

November 2, 2015

The regular meeting of the Town Board of the Town of Clifton Park was held in the Town Office Building at 7:00 p.m., Supervisor Barrett presiding.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Present: Councilman Whalen  
Councilwoman Standaert  
Councilman Romano  
Councilwoman Walowit  
Supervisor Barrett  
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy  
Mark Heggen, Comptroller  
Richard Kukuk, Superintendent of Highways  
Steven Myers, Director of Building and Development  
John Scavo, Director of Planning

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the October 13 and 19, 2015 meetings as presented.

**ROLL CALL VOTE**

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano  
Councilwoman Walowit, Supervisor Barrett

Noes: None

**MOTION CARRIED**

**ANNOUNCEMENTS AND COMMUNICATIONS**

Supervisor Barrett reminded residents of the 2016 Budget Public Hearing at 7:00 p.m. on November 5, 2015.

Supervisor Barrett announced Saratoga County will be starting a timber harvest at Kinns Road Park, noting the park is owned by the county. Marking of trees has begun in areas near the parking lot. At this point the town has no idea as to the extent of timbering, however, the town will remain in communication with county representatives. He said the town's concern is the integrity of the park and the many recreational features offered to county residents and is hoping for positive results for everyone.

**PUBLIC HEARING, 7:05 PM  
TO CONSIDER A LOCAL LAW AMENDING  
SECTION 208 ARTICLE XI SECTION 103-13F  
REGARDING PLANNED DEVELOPMENT DISTRICTS**

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on October 21, 2015.

Town Attorney McCarthy explained Section 208 – Definitions also needs to be changed, as well as any references to Planned Unit Development be changed to Planned Development District in the Town Code.

Supervisor Barrett explained if a project does not fit the zoning a landowner has the option to apply for PDD.

Director of Planning Scavo said the Planned Unit Development designation is being removed and replaced with Planned Development District throughout the code. He said there is an increase in the application fee from \$1000 to \$1500 and this is consistent with surrounding municipalities. There is also clarification as to number of copies and electronic format requirements. He further explained in the original legislation it was common to hear stormwater management facilities referred to as storm drainage; this language will be changed to stormwater management. Sections of General Municipal Law will be also referenced.

Supervisor Barrett noted the Town Board is still the regulatory body.

The public hearing was opened for comments from the audience at 7:14 p.m.

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one wished to be heard. Supervisor Barrett declared the public hearing closed at 7:15 p.m.

#### PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 230 of 2015, a resolution authorizing the sale of equipment declared surplus by the Town Board and authorizing the Clifton Knolls Leaf District to sell the surplus equipment at public auction.

Introduced by Councilman Whalen, who moved its adoption, seconded by Councilwoman Standaert.

WHEREAS, Richard Kukuk, Superintendent of Highways, has identified the attached schedule used by the Clifton Knolls Leaf District as surplus property, and

WHEREAS, based upon the recommendation of Richard Kukuk, the Town Board declares the attached list used by the Clifton Knolls Leaf District as surplus; now, therefore, be it

RESOLVED, that the Town Board authorizes the Clifton Knolls Leaf District to sell the surplus equipment, as is, through an upcoming online public auction.

Highway Superintendent Kukuk reported he has worked with the Leaf District Advisory Board. He said this is the original equipment from when the district was formed in 1987-1988 and hasn't been used in a number of years. He said the equipment is owned by the Leaf District and proceeds from sale will go back to the Leaf District.

#### ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

#### DECLARED ADOPTED

Resolution No. 231 of 2015, a resolution authorizing the Town Supervisor to sign a one year extension of Hartford Group Variable Annuity Contract and Group Fixed Annuity Contract.

Introduced by Councilman Romano, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, Resolution No. 319 of 2009 authorized the Town Supervisor to execute all necessary documents to contract with the Hartford and Reliance Trust Company for administrative, financial, and trustee services for the Town of Clifton Park Deferred Compensation Plan since January 1, 2010, and

WHEREAS, MassMutual, on behalf of Hartford Life and the Town of Clifton Park, have now agreed to extend the Contract through December 30, 2016 subject to the modifications outlined in the attached Letter Agreement; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to sign a one year extension of Hartford Life Group Variable Annuity Contract and Group Fixed Annuity Contract through December 30, 2016 (Contract No. GC 30066).

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 232 of 2015, a resolution scheduling a public hearing to consider adoption of a local law amending Section 103-16 of the Town Code, regarding the fee schedule for fireworks permits for professional displays.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilman Whalen.

WHEREAS; Steven Myers, Director of Building and Zoning, has recommended amending Section 103-16, Permit Fees, regarding fees for provision of professional firework permits, and

WHEREAS; the Town Board wishes to schedule a public hearing to obtain input regarding the proposed changes; now, therefore, be it

RESOLVED, that a public hearing is scheduled for November 9 at 7:05 P.M. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider adoption of a local law amending Section 103-16 of the Town Code, Permit Fees, for provision of professional firework permits; and be it further

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

Supervisor Barrett explained this proposed legislation is to consider increasing the permit fee for firework displays.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Anton Salecker, Crestmont Drive, reiterated his request for a half mile sidewalk to continue from the St. Peter's site to Northcrest Drive on the north side of Route 146. He reported a member of the Highway Safety Committee came up with an estimate but four members of the Town Board said this estimate was low. Mr. Salecker said he would like this item to be on a future agenda when Mr. Philip Clark, a member of the Highway Safety Committee, could go over the numbers for the sidewalk completion as he sees it. Mr. Salecker would like to have information for all trails projects since 2000 as he thinks these numbers would probably be high compared to the number for the sidewalk "he is looking for". Supervisor Barrett responded all trail projects have been well publicized over the years and the cost depends on the project. He said the town has to

pay prevailing wage which can add 40 -50 percent to the cost due to the law that municipalities are obliged to follow. Supervisor Barrett stated no trail projects will be considered until the town has a vision as to when the current projects will be completed. Mr. Salecker said the Open Space Committee recommended four projects to be considered and all four were turned down. Supervisor Barrett said the two projects in southern end of town were started because trail money was plentiful and because the town of Clifton Park was prepared and able to leverage a great amount of grant funding. He said there has been a tremendous amount of trail laid due to commercial and residential projects. The Supervisor said as time goes by and Exit 9 becomes further redeveloped the project Mr. Salecker is talking about has a better chance of becoming a reality. Mr. Salecker said he doesn't see any other space along that half mile segment to be developed in the future. He thinks this half mile sidewalk can be completed for "very little money" and is well worth the town's effort to look at it closely. Supervisor Barrett stated the town is going to continue to save and have a cushion to ride through economic downturns.

MOTION by Councilwoman Walowit, seconded Councilman Whalen, to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of Town business.

Motion carried at 7:35 p.m.

Patricia O'Donnell  
Town Clerk