

February 27, 2012

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  
Councilman Romano  
Supervisor Barrett  
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy  
Mark Heggen, Comptroller  
John Scavo, Director of Planning

MOTION BY Councilman Whalen, seconded by Councilman Romano, to approve the minutes of the February 6 and 13, 2012 meetings as presented.

#### ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Romano, Supervisor Barrett

Noes: None

Absent: Councilman Hughes, Councilwoman Walowit

#### MOTION CARRIED

#### ANNOUNCEMENTS AND COMMUNICATIONS

None

#### PRESENTATIONS TO THE BOARD

Eric Hamilton presented the **State of the Mohawk Towpath Scenic Byway**, explaining the Byway is 26.2 miles between Schenectady and Waterford/Cohoes, following the historic route of the Erie Canal. The town of Clifton Park takes up the central third of the Byway and is one of eight municipalities along the Byway. He reviewed accomplishments over the year, noting the opening of the Byway visitors' center in Proctors. Mr. Hamilton noted there are two applications in for additional federal highway Byway grants – one for approximately \$500,000 for improved recreational access to the Vischer Ferry Preserve and the second for \$60,000 for a mid-Byway visitors' center hopefully to incorporate into the Grooms Tavern complex. Mr. Hamilton reported three new kiosks located along Riverview Road at Clute's Dry Dock, the end of Ferry Drive, and at the entrance to the Preserve. He said the Byway information has been included in National Geographic and Lake to Locks Partnership and the "Best of the Road" by Rand McNally and "USA Today".

Supervisor Barrett said the town will continue to be a partner with the organization to see the improvements completed and plans executed. He noted the purchase of the 41 acres along Riverview Road with river access, as well as the six acre park offering non-motorized river access. The Supervisor further noted the town has over 1000 acres of open space.

Susan Burton, Director at **Friends of Clifton Park Open Space**, presented the Siena Study Final Report, dated August 2011, which notes "This latest endeavor by FRIENDS is intended to be a long-term project dedicated to the identification, preservation and protection of water resources in the western part of town, the potential for a contiguous greenbelt along this area, and the encouragement of agriculture as a non-natural but valuable open space resource". Ms. Burton reviewed a survey from 2007 noting top three priorities as follows: 1) Wildlife nature

Preserves/drinking water quality; 2) farmland protection; 3) town paths and trails. She said the focus on the project was on resource mapping in the GEIS area and how it related to adjacent parcels rather than any individual values. Ms. Burton reviewed the many town amenities. She stated Friends maintains that truly beneficial and self sustaining open space must encompass large contiguous tracks that accommodate corridors for habitat and protection of special and sensitive plants and animals. Ms. Burton said a map or guide of western Clifton Park should be prepared that can be used or referenced by the town's relevant committees and boards to assist in the preservation of the most desirable parcels, based on their resource values, to insure contiguous open space corridor from north to south in western Clifton Park.

Bill Koebbeman, member of Friends of Clifton Park Open Space, said the 2007 survey shows a high priority for natural areas, especially water resources as well as agricultural land. He acknowledged the town has taken a number of important steps to protect open space resources. He reported the Siena report is a first step in quantifying the values of natural resources in western Clifton Park and displayed maps shows agriculture land, woodlands, and water resources.

Jim Ruhl, member of Friends of Clifton Park Open Space, concluded by asking, in both town acquisition and town review of development projects, that this study be used as an indicator in the review and planning process. The plan ranks different values of different types of land. Mr. Ruhl said the whole idea is to have zoning and conservation interact.

Regarding contiguous open space, Director of Planning Scavo said under existing zoning and current western GEIS, the Planning Board has the ability to require each applicant to do a resource analysis and the Planning Board can designate where the 50 percent open space is best served for the project sites. He said existing zoning is the greatest tool as projects come forward. Mr. Scavo stated the 2005 Comprehensive Plan is consistent with the findings.

Question from floor if Garnsey Park is open to development. Supervisor Barrett responded absolutely not.

Question from floor regarding hunting. Supervisor Barrett said there is no hunting on public property.

#### PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 52 of 2012, a resolution hiring summer help for the Clifton Knolls Mill Creek Park District.

Introduced by Councilman Romano, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, a need has been identified for summer help at the Clifton Knolls Mill Creek Park District to do light maintenance, and

WHEREAS, Michael Handerman, Buildings & Grounds Supervisor, has recommended that Darrin Williams, 99 Cooks Court, Waterford and Austin Krom, 99 Overlook Pass, Clifton Park, be hired to fill these positions; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Clifton Knolls Mill Creek Park District, hereby authorizes the hiring of Darrin Williams at \$8.00 per hour and Austin Krom at \$7.50 per hour to do light maintenance for the Clifton Knolls Mill Creek Park District, effective immediately, to be paid from SP37131-24 (Clifton Knolls Mill Creek Park District-Maintenance).

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Romano, Supervisor Barrett

Noes: None

Absent: Councilman Hughes, Councilwoman Walowit

DECLARED ADOPTED

Resolution No. 53 of 2012, a resolution adopting Local Law No. 4 of 2012, a local law amending Article I, Convenience Transfer Station, Section 97.3, Permit Fees and Exhibit "A".

Introduced by Councilman Whalen, who moved its adoption, seconded by Councilman Romano.

WHEREAS, it has been recommended that certain revisions be made to Article I, Convenience Transfer Station, Section 97.3 concerning Permit Fees and Exhibit "A", and

WHEREAS, the Town Board conducted a public hearing on February 13, 2012 to obtain input regarding the proposed changes, and

WHEREAS, the public was given the opportunity to speak in favor of or against the proposed changes to the local law; now, therefore, be it

RESOLVED, the Town Board hereby adopts Local Law No. 4 of 2012, a local law amending Article I, Convenience Transfer Station, Section 97.3, Permit Fees and Exhibit "A", and be it further

RESOLVED, the Town Clerk and Transfer Station will continue to issue permits in accordance with published Rules and Regulations, attached; and be it further

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

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Romano, Supervisor Barrett

Noes: None

Absent: Councilman Hughes, Councilwoman Walowit

DECLARED ADOPTED

Resolution No. 54 of 2012, a resolution scheduling a public hearing to consider adoption of a local law amending Chapter 103-14, Parkland Fees, of the Town Code.

Introduced by Councilman Romano, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, it has been recommended that a revision be made to Chapter 103-14, Parkland Fees, of the Town Code, and

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

RESOLVED, the Town Board hereby schedules a public hearing on March 5, 2012 at 7:10 P.M. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider adoption of a local law amending Chapter 103-14, Parkland Fees; and be it further

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

Director of Planning Scavo said this fee has been in place since 1988 and explained this increase recognizes that with the addition of residential dwelling units the needs of the community increase for recreational purposes. Mr. Scavo noted the fees of the majority of five surrounding communities are over \$1000 per unit.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Romano, Supervisor Barrett

Noes: None

Absent: Councilman Hughes, Councilwoman Walowit

DECLARED ADOPTED

Resolution No. 55 of 2012, a resolution accepting the bid of Independent Towers Holdings, LLC in response to a Request for Proposals (RFP) for telecommunication equipment at the Clifton Common and to authorize the Supervisor to negotiate an agreement.

Introduced by Councilman Whalen, who moved its adoption, seconded by Councilman Romano.

WHEREAS, the town solicited proposals for the potential lease of an area at the Clifton Common for the development of wireless communications facilities, and

WHEREAS, the town established an advisory committee to review and score the proposals received, and

WHEREAS, Independent Towers Holdings, LLC submitted a proposal for the use of lighting poles adjacent to baseball fields on the Common, with telecommunications equipment to be placed above ball field lighting on two 100 foot poles, and

WHEREAS, the advisory committee preferred the Independent Towers Holdings, LLC proposal based on the integration of the proposed facility with existing ball field use and aesthetic character of the proposal; now, therefore, be it

RESOLVED, that the Supervisor is authorized to negotiate a lease with Independent Towers Holding, LLC based on the proposal to utilize light poles to site wireless communication infrastructure on the Common in response to the Request for Proposals.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Romano, Supervisor Barrett

Noes: None

Absent: Councilman Hughes, Councilwoman Walowit

DECLARED ADOPTED

Resolution No. 56 of 2012, a resolution authorizing the Town Supervisor to enter into an agreement with the Clifton Park & Halfmoon Emergency Corps for the provision of emergency medical services and emergency ambulance services.

Introduced by Councilman Romano, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, a need exists for the provision of emergency medical and ambulance services within the geographical boundaries of the Town of Clifton Park, and

WHEREAS, the Clifton Park & Halfmoon Emergency Corps are organized and operated for the purpose of the provision of health care and education services across a broad spectrum of the communities it serves; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to enter into an agreement with the Clifton Park & Halfmoon Emergency Corps for the continuation of emergency medical services and emergency ambulance services, term of the agreement from January 1, 2012 through December 31, 2012, as budgeted, subject to Town Attorney review.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Romano, Supervisor Barrett

Noes: None

Absent: Councilman Hughes, Councilwoman Walowit

DECLARED ADOPTED

PUBLIC PRIVILEGE

Jim Baisley, Barkwood Drive, asked how many carriers will be on the communication towers. Mr. Scavo responded up to four with a space reserved for the town.

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

Motion carried at 8:26 p.m.

Patricia O'Donnell  
Town Clerk