

August 21, 2017

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: Supervisor Barrett
 Councilman Whalen
 Councilwoman Standaert
 Councilman Romano
 Councilwoman Walowit
 Deputy Town Clerk Teresa J. Brobston

Also Present: Town Attorney McCarthy
 Dahn S. Bull, Superintendent of Highways
 Mark Heggen, Comptroller
 John Scavo, Director of Planning
 Matthew Andrus, Information Specialist

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the August 7, 2017 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

WELCOME-SUPERVISOR FOR THE DAY

Supervisor Barrett introduced Liam Connell, Kids National Night Out winner of Supervisor for the Day contest. He spent the day with Supervisor Barrett visiting different town departments, programs and attending Saratoga County Board of Supervisors meeting. He was able to meet other elected officials and enjoyed himself and learned a lot. Supervisor read Liam's thank you note. Liam introduced his brother Ethan.

**PUBLIC HEARING, 7:10PM
 TO CONSIDER HISTORIC CONSERVATION EASEMENT
 AT 349 VISCHER FERRY ROAD.**

The Deputy Town Clerk Brobston read the Notice of Public Hearing as published in The Daily Gazette on August 10, 2017.

Supervisor Barrett explained the process for approval of the Historic Conservation Easement and read description of the property.

The public hearing was opened for comments from the audience at 7:10 p.m.

Councilman Whalen said the property was added to the Historic Registry earlier this year.

Everyone was given an opportunity to speak in favor of or against the application and no one else wished to be heard. Supervisor Barrett declared the public hearing closed at 7:11 pm.

PUBLIC HEARING, 7:12 PM
TO CONSIDER THE CREATION OF THE VISCHER'S LANDING PARK DISTRICT

The Deputy Town Clerk Brobston read the Notice of Public Hearing as published in The Daily Gazette on August 10, 2017.

Planning Director John Scavo presented a map of the proposed district. It would consist of approximately 25 acres of land within the Vischer's Landing Subdivision formerly known as Oronacah Farms located off Vischer Ferry Road. Out of the 25 acres there are approximately 13 acres of open space, roads, cul-de-sac, pond area, dam, storm water management and multi-use pathway that will be dedicated to the town.

Supervisor Barrett explained the town held a public meeting last year and recently mailed out information on the proposed district to the affected residents. Supervisor stated the town encourages trails to connect neighborhoods. He stated the town would maintain the open space, roads, cul-de-sac, signage, pond area, stormwater and trails. He explained funds collected from the residents would be used only for their park district. He stated the residents within the park district would establish their own park district representatives. The town would act as commissioners of the board. The town and park district would create priorities and future projects.

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

Eric Wilke, 24 Bridgewater Ct., talked in support of the creation of the park district. He questioned when the maintenance would start from the town.

Supervisor Barrett explained work would start as soon as the land is turned over to the town. It could happen within the next few weeks.

Eric Chew, 28 Bridgewater Ct., questioned the timing for the representatives to set the budget for the district. He also questioned the plantings of the cul-de-sac.

Supervisor Barrett explained the town begins preparation of budgets in the fall/September and would be happy to assist the park district representatives with the process. Cul-de-sac plantings could be discussed.

Mike Sergot, 22 Bridgewater Ct., questioned the maintenance and water quality of the pond.

Supervisor Barrett explained alternatives and will have the town's stormwater technician talk with the districts representatives.

Highway Superintendent Bull recommended not using decorative fast growing trees like pear trees. He explained they are great starting out but after 10 years they get very tall very fast and wind storms take them down.

Steve Thompson, 15 Bridgewater Ct., stated support for the district and asked about the process for setting priorities.

Supervisor Barrett suggested meetings with the town and the park district representatives to establish priorities. He stated Judy Hughes who lives in the neighborhood has great knowledge on park district procedures.

Ted Yu, Pondview Drive, supports the park district and questioned the illumination of the proposed sign.

Supervisor Barrett suggested having the light redirected to illuminate the street sign and entrance.

Everyone was given an opportunity to speak in favor of or against the proposal. Supervisor Barrett declared the public hearing closed at 7:40 PM.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 207 of 2017, a resolution accepting an easement from Bruce Tanski for ingress/egress, preservation and maintenance for property on Clifton Park Center Road.

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

WHEREAS, as a condition of approval of Project No. 2016-053, a 2-lot subdivision of property also identified as the Hunter Subdivision, of a 3.15 acre parcel at SBL: 271.-3-59, the Town of Clifton Park Planning Board required that the applicant convey a preservation and maintenance easement for such purposes as are incidental thereto and for the benefit of the grantee, and

WHEREAS, the Hunter 2-lot Subdivision received Planning Board approval on February 28, 2017 with plans stamped on August 1, 2017, and

WHEREAS, a deed of easement, with Schedule A and related transfer documents have been prepared describing the metes and bounds of the easement area as shown on the approved plan, and

WHEREAS, the Planning Board requested the easement at the request of the Town's Historic Preservation Commission for access to the existing cemetery due to its historic and cultural significance; now, therefore, be it

RESOLVED, that the Town Board hereby accepts the attached easement from Bruce Tanski as follows:

An easement for ingress/egress, preservation and maintenance as described in the Deed and as shown on the approved plan for Planning Project 2016-053 at Clifton Park Center Road pursuant to the Hunter Subdivision, 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, provision of the 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 after it has been filed with the Saratoga County Clerk.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 208 of 2017, a resolution accepting a 15' easement from Boni Builders, Inc. for general municipal purposes for property on Main Street in Jonesville.

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

WHEREAS, as a condition of approval for the subdivision of property at 859 Main Street, Jonesville, also known as The Smith House, the Town of Clifton Park Planning Board sought dedication of a 15' easement for town purposes, and

WHEREAS, the easement can provide a future multi-use trail along Main Street at the location of the subdivision, utility or roadway purposes, and

WHEREAS, a deed of easement with Schedule A and related transfer documents have been prepared describing the metes and bounds of the easement area as shown on the approved plan; now, therefore, be it

RESOLVED, that the Town Board hereby accepts from Boni Builders, Inc. of 904 Grooms Road, Rexford, NY, the conveyance of the following:

An easement for general municipal purposes as described in the Deed and as shown on the approved plan for Planning Project 2016-042, the Boni Main Street Subdivision at 859 Main Street for the renovation and reconstruction of The Smith House; 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, provision of the 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 after it has been filed with the Saratoga County Clerk.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 209 of 2017, a resolution authorizing the purchase of a 2017 one-ton crew cab pickup truck for use by the Highway Department.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, Highway Superintendent Dahn Bull has identified a need for new equipment for general daily use by the Highway Department, and

WHEREAS, pursuant to General Municipal Law §103(3) municipalities are authorized to purchase materials, equipment or supplies through publicly bid contracts of another political subdivision or county within the state, and

WHEREAS, Highway Superintendent Dahn Bull has determined that a one-ton crew cab pickup truck which will meet the needs of the Highway Department is available through contracts bid by New York State Thruway Authority Contract # 16017; now, therefore, be it

RESOLVED, that the Highway Department is authorized to purchase a 2017 Chevrolet one-ton crew cab pickup truck from Robert Green Truck Division, Rock Hill, NY, per the attached list, in an amount not to exceed \$42,992 to be paid from DA-5130-219 (Vehicle Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 210 of 2017, a resolution authorizing the Supervisor to execute an agreement with Mobilitie LLC, Newport Beach, CA, for the placement of small cell wireless facilities within certain town rights-of-way subject to town approval.

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

WHEREAS, Mobilitie LLC provides wireless service to mobile devices for business and residential users through the installation of small cell, low-powered wireless equipment, and

WHEREAS, Mobilitie LLC provides such wireless service by attaching its antennae and related equipment to new or existing utility or light poles commonly found within the town's rights-of-way along town roads, and

WHEREAS, the Town Board supports the provision of wireless service in the least intrusive manner and with the minimum impacts to residential neighborhoods consistent with state and federal law, and

WHEREAS, small cell wireless facilities provided by Mobilitie can act as booster sites and can offload wireless traffic from existing wireless communication facilities, thereby increasing the efficiency of existing sites, and

WHEREAS, the agreement with Mobilitie provides for a permit process on individual sites, providing the town with discretion in siting decisions in partnership with Mobilitie; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute the attached Rights-of-Way and Pole Attachment Agreement with Mobilitie LLC, Newport Beach, CA, for the introduction of small cell wireless facilities within the town.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 211 of 2017, a resolution appointing Jesse Ferraioli as the Student Representative to the Town of Clifton Park Youth Court Community Board.

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

WHEREAS, the Town of Clifton Park established the Clifton Park Youth Court, a voluntary alternative to the criminal justice system for young people who have committed a crime or offense in the Town of Clifton Park, and

WHEREAS, the Town Board created a Community Board for the Clifton Park Youth Court, to provide recommendations, information and analysis in specific areas involving law, the legal system and offer insight and advice to the Youth Court Coordinators and the students involved in the program, and

WHEREAS, the Town Board wishes to appoint a student representative to this Youth Court Community Board for implementation of the committee's mission and responsibilities, and

WHEREAS, Shenendehowa High School student Jesse Ferraioli, 29 West Sky Lane, Clifton Park, successfully completed all mandatory Youth Court training sessions, and

WHEREAS, Jesse Ferraioli demonstrated exceptional leadership qualities while serving as a Youth Court Member; now, therefore, be it

RESOLVED, that the Town Board hereby appoints Jesse Ferraioli to the Clifton Park Youth Court Community Board serving a term ending June 30, 2018.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 212 of 2017, a resolution correcting the employment step of Lifeguards and WSI Instructors at the Clifton Park town pools.

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

WHEREAS, a step adjustment is necessary for several guards and WSI Instructors, reflecting their start and rehire dates for the pool season, and

WHEREAS, the Supervisor recommends changes to the employment steps of the following Lifeguards and WSI Instructors as listed below:

<u>Name</u>	<u>Pool</u>	<u>Step</u>	<u>Rate</u>	<u>Org. Hire Date</u>	<u>Lump Sum Payments</u>
Meghan Pendergast	Locust Lane Pool	3	\$9.25	08/04/2014	\$61.25
Elizabeth Schanz	Barney Road Pool	3	\$9.25	05/22/2015	\$45.00
Bridget Geary	WSI Instructor	6	\$11.95	08/12/2011	\$33.50
Victoria Silaika	Barney Road Pool	3	\$9.25	05/29/2015	\$24.88
Olivia Normandin	WSI Instructor	5	\$11.70	08/22/2011	\$10.38
Drew Scott	WSI Instructor	4	\$11.45	05/18/2013	\$18.50
Stephanie Morgan	WSI Instructor	3	\$11.10	05/25/2014	\$15.50
Mary Grace Rizzo	WSI Instructor	3	\$11.10	06/22/2014	\$15.42

Now, therefore, be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the correction of the employment steps for the above employees as they were listed in Resolution No. 118 of 2017 and Resolution No. 160 of 2017; and be it further

RESOLVED, that they be paid the corrected rates for the 2017 pool season, and retroactively with lump sum payments, authorized as listed, to be paid from lines A-7152-E4690 (Locust Lane Pool-Pool Lifeguards), A-7150-E4690 (Barney Road Pool-WSI Instructors-Summer Recreation) and A-7310-E4575 (Summer Recreation Programs-WSI Instructors-Summer Recreation).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 213 of 2017, a resolution to accept a proposal for the rental of four tents and sixteen tables to be used on Household Hazardous Waste Day.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, proposals have been received for the rental of tents and tables to be used on Household Hazardous Waste Day, September 9, 2017, and

WHEREAS, after reviewing the proposals received, Stormwater Management Technician Scott Reese has recommended that the low proposal of Whalen and Sons for an amount of \$1,780 for the rental of four tents and sixteen tables be accepted; now, therefore, be it

RESOLVED, that the proposal of Whalen and Sons, 5 North Street, Troy, New York is hereby accepted for an amount not to exceed \$1,780 for the rental of four tents and sixteen tables to be used on Household Hazardous Waste Day, to be paid from A-8989-150 (Community Development Office-Special Collections Day).

Councilman Whalen stated he is not related to Whalen and Sons.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 214 of 2017, a resolution approving an outside user connection to the Clifton Park Sewer District No. 1 for property located at 896 Main Street.

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

WHEREAS, the Town Board, as Commissioners of the Clifton Park Sewer District No. 1, has received a request to extend service to land owned by Boni Builders, at 896 Main Street, more particularly identified as SBL 259.17-2-4, and

WHEREAS, the real property is located outside the service area of the Clifton Park Sewer District No. 1, and

WHEREAS, Michael O'Brien, Collection System Manager, has determined that sufficient capacity exists within the Clifton Park Sewer District No. 1 sanitary sewer system to provide service to the property, and

WHEREAS, the Town Board recognizes the environmental, planning and policy objectives met by approving sanitary sewer service over alternative plans for new septic systems; now, therefore, be it

RESOLVED, that the Town Board, as Commissioners of the Clifton Park Sewer District No. 1, hereby approves an outside user connection to the district's facilities for property located at 896 Main Street, Jonesville, NY, and be it further

RESOLVED, that connection fee of \$1,000 applies pursuant to Town Code §169-103; and be it further

RESOLVED, that the Outside User Agreement shall be assigned to the single family home constructed at 896 Main Street, SBL 259.17-2-4, and connected to the Clifton Park Sewer District No. 1 facilities.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

No one wished to be heard.

Highway Superintendent Bull updated the board pertaining to the Sherwood Forest Neighborhood stormwater maintenance. A major stormwater trunk line located in front of 14 Berkshire Drive that collects much of the water that falls on the southern end of the development, has shown failure and the problem is getting larger. Bids were published for open- excavation as well as boring options to fix the problem. He stated boring would cause significantly less disturbance to the homes at the problem area. Bids will be opened on August 31, 2017 and after a short review period of bidders, the plan is to implement and close the project in under one month. Boring also would help meet this timeline.

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 8:25 p.m.

Teresa J. Brobston
Deputy Town Clerk