thereby.

DISTILLERY

A facility licensed under Article 5 of the New York State Alcohol Beverage Control Laws to manufacture of liquors by distillation or re-distillation onsite.

TAP/TASTING ROOM

A room that is ancillary to the production of beer and malt beverages or alcoholic beverages at a Brewery, Microbrewery, or Distillery where the public can purchase and/or consume only the alcohol products produced on site and ancillary sales of retail merchandise, pursuant to license issued under Sections 51 3-a, 61 2-c and 63-a of the NYS Alcohol Beverage Control Law.

Resolutions for Consideration
Clifton Park Town Board Meeting
April 1, 2019

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Supervisor	Adopt Local Law No. __ of 2019 to amend Chapter 194 of Town Code relative to parking enforcement and administration	P. Barrett
2. Supervisor	Authorize the Town Board to provide a Retirement Incentive Program to Employees of the Town	P. Barrett
3. Supervisor	Approve the criteria for grant applications to be submitted to the Community Action Fund Committee	P. Barrett
4. Parks & Recreation	Authorize Town Historian, John Scherer to attend the 15 th Annual New England Regional Genealogical Conference in Manchester, NH April 3-6, 2019	P. Barrett
5. Parks & Recreation	Authorize the hiring of new and returning Summer Camp specialists and counselors for the 2019 season	P. Barrett
6. Highway	Authorize the hiring of Walter Davies as an Automotive Mechanic	P. Barrett
7. Highway	Authorize the Saratoga Cycling Club to use a portion of Riverview Road for time trials in June 2019	P. Barrett
8. Buildings & Grounds	Authorize the hiring of Keith Ulrich for seasonal work in the Clifton Knolls Park District for 2019	P. Barrett
9. Buildings & Grounds	Award a bid for replacement with a steel light pole at Clifton Common to T&J Electrical Associates	P. Barrett
10. Supervisor	Authorize the Town Attorney to pursue litigation to recover damages to the underground sewer main along Clifton Country Road	P. Barrett
11. Planning	Authorize a change in the posted speed limit along a portion of Sitterly Road to 40 mph.	P. Barrett

- | | | |
|----------------|--|------------|
| 12. Supervisor | Authorize an amendment to the agreement with the Shenendehowa Nordic Club for seasonal storage of snow grooming equipment | P. Barrett |
| 13. Supervisor | Declare the Town Board as Lead Agency pursuant to SEQRA and the Supervisor to sign documents relative to improvements in the Stoney Creek Park District #1 | P. Barrett |
| 14. Supervisor | Schedule a public hearing for the Stoney Creek Park District #1 Improvements | P. Barrett |

Resolution No _____ of 2019, a resolution adopting Local Law ___ of 2019 to repeal and replace Chapter 194 of the Town Code relative to Parking Administration and Enforcement within the Town.

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

WHEREAS, Chapter 194 of the Town code provides for parking administration and enforcement within the Town, and

WHEREAS, on March 11, 2019, the Town Board held a public hearing on a proposal to establish an administrative Traffic and Parking Violations Agency with authority to negotiate and dispose of parking violations within the Town, and to provide for a streamlined process for alleged violators to respond to parking tickets without the necessity of appearing in the Justice Court, and

WHEREAS, the proposal also repeals unused sections of the former chapter and updates existing parking regulations, and renumbers sections of the chapter, resulting in a complete rewriting of Chapter 194 of the Town code relative to Parking Enforcement and Administration within the Town, now therefore, be it

RESOLVED, that Chapter 194 of the Town Code is hereby repealed, and be it further

RESOLVED that the new Chapter 194, attached, is hereby adopted to replace the section and chapter repealed.

Section One. Chapter 194 of the Code of the Town of Clifton Park is hereby REPEALED and a new Chapter 194 is hereby enacted to read as follows:

Chapter 194
Vehicles and Traffic

<u>§194-1.</u>	<u>Purpose.</u>
<u>§194-2.</u>	<u>Definitions.</u>
<u>§194-3.</u>	<u>Authority.</u>
<u>§194-3.</u>	<u>Handicapped parking.</u>
<u>§194-5.</u>	<u>Stopping, Parking and Standing.</u>
<u>§194-6.</u>	<u>Penalties for offenses.</u>
<u>§194-7.</u>	<u>Traffic and Parking Violations Agency.</u>
<u>§194-8.</u>	<u>Powers and duties.</u>
<u>§194-9.</u>	<u>Entry of a plea.</u>
<u>§194-10.</u>	<u>Right to a trial.</u>
<u>§194-11.</u>	<u>Right to counsel.</u>
<u>§194-12.</u>	<u>Penalties.</u>
<u>§194-13.</u>	<u>Severability.</u>
<u>§194-14.</u>	<u>Effective Date.</u>

§194-1. **Purpose.**

The purpose of this article is to protect the public health, welfare and safety by prohibiting and/or regulating the parking and/or operating of vehicles within the Town of Clifton Park.

§194-2. **Definitions.**

The following words when used in this article shall, for the purpose of this article, have the meanings respectively ascribed to them in this Section:

1. PARKING. When parking is prohibited by this article, no person shall park a vehicle, whether occupied or not, but may stop or stand temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers or in the event of an emergency.
2. PERSON. Every natural person, firm, partnership, association or corporation.
3. TRAFFIC AND PARKING VIOLATIONS AGENCY. The Traffic and Parking Violations Agency will consist of the Town Attorney and Assistant Town Attorneys, as well as other employees and individuals as may be appointed by the Town Board, and shall have the authority to adjudicate all parking tickets issued pursuant to this Chapter.
4. STOP or STOPPING. Halting, even momentarily, of any vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic, to comply with the

directions of a police officer or traffic control sign or signs or in the event of an emergency.

5. VEHICLE. Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or devices used exclusively upon stationary rails or tracks.

§194-3. Authority.

Pursuant to Vehicle and Traffic Law § 1660-a, Subdivision 10, and upon the written request of any of those individuals set forth in § 1660-a of the Vehicle and Traffic Law, the Town Board of the Town of Clifton Park does hereby:

- A. Add the position of Security Officer and continue the position of Parking Enforcement Officer and Code Enforcement Officer (hereinafter "Officer"), whose duties shall include enforcement of this article. This article may also be enforced by any other local law enforcement agency.
- B. Authorize the Officer to designate, in accordance with the New York State Uniform Fire Prevention and Building Code, certain parking spaces as places for parking for handicapped persons to whom a permit has been issued pursuant to Vehicle and Traffic Law § 1203-a and for severely disabled persons to whom a special registration has been issued pursuant to Vehicles and Traffic Law § 404-a.

§194-4. Handicapped Parking.

The Clifton Park Town Board recognizes the importance of providing individuals with disabilities with accessible parking spaces within the Town of Clifton Park

No person shall stop, stand or park a vehicle in any space designated as a place for handicapped parking unless the vehicle bears a permit issued under Vehicle and Traffic Law § 1203-a or a registration under Vehicle and Traffic Law § 404-a and, in all cases, such vehicle is being used for the transportation of a handicapped or severely disabled person.

§194-5. Stopping, Parking and Standing.

- A. No person shall stop, park or leave standing any vehicle, whether or not attended and/or occupied, upon the paved part or the main traveled part or along the shoulder of that portion of Clifton Park Center Road lying between Hemlock Drive and Beechwood Drive, Ivy Court, Evergreen Avenue, Elm Place and Biette Road.
- B. No person shall park or leave unattended any vehicle on any public or Town highway, road or street on the roads known and designated as Tallow Wood Drive and Heartwood Court during the time period of 11:00 p.m. through 6:00 a.m.
- C. No person shall park and leave unattended any vehicle on the road known and designated as Tracey Court between 7:00 a.m. and 4:00 p.m. on Monday through Friday.

- D. No person shall park or leave unattended any vehicle on the street or road known as Parkside Trail at any time where no-parking signs are posted.
- E. No person shall park or leave unattended any vehicle on the pavement or shoulder of any Town highway, road or street during a period of snowfall, sleet, freezing rain or other winter-type weather and for a forty-eight-hour period after the precipitation ceases.
- F. No person shall park or leave unattended any recreational vehicle, boat and/or trailer on any Town highway, road or street for longer than a forty-eight-hour period.
- G. No person shall operate or drive a vehicle on Town parklands other than on the recognized and customarily traveled, paved and/or graveled roadways and/or parking lots. Additionally, the use of motorized vehicles shall be restricted on Town-wide trails as provided in §152-4 of the Town Code.
- H. No person shall operate or drive a vehicle on Town Property, or within any Park or Preserve property, parking lot, or access road in an unsafe, reckless or destructive manner nor operate or drive any vehicle in a manner that creates a public nuisance or annoyance.
- I. No person shall park any vehicle other than emergency vehicles within 500 feet of any firehouse or ambulance station or within a radius of 15 feet of any fire hydrant.
- J. No person shall park or leave unattended any vehicle in any fire lane. In certain posted areas, vehicles in violation of this Section may be towed away as provided in §73-15 of this Code.
- K. No person shall park or leave unattended any vehicle in any area of the Clifton Commons or other Town-owned parks other than in designated areas and/or spaces.
- L. No person shall park or leave unattended any vehicle in any multi-use trail, sidewalk, or pathway.

§194-6. Penalties for offenses.

- A. A violation of any section of this Chapter shall be deemed a traffic infraction.
- B. Except as otherwise set forth in subdivisions E or F of this Section, upon a conviction of a violation of this Chapter, such violation shall be punishable by a penalty not to exceed \$100.00.
- C. Except as otherwise set forth in subdivisions E or F of this Section, upon a second conviction of a violation of this Chapter, both committed within 18 months, such violation shall be punishable by a penalty not to exceed \$200.
- D. Except as otherwise set forth in subdivisions E or F of this Section, upon a third or subsequent conviction of a violation of this Chapter, all committed within 18 months, such violation shall be punishable by a penalty not to exceed \$300.

E. Penalties for Handicapped Parking Violations:

1. A conviction for the violation of parking in a space reserved for people with disabilities shall be punishable by a penalty not to exceed \$200.
2. For conviction of a second offense committed within 18 months of the first, the court shall impose a penalty not less than \$150, nor more than \$300.
3. For a conviction of a third or subsequent offense committed within 18 months of the first, the court shall impose a penalty of not less than \$250, nor more than \$500.

F. For violations of sections 194-5 relating to driving on Town Property or Reckless driving within Town Parks or Preserves, a penalty not to exceed \$500 may be imposed and, as well as the issuance of an order of restitution in cases of damage to persons or property.

G. All penalties collected pursuant to this chapter shall be paid to the Traffic and Parking Violations Agency.

§194-7. Traffic and Parking Violations Agency.

- A. Pursuant to Article 14B of the New York State General Municipal Law, there is hereby established a Traffic and Parking Violations Agency, hereinafter referred to as TPVA, which shall have the authority to adjudicate all parking tickets issued pursuant to this Chapter.
- B. The Town Attorney and Assistant Town Attorneys are hereby designated to be a Judicial Hearing Officer to perform the duties set forth in Section 1806-a(4) of the New York State Vehicle and Traffic Law.

§194-8. Powers and duties.

The powers and duties of the TPVA shall be as follows:

- A. To establish a schedule of penalties which may be listed on the parking ticket.
- B. To assess penalties accept pleas provide a mechanism for the efficient administration of this chapter.
- C. To accept penalties and issue receipts to those who plead guilty or are found guilty.
- D. To resolve the claims of those who either plead guilty with an explanation or not guilty and mitigate the prescribed penalty, in whole or in part, or refuse to mitigate the same.
- E. To keep a record of all violations issued, penalties assessed and collected of which each person has pled or been found guilty during the preceding 36 months.

- F. Where an answer has not been made to a parking ticket within 20 days after the ticket was issued, to enter and file a default judgment of a penalty not to exceed the maximum penalty allowed by Section 194-6 as determined by a judicial hearing officer pursuant to the provisions of Section 1806-a(4) of the Vehicle and Traffic Law.
- G. To perform such other or additional duties and keep such other and additional records as shall be prescribed by the Town Board of the Town of Clifton Park.
- H. To provide that a person who has received a parking ticket may answer and enter an appearance through a web-based application, by mail or email, or in person at the TPVA.
- I. The Agency is authorized to promulgate a schedule for penalties which increases penalties for each offense not answered within the first 20 days after the date of violation.
- J. The Agency is authorized to promulgate rules, regulations and procedures consistent with and in furtherance of the purposes of this chapter to provide an effective forum and process for the disposition of traffic and parking violations within the Town.

§194-9. Entry of a plea.

A person who has received a parking ticket pursuant to this chapter may answer by appearing in person at the TPVA, by mail or e-mail or on a web-based application and plead:

- A. Not guilty, whereupon the case will be transferred to the Clifton Park Town Court for a trial.
- B. Not Guilty with an explanation. The TPVA shall determine whether such explanation and/or documentation warrants the dismissal of the ticket and notice of said determination shall be sent to such person. If the TPVA determines that the ticket should not be dismissed, the case will be transferred to the Clifton Park Town Court for a trial.
- C. Guilty and pay the penalty listed on the parking ticket.
- D. Guilty with an explanation. The TPVA shall determine whether such explanation and/or documentation warrants a mitigation of the penalty, in whole or in part, or refuse to mitigate the same and notice of said decision shall be sent to such person.
- E. The TPVA shall retain authority to negotiate plea agreements and compromise cases transferred to Clifton Park Town Court pursuant to Section 194-10 up to the time of trial.

§194-10. Right to a trial.

Prior to the entry of a default judgment pursuant to Subdivision F of Section 194-8, a person who is not able to reach an agreement with the TPVA on the disposition of a parking ticket may request that the matter be transferred to the Clifton Park Town Court which shall conduct a trial.

§194-11. Right to counsel.

Any person appearing before the TPVA may be represented by an attorney at his or her expense

§194-12. Severability.

If any section, provision or part thereof in this chapter shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of the chapter as a whole or any section, provision or part thereof not so adjudged invalid or unconstitutional.

§194-13. Effective Date.

This Chapter shall be effective April 15, 2019 and shall also apply to all traffic tickets currently pending in the Clifton Park Town Court which are hereby transferred to the TVPA and which shall be handled in accordance with the provisions of this Chapter.

Resolution No. _____ of 2019, a resolution providing a Retirement Incentive Program to Employees of the Town.

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

WHEREAS, the Town wishes to provide a retirement incentive to Employees of the Town who have attained either the age of sixty-two and have at least ten years of service with the Town, or who have attained the age of fifty-five and have at least 20 years of service with the Town, and

WHEREAS, the Town Board believes that a retirement incentive will both compensate long time Employees and save on Employee Salary and Benefit Expenses; now therefore be it

RESOLVED, that the Town hereby establishes a Retirement Incentive Policy for 2019 as follows:

Town Employees who have attained either the age of sixty-two and have at least ten years of service with the Town, or have attained the age of fifty-five and have at least 20 years of service with the Town on or before June 30, 2019 may elect to receive an Incentive Payment of \$12,000; and be it further

RESOLVED, that the Retirement Incentive is available to those Employees meeting the age and services criteria identified herein, and who retire from Town service effective on or before June 30, 2019; and be it further

RESOLVED, that Employees seeking to take advantage of the incentive must file retirement papers with the New York State Retirement System, provide written notice to the Town Administrator by May 13, 2019, and retire from Town service by June 30, 2019; and be it further

RESOLVED, that notice provided to the Town under this program, may not be rescinded and that the program will not add any additional time of service for New York State Retirement System purposes.

Resolution No. _____ of 2019, a resolution approving the criteria for grant applications to the Community Action Fund Committee from non-profit community programs and organizations that support people in Clifton Park.

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

WHEREAS, the Community Action Fund Committee was established by the Town Board on February 11, 2019, to offer opportunities to back non-profit community programs and organizations that support people of Clifton Park, and

WHEREAS, the Committee has met and drafted a 2019 Overview and Application Criteria for Applicants, attached as Exhibit A, and

WHEREAS, awards may range from a minimum of \$250 to a maximum of \$1,000 to directly benefit the Clifton Park Community and residents, and

WHEREAS, the Committee will accept applications until September 30, 2019, with announcements of funding for awards to be made no later than October 31, 2019; now, therefore be it

RESOLVED, that the Community Action Fund Committee is authorized by the Town Board to select and grant awards according to the criteria as established in the attached Exhibit A.

Resolution No. _____ of 2019, a resolution authorizing Town Historian John Scherer, to attend the 15th New England Regional Genealogical Conference.

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

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, recommended that Town Historian John Scherer be authorized to attend the 15th New England Regional Genealogical Conference (NERGC) in Manchester, New Hampshire, April 3-6, 2019, at a cost not to exceed \$335.20, and

WHEREAS, pursuant to Policy #10 of the Town's Procurement Policy, all conferences involving overnight stays require Town Board Approval, and

WHEREAS, John Scherer's attendance at the NERGC 2019 would confer a benefit to the Town; now therefore be it

RESOLVED, that John Scherer is authorized to attend the NERGC 2019 in Manchester, New Hampshire, April 3-6, 2019 at a total cost not to exceed \$335.20 including registration, meals, lodging and transportation, to be paid from budget line item A-7510-001 (Historian-Training/Conferences).

Resolution No. _____ of 2019, a resolution hiring Camp Counselors and Specialists for the 2019 full day and four half day Summer Day Camp Program.

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

WHEREAS, the Town Board wishes to hire returning staff members for operation of the Town's Summer Day Camp Program, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs has recommended that the individuals listed in the attached Schedules A and B be hired; now therefore be it

RESOLVED, that the individuals listed in the attached Schedules A and B be hired as staff for the Town's 2019 Day Camp Program, effective dates as noted on the Schedules; and be it further

RESOLVED, that the staff be paid as indicated on Schedules A and B.

Resolution No. _____ of 2019, a resolution authorizing the Superintendent of Highways to hire Walter Davies as an Automotive Mechanic in the Highway Department.

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

WHEREAS, an opening exists in the Highway Department for an automotive mechanic, and,

WHEREAS, Superintendent of Highways, Dahn Bull, has recommended the hiring of the following individual:

<u>Name</u>	<u>License Types</u>	<u>Address</u>
Walter Davies	Class A Heavy/Light Duty DMV Inspection	1135 Raymond Rd., Ballston Spa, NY 12020

And,

WHEREAS, Mr. Davies brings over 20 years of experience in the field of automotive mechanical work and repair, as well as an extensive knowledge in Heavy Duty Vehicle repair as well as experience in engines and transmissions repair; and,

WHEREAS, Mr. Davies has experience with several types of welding, has a Heavy Duty and Light Duty Inspection license, and has a Class A Driver's License; now, therefore be it,

RESOLVED, that the Town Board authorize the hiring of Walter Davies as Automotive Mechanic, at Grade 6, Step 1, at a Salary of \$50,947.00, at a rate of \$24.40/hr., effective April 2, 2019; and be it further,

RESOLVED, that Mr. Davies be paid with a transfer \$31,232.00, from Line DA-5110-E1550, (Spring, Summer, Fall), Automotive Mechanic to DA-5110-Exxxx, and with a transfer of \$7,027.20 from Line DA-5142-E1550, (Winter), Automotive Mechanic to DA-5142-Exxxx, and be it further,

RESOLVED, that the employee will be provided 3 Personal Days and 6 Vacation days for the 2019 calendar year.

Resolution No. _____ of 2019, a resolution authorizing the Capital Bicycle Race Club to use town roadways for time trials for four evenings in June 2019.

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

WHEREAS, the Capital Bicycle Race Club has requested the use of the Town of Clifton Park roadways as specified in the attachment hereto, for the purpose of time trials to qualify for future races on Wednesdays, June 5th, 12th, 19th, and 26th starting at 6:15 PM until the last participant finishes, and

WHEREAS, Highway Superintendent Dahn Bull, recommends approval of the club's request to conduct time trials on the roads enumerated; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Capital Bicycle Race Club to use Town roadways as specified in the attachment hereto, Wednesdays in June, 2019, at 6:15 PM, for the purpose of holding time trials, and be it further

RESOLVED, that this approval is expressly conditioned upon receipt prior to June 1st, 2019, in the Office of the Town Clerk of an insurance certificate in the amount of \$1,000,000 naming the Town of Clifton Park as an additional insured; and be it further

RESOLVED, that this approval is expressly conditioned upon the roads not being closed but members of the Capital Bicycle Race Club are permitted to raise awareness of the trials at the intersection of Van Vranken and Riverview Roads and each end of the course.

Resolution No. _____ of 2019 a resolution authorizing the hiring of 2019 summer help for the Clifton Knolls Park District.

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

WHEREAS, an opening exists for seasonal landscaping work in the Clifton Knolls Park District; and

WHEREAS, Daniel Clemens, Buildings and Grounds Supervisor, has recommended that Keith Ulrich be hired to fill the position; now therefore, be it

RESOLVED, that Keith Ulrich, 12 Hollandale Lane Apt. A, Clifton Park be hired for light maintenance work in the Clifton Knolls Park District for Buildings and Grounds for the summer of 2019, at \$13.00 per hour, effective immediately, to be budgeted from SP3-7131-E4000.

Resolution No. _____ of 2019, a resolution authorizing the replacement of a light pole at Clifton Common.

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

WHEREAS, the Superintendent of Buildings and Grounds requested sealed bids for the removal of a wooden light pole and replacement with a steel light pole at Field 12 on Clifton Common, and

WHEREAS, sealed bids were received on or before March 25, 2019, and

WHEREAS, T&J Electrical Associates submitted the lowest conforming quote to replace the existing light pole in an amount not to exceed \$41,374.00, and

WHEREAS, the Town Board wishes to replace the wooden light pole; now therefore be it

RESOLVED, that the Town Board hereby awards the contract to T&J Electrical Associates, 5 Fairhill Sq, Clifton Park for the Installation of (1) – Steel Light Pole and the reinstallation of the existing light array as noted in the bid documents, at a cost not to exceed \$41,374.00, to be paid with a transfer from A-913 (Town’s Committed Fund Balance) to A-7112-200 (General Fund – Clifton Common – Equipment).

Resolution No. _____ of 2019, a resolution authorizing litigation to recover losses arising from damage to Sewer Infrastructure.

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

WHEREAS, by Resolution No. 229 of 2018, the Town Board authorized the Sewer Department to retain Tom Kubricky Company to perform emergency repairs caused by impacts to underground sewer mains in the vicinity of Clifton Country Road secondary to construction of mixed use Buildings by Windsor Development at Village Plaza, and

WHEREAS, resolution No. 229 also authorized the Town Attorney's Office to pursue reimbursement for costs and expenses associated with the emergency repairs from responsible parties, and

WHEREAS, the Town's investigation shows that contractors working for NYSEG to dig and excavate under Clifton Country Road for the provision of electric service to the Village Plaza mixed Use project were responsible for the damage to the Town's Sewer lines, and

WHEREAS, no response has been received from NYSEG or its contractors to claims presented by the Town for losses associated with the emergency investigation and repairs, now therefore, be it

RESOLVED, that the Town Attorney is authorized to pursue litigation against NYSEG, Syracuse Utilities Inc. and Utility Construction Specialists, as well as any third parties found to be responsible for the damages to Town Infrastructure.

Resolution No. _____ of 2018, a resolution authorizing the installation of certain road signage on Sitterly Road in the vicinity of Clifton Park Center Road in the Town of Clifton Park to the border of the Town of Halfmoon near Woodin Road.

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

WHEREAS, Article 3A of the NYSTL authorizes the Town Board to regulate parking on Town roads under certain parameters; and

WHEREAS, the Highway Department maintains signs along local roadways within the Town, including signs along Sitterly Road, and

WHEREAS, the Highway Safety Committee has recommended modification of speed limits along Sitterly Road to provide a consistent limit in accordance with Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD) and current NYS Supplemental to MUTCD; now therefore, be it

RESOLVED, that a 40 MPH speed limit extend along the Sitterly Road corridor; and

RESOLVED, that the Highway Department is authorized to install 2-new 40 MPH-speed limit signs and remove 2-existing 45 MPH signs; and be it further

RESOLVED, that the 40 MPH speed zone shall extend along the length of Sitterly Road in the Town of Clifton Park to be consistent with the portions within Halfmoon; and be it further

RESOLVED, that this resolution shall become effective immediately upon posting of said signs.

Resolution No. _____ of 2019, a resolution authorizing amendment to the Memorandum of Agreement with Shenendehowa Nordic Ski Club

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

WHEREAS, by Resolution No. 277 of 2018, the Town Board approved an agreement with the Shenendehowa Nordic Ski Club for maintenance and grooming of Nordic Ski trails at Kinns Road Park and Garnsey Park during winter months, and

WHEREAS, the Shenendehowa Nordic Club owns specialized equipment, including a snow mobile, sled, groomer, and trailer to transport equipment for the purpose of grooming cross-country ski trails without conflict with other uses, and

WHEREAS, pursuant to the three-year Agreement, the club utilizes their equipment and manpower during the winter seasons to expand trail grooming to Garnsey Park as well as Kinns Road Park to provide additional opportunities for cross-country skiers, and ski teams, snowshoers, and walkers, alike, and

WHEREAS, The Ski Club has asked for storage space for their snowmobile groomer and trailer during summer months when the equipment is not in use, and

WHEREAS, The Building and Grounds Department advises that space exists at the Town owned garage on Blue Barns Road for the snowmobile and trailer, and the Town Board supports and appreciates the Club's work and dedication to improving access to Kinns Road and Garnsey Parks for Nordic Skiing Activities; now, therefore be it

RESOLVED, that the Supervisor is authorized to execute the attached amendment to the Memorandum of Agreement with the Shenendehowa Nordic Club for trail grooming services for ski seasons through March, 2021.

Resolution No. of 2019, a resolution determining that proposed Stony Creek Park District No. 1 renovation and improvement project is a Type II Action for purposes of the New York State Environmental Quality Review Act.

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

WHEREAS, the Town Board of the Town of Clifton Park, Saratoga County, New York, (the "Town") is considering undertaking the renovation and replacement of Playground equipment and apparatus, as described in the Engineering Plans, Drawings and Bid Documents prepared by M.J. Engineering dated July 23, 2018, which is posted at <https://cliftonpark.org/projects.html> and is on file in the Town Clerk's office; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations"), the Town desires to comply with the SEQR Act and the Regulations with respect to the Project; and

WHEREAS, the proposed Stony Creek Park District No. 1 renovations and improvements are supported by Town Recreation Plan 2010; now, therefore, be it

RESOLVED, by the members of the Clifton Park Town Board as follows:

1. The Project constitutes a "Type II Action" under 6 NYCRR § 617.5(c)(2), as it constitutes the replacement, rehabilitation or reconstruction of equipment, in kind, on the same site, and no further action under the SEQR Act and the Regulations is required.
2. This Resolution shall take effect immediately.

Resolution No. _____ of 2019, a resolution scheduling a public hearing regarding renovations and improvements at Parks.

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

WHEREAS, the Town Board of the Town of Clifton Park (the "Town") proposes to undertake the renovation and improvement of the Parks within the Stony Creek Park District No. 1 Park District, including the acquisition and installation of playground equipment and apparatus (the "Project"), as described in the Engineering Plans, Drawings and Bid Documents prepared by M.J. Engineering dated July 23, 2018, which is posted at <https://cliftonpark.org/projects.html> and is on file in the Town Clerk's office; and

WHEREAS, the total estimated maximum cost of the Project is \$150,000; and

WHEREAS, the Town Board now desires to call a public hearing regarding the Project, as required by Town Law Section 202-b;

NOW, THEREFORE, BE IT RESOLVED that the Town Board will hold a public hearing to hear all persons interested in the Project, which public hearing shall be held at Town of Clifton Park Town Hall, One Town Hall Plaza, Clifton Park, New York on April 15, 2019 at 7:05 p.m.; and be it further

RESOLVED, and ordered that the Town Clerk give notice of such hearing by publishing in the official Town newspaper the Notice of Public Hearing in substantially the form attached hereto and by posting the Notice of Public Hearing on the Town's official sign-board not less than ten nor more than twenty days before such hearing.