

November 9, 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
Steven Myers, Director of Building and Development
John Scavo, Director of Planning

ANNOUNCEMENTS AND COMMUNICATION

Supervisor Barrett acknowledged and thanked all veterans and those serving.

Due to timing Supervisor Barrett recommended holding the public hearing after the resolutions.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 233 of 2015, a resolution authorizing the Assessor to add demolition and removal charges of a structure at 2042 Route 9, Clifton Park, on the 2016 property tax bill.

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

WHEREAS, Chapter 77 of the Clifton Park Town Code provides that the Town Board may order, after notice and a hearing, the demolition and removal of a building upon its finding that the building is unsafe, dangerous and incapable of being safely repaired, and

WHEREAS, Steven Myers, Director of Building and Zoning, submitted a written report pursuant to Town Code Section 77-4 providing evidence of an unsafe structure at 2042 Route 9, and

WHEREAS, the Town Board accepted the report of Steven Myers pursuant to Town Code Section 77-5, and

WHEREAS, Resolution No. 110 of 2014 adopted the final order for demolition and removal of an unsafe building at 2042 Route 9, pursuant to Town Code Section 77-10, and

WHEREAS, the landowner started demolition operations but did not complete the demolition and hauling away of construction debris, leaving an unsafe condition remaining at the premises, and

WHEREAS, on November 21, 2014, bids were received for the completion of the demolition and removal of debris from the property, and

WHEREAS, the Director of Building and Zoning recommended that the bid of Tholin Trucking & Excavation, Ballston Spa, NY, be accepted as the lowest most responsible bidder in an amount of \$8,200, and

WHEREAS, it is necessary for the Assessor to re-levy \$8,200 on the property owner's 2016 tax bill to ensure payment of the same; now, therefore, be it

RESOLVED, that a copy of this resolution shall be forwarded to the Assessor's Office, along with supporting documentation for assessment of these charges on the property owner's 2016 tax bill.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 234 of 2015, a resolution adopting Local Law No. 12 of 2015 amending Sections 103-13, 208-7, 208-71, et seq., and 208-36, of the Town Code.

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

WHEREAS, on November 2, 2015, the Town Board held a public hearing to solicit public input on a proposal to adjust the application fees for Planned Development Districts under the Zoning Code, to update and modernize the application procedures and standardize the references to Planned Districts throughout the code, and

WHEREAS, the town wishes to adopt amendments to the Zoning Code to clarify the fee structure, update the application procedures for Planned Development Districts, and to standardize all references to Planned Development Districts throughout the code; now, therefore, be it

RESOLVED, that the Town Board hereby adopts Local Law No. 12 of 2015, a local law amending Sections 103-13, 208-7, 208-71, et seq., and 208-36 of the Town Code, and to eliminate references to the former "Planned Unit Development District" throughout the code and be it further

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

Supervisor Barrett said the application fee will go from \$1000 to \$1500 and the changes are just housekeeping items. There is no change to the process. Councilman Whalen asked if there have been any formal comments. Mr. Scavo responded no letters or emails have been received but a phone inquiry from a property owner in the Town Center area. Mr. Scavo said he told that individual that the purposes and objectives for the PDD are staying the same and just process and some language being tweaked.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTION

Resolution No. 235 of 2015, a resolution scheduling a public hearing to consider amending Sections 208-43.2 and 208-37 (B) of the Zoning Code to eliminate boardinghouses as allowed uses in the Hamlet Mixed Use and B-3 Neighborhood Business Zones.

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

WHEREAS, the Town Board has updated the zoning code to provide for multi-family residential uses within the Town Center Zones, and

WHEREAS, neighborhoods within the B-3 and Hamlet Mixed Use Zones continue to evolve, and

WHEREAS, John Scavo, Planning Director, has recommended that boardinghouses be deleted from the list of allowed uses within both the Neighborhood Business (B-3) and Hamlet Mixed Use Zoning codes to avoid incompatible uses within those neighborhoods within the town; now, therefore, be it

RESOLVED, that a public hearing is scheduled for December 7, 2015, at 7:05 P.M. on a proposal to amend Sections 208-43.2 and 208-37 (B) of the Town Code to eliminate “boardinghouses” as an allowed use in each of these zoning districts.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC HEARING, 7:05 PM (7:10 p.m.)
TO CONSIDER A LOCAL LAW AMENDING
SECTION 103-16 PERMIT FEES OF THE TOWN CODE
FIREWORKS PERMITS

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on November 6 2015.

Supervisor Barrett summarized the proposed local law explaining this increases the fee to \$100 per event. He said often town employees have to be out after hours for fireworks inspections.

The public hearing was opened for comments from the audience at 7:12 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 7:13 p.m.

PUBLIC PRIVILEGE

No one wished to be heard.

MOTION BY Supervisor Barrett, seconded by Councilman Whalen, to move into Executive Session for the purpose of union negotiations discussion. Motion carried unanimously at 7:15 p.m.

No action taken.

Returned to regular meeting at 7:40 p.m.

MOTION by Councilwoman Walowit, seconded by 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 7:40 .m.

Patricia O'Donnell
Town Clerk