

January 20, 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
Richard Kukuk, Superintendent of Highways
Mark Heggen, Comptroller
Michael Handerhan, Supervisor of Buildings and Grounds
Steven Myers, Director of Building and Development
Louis Pasquarell, Director of Safety and Security
John Scavo, Director of Planning

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the January 5, 2015 organizational and regular 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 reviewed events planned for the 25th Annual Winterfest scheduled for February 7, 2015.

PRESENTATION

Supervisor Barrett presented the following resolution to William Davis on the occasion of his retirement as Chairman of the Saratoga County Sewer District No. 1 and thanked him for his dedication and years of service.

Resolution No. 14 of 2015, a resolution honoring William Davis on the occasion of his retirement.

Introduced by Supervisor Barrett, who moved its adoption, seconded by the entire Town Board.

WHEREAS, William Davis is a resident of Clifton Park, devoted member of the community and retired from the Saratoga County Sewer District #1 December 31, 2014, and

WHEREAS, on September 20th, 1984, Mr. Davis became a Commissioner of the Saratoga County Sewer District #1, encompassing Southern Saratoga County, and

WHEREAS, through his efforts with the expansion and improvement of the sewer district, Mr. Davis was appointed Chairman of the Saratoga County Sewer District #1 on July 1st, 1993, soon planning and initiating a large expansion of the sewer plant in 1996, the largest project undertaken by the sewer district at that time, and

WHEREAS, as Chairman, Mr. Davis' leadership resulted in vital planning initiatives for the future, key investment projects, sound fiscal planning and professional management, and

WHEREAS, the stewardship of Mr. Davis and the organization was tested with the large expansion project undertaken and successfully completed to accommodate the arrival of Global Foundries to Saratoga County, and

WHEREAS, Mr. Davis has been an advocate for safety and championed many initiatives throughout the county for improvement and is held in high regard by his employees, fellow chairpersons and those with whom he works; now, therefore, be it

RESOLVED, that the Clifton Park Town Board pauses in its deliberations to honor and recognize the accomplishments and deeds of William Davis, and express our sincere thanks for his service and dedication to the development of Saratoga County and the Town of Clifton Park.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

REPORT TO THE BOARD

Scott Reese, Storm Water Management Technician, presented the Environmental Conservation Commission report for 2014, attached, and introduced members of the ECC in attendance this evening.

CONTINUATION OF PUBLIC HEARING, 7:05 (7:20) PM
REGARDING UNSAFE HOUSE AT 969 MAIN STREET

The Town Clerk read the Notice of continuation of Public Hearing as published in The Daily Gazette on January 15, 2015.

Supervisor Barrett said the town is continuing the Public Hearing to give the owner of the property every opportunity to remedy the situation.

Andrea DiDomenico, attorney for the owner of 969 Main Street, reported she has negotiated a contract of sale, noting the prospective purchaser has been in touch with the Building Department and she is optimistic this contract will go through. The prospective buyer will also take care of everything left in the property. The shed has been taken down. Supervisor Barrett asked about being able to enter the property. Ms. DiDomenico said photographs have been turned over to a relative of the current owner and she has no objection to the town having photos for historical purposes as she has no interest in keeping anything. Regarding possible historic documents in the house, Councilman Whalen will contact Ms. DiDomenico to set up a time have access to house. Ms. DiDomenico said execution of the contract is expected within the week and she will send the contract to Mr. McCarthy as soon as it is signed. Ms. DiDomenico stated the contract is contingent upon proper zoning and planning and building permits.

The public hearing was opened for comments from the audience at 7:28 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. Mr. McCarthy reviewed the town's option at this time. Supervisor

Barrett recommended keeping the public hearing open until the February 2, 2015 Town Board meeting. The Town Board agreed.

PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 15 of 2015, a resolution authorizing Samuel Chase, Patrick Jarosz and Robert Adams from the Building Department to attend the 20th Annual Northern Adirondack Educational Conference to be held in Lake Placid, New York, March 2 - 5, 2015.

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

WHEREAS, conferences are designed to give their members the needed hours to complete the New York State twenty-four hours requirement for in service education for all Code Enforcement Officers per year in order to maintain their certification, and

WHEREAS, New York State has eliminated several of their instructor positions reducing the availability of courses locally, and substantially reducing the availability of building officials courses offered without charge, and fewer courses are being given at no charge, and

WHEREAS, reduced availability of such courses locally has increased the necessity of traveling to obtain required credits, and

WHEREAS, attendance at these seminars would provide a benefit to the residents of the town and is necessary to maintain building officials credentials; now, therefore, be it

RESOLVED, that the Building Department is authorized to send Patrick Jarosz, Samuel Chase and Robert Adams to the 20th Annual Northern Adirondack Educational Conference from March 2 - 5, 2015 at Lake Placid, at a total cost for three attendees not to exceed \$2,554.50, as budgeted from A-3620-001 (Training and Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 16 of 2015, a resolution authorizing Wade Schoenborn, Derek Miller and Mark Kazmierczak to attend the 10th Annual New York State Building Officials Conference March 31 – April 3, 2015, in Liverpool, New York.

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

WHEREAS, conferences are designed to give their members the needed hours to complete the New York State twenty-four hours requirement for in service education for all Code Enforcement Officers per year in order to maintain their certification, and

WHEREAS, the 2015 Conference sponsored by the New York State Building Officials Chapter is necessary for the acquisition of needed credits by Building Department officials, and

WHEREAS, attendance at these seminars would provide a benefit to the residents of the town and is necessary to maintain building officials credentials; now, therefore, be it

RESOLVED, that the Building Department is authorized to send Wade Schoenborn, Derek Miller and Mark Kazmierczak to the New York State Building Officials Conference from

March 31, 2015 thru April 3, 2015 in Liverpool, New York at a total cost not to exceed \$2,676 for three attendees, as budgeted from A-3620-001 (Training and Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 17 of 2015, a resolution authorizing the purchase of a 2015 Jeep Patriot from Main Motorcar, Johnstown, New York, for use by the Building and Development Department.

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

WHEREAS, Director of Building and Zoning Steven Myers has identified a need for a new vehicle for use by the Building and Development Department, and

WHEREAS, the new vehicle will replace a 2001 Jeep that will be given to the Highway Department for their use, and

WHEREAS, Mr. Myers has recommended that a 2015 Jeep Patriot Sport 4x4 available from Main Motorcar, Johnstown, New York, be purchased under New York State Contract #PC66385 at a cost of \$20,244.30; now, therefore, be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the purchase of a 2015 Jeep Patriot Sport 4x4 from Main Motorcar, 224 West Main Street, Johnstown, New York, as described in the attached documents, at a cost not to exceed \$20,244.30, under State Contract #PC66385, to be paid from A-3620-200 (Building Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 18 of 2015, a resolution authorizing the items listed below pursuant to the Bond Acts enacted in 1965, 1972 and 1996 and the Environmental Protection Fund, as well as federal grant awards available for such projects.

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

WHEREAS, the Town of Clifton Park herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law ("ECL") authorizes State assistance to Municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED BY the Clifton Park Town Board

1. That Scott Reese, Storm Water Management Technician or such person's successor in office, is the representative authorized to act in behalf of the Municipality's governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance; and
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation; and
3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation, and
4. That this Resolution take effect immediately.

Director of Planning Scavo explained this refers to the Water Quality Improvement grant Received from NYS Department of Environmental Conservation and will allow Mr. Reese to administer and execute document between the town and DEC.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 19 of 2015, a resolution authorizing the purchase and implementation of Networkfleet Hardware (GPS) in certain highway trucks.

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

WHEREAS, Highway Superintendent Richard Kukuk has requested authorization to purchase and implement Verizon Wireless Networkfleet GPS Fleet Management System, and

WHEREAS, Mr. Kukuk, has contacted the other Highway Superintendents in nearby municipalities who have expressed satisfaction with the system and its benefits, and

WHEREAS, Superintendent Kukuk further believes that this application will be useful as a management tool to improve employee productivity and to better optimize fleet operations and provide up to the minute data concerning snow plow operations; now, therefore, be it

RESOLVED, that the Highway Superintendent is authorized to purchase and implement Verizon Wireless Networkfleet GPS Fleet Management System from GSA Contract# GS-07F-5559R for a total amount \$6,806 for balance of 2015, and be it further

RESOLVED that the Comptroller is authorized to transfer \$2,993 from A-5132-24 (Garage Repair) to A-5132-200 (Equipment) for one time purchase and to transfer \$3,813 from A-5132-24 to A-5132-2 to cover estimated monthly service for balance of 2015.

Superintendent of Highways Kukuk said this is a useful management tool, provides safety and savings in fuel. He said the system will be installed on all the plow trucks, six to eight crew cabs and the two supervisors' pickup trucks. Reports will come to the Superintendent, Deputy and the two supervisors.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 20 of 2015, a resolution authorizing the Town Supervisor sign a Lease Agreement with Gro Solar to convey leasehold rights to a portion of the town's capped landfill property

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

WHEREAS, by Resolution No. 305 of 2014, the Town Board approved a 25 year Power Purchase Agreement with Global Resource Options, Inc. dba Gro Solar, and

WHEREAS, the Power Purchase Agreement requires that Gro Solar construct an approximate 995 MW solar energy project with interconnection to National Grid power grid infrastructure and related improvements at the town landfill on Vischer Ferry Road, and

WHEREAS, the Town and Gro Solar have applied to the Planning Board for subdivision approval to subdivide the solar project area from the existing transfer station and recycling facilities, and

WHEREAS, the project requires that Gro Solar obtain the access rights to plan, design, build, operate and maintain the solar system, and

WHEREAS, the Town Board is willing to grant access rights to Gro Solar for such purposes in the form of a Lease Agreement for a term of 25 years, with an additional 5 year term upon mutual consent; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute the attached Lease Agreement with Gro Solar for lease payment to the town of \$8,400 annually, less any applicable special district assessments.

Town Attorney McCarthy explained the actual tax liabilities Gro Solar will have are town wide special districts so the lease agreement was negotiated minus the special district tax, noting the first year there will be a straight lease payment of \$8400 with no taxes due until January 2016. He continued once the project is built the Assessor will have information needed to value the components for the special district taxes and the second year will be the \$8400 minus special district figure. The rest of the lease is negotiating the rights and responsibilities of the tenant versus the landowner. The tenant will hold the town harmless. The town still has the obligation of reporting on the capped landfill to DEC regarding methane and has the responsibility to hold Gro Solar harmless if anything is mismanaged regarding the capped landfill itself. There will be construction easements. Supervisor Barrett said these annual payments will be in addition to the savings to be received from the solar array. Mr. McCarthy said the terms of lease are not subject to NYSERDA approval but they do want to see a signed lease.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 21 of 2015, a resolution scheduling a public hearing to consider a zoning law amendment to Chapter 208 of the Town Code specific to the potential adoption of the Clifton Park Town Center Zoning Code, Version 5.0.

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

WHEREAS, the Town of Clifton Park applied for and was awarded a grant from the Capital District Transportation Committee to develop a zoning code amendment which includes form based elements, and

WHEREAS, the proposed zoning amendment is a result of the goals and recommendations from prior planning efforts and public participation within the study area that include: Exit 9 Land Use & Transportation Linkage Program 2008 and Town Center Plan 2012, and

WHEREAS, the draft zoning code amendments were developed to advance the goals, recommendations and vision of the Clifton Park Town Center Plan previously adopted by the Town Board by Resolution No. 163 of 2012, and

WHEREAS, a public workshop was held on March 6, 2013 at which time a presentation was made by town staff and the town's professional Design Consultants describing the prior Town Center Planning efforts and an overview of how form-based codes work in principle and practice, and

WHEREAS, in addition to the public workshop, the town's planning team also met with major landowners and stakeholders on March 7, 2013, and have continued to meet with and receive comment from such stakeholders, and

WHEREAS, a public open house was held on March 8, 2013 at the Clifton Park Halfmoon Public Library to view the preliminary form-based zoning codes being created by the town's planning team, and

WHEREAS, both written and verbal public input gathered throughout the zoning code update process has helped to shape the proposed zoning amendments, and

WHEREAS, a form-based zoning approach was chosen because it utilizes graphics to explain the desired appearance of the development, with an eye toward creating quality spaces and increasing flexibility in land use planning, and

WHEREAS, the town through the proposed zoning amendments desires to create a rich atmosphere where the various uses create a synergy that provides for a diversified and sustainable development, and

WHEREAS, pursuant to NYCRR Part 617, the Town Board has been established as the SEQRA Lead Agency, and

WHEREAS, a public hearing on proposed changes to the Zoning Code was held on December 8, 2014, with members of the public as well as landowners and stakeholders within the project area providing comment and suggestions on the proposed amendments, and

WHEREAS, the Town Board has considered comments received at the public hearing and the professional staff and consultant team has made certain changes to the draft amendments in response to comments received at the hearing; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park shall hold a public hearing pertaining to amendments to Chapter 208 of the Town Code specific to the potential adoption of the Clifton Park Town Center Zoning Code, Version 5.0 on the 2nd day of February, 2015 at 7:05 p.m., in the Wood Memorial Room at Town Hall, One Town Hall Plaza, Clifton Park, New York, 12065, and at which hearing all persons desiring to be heard thereon will be heard; and be it further

RESOLVED, that the Town Clerk of the Town of Clifton Park is hereby authorized and directed to publish notification of the said public hearing at least ten days prior, as required by law.

Director of Planning Scavo reviewed changes from the first public hearing, attached. He also noted an amendment to Section 208-71 B(2), allowing five contiguous acres of land in some districts. He noted the PDD amendment would cover everything but the Shenendehowa parcel which would stay at 10 acres. Mr. Scavo said the maximum dwelling units allowed per project has been increased from 20 to 50. He explained the design overlay has been removed from the private property designated TC3 on Route 146 and contiguous with the school property as there was a consensus that that property was evaluated at a higher level of detail so that modification was made.

Supervisor Barrett said comments received from the December 8th public hearing expressed concern that the plan does not allow enough future residential construction. He stated he doesn't think any of the proposed changes will satisfy those concerns but moves the plan in a little bit of a different direction while maintaining the whole idea of insuring that any new residential complements commercial overall when looked at the entire zone. He continued the Board also wants to encourage mixtures of uses in one building and/or project, for example commercial and possibly residential in one building.

Councilman Whalen said these changes show the Town Board was receptive to comments received and recognizes concerns for density. He said the measured approach is correct approach, keeping in mind that residential should complement commercial.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 22 of 2015, a resolution authorizing the Clifton Knolls/Mill Creek Civic Association to serve alcoholic beverages at the annual association sponsored Wine and Cheese Party at the Locust Lane Clubhouse.

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

WHEREAS, Bryon Backenson, President of the Clifton Knolls/Mill Creek Civic Association has requested permission to serve alcoholic beverages on March 7, 2015 at a Wine and Cheese Party to be held at the Locust Lane Clubhouse, and

WHEREAS, it is the town's policy to require the using group to monitor the consumption of alcohol and be responsible for the group's activities; now, therefore, be it

RESOLVED, that the Clifton Knolls/Mill Creek Civic Association is authorized to serve alcoholic beverages on March 7, 2015, from 7:00-11:00 pm, at an adults only, civic association event being held at the Locust Lane Clubhouse, contingent upon the provision of a certificate of liability insurance naming the town as an additional insured and in a coverage amount acceptable to the town; and be it further

RESOLVED, that the Special Alcohol Use Permit fee of \$25 is hereby waived.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 23 of 2015, a resolution hiring Wild Goose Chase, New Lebanon, New York, to rid the Clifton Knolls ponds of Canada Geese.

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

WHEREAS, the Canada Geese continue to be a problem in the Clifton Knolls ponds, and

WHEREAS, the Town Board, as Commissioners of the Clifton Knolls/Mill Creek Park District, has received a request from the park district to authorize the hiring of Wild Goose Chase to chase the geese away before they lay their eggs, and

WHEREAS, the company utilizes border collies to herd and harass the birds until they leave, and

WHEREAS, the Clifton Knolls/Mill Creek Park District has been pleased with the service and commitment of Wild Goose Chase to Clifton Knolls and their results in keeping the ponds clear of Canada Geese; 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 Wild Goose Chase, New Lebanon, New York, to reduce the Canada Geese from taking root in the Clifton Knolls ponds at a cost not to exceed \$7,000 for the season, to be paid from SP37131-24 (Clifton Knolls Park District).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 24 of 2015, a resolution authorizing the hiring of summer staff for the Buildings and Grounds Department as per Schedule A.

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

WHEREAS, a need exists for summer workers in the Buildings and Grounds Department, and

WHEREAS, Michael Handerhan, Buildings and Grounds Supervisor, has recommended that the individuals listed in Schedule A be hired to fill these positions, and

WHEREAS, the wages to be paid to the hired individuals are listed in Schedule A, as budgeted; now, therefore, be it

RESOLVED, that the individuals listed in Schedule "A", attached hereto, be hired as part of the summer Buildings and Grounds staff for the summer of 2015, effective immediately, to be paid from A7110-E4000 (Buildings & Grounds-Summer Staff).

Mr. Handerhan noted all are returnees.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 25 of 2015, a resolution awarding a contract for landscape work for the Sherwood Forest Park District which includes the subdivisions of Sherwood Forest, Emerson and Sterling Heights.

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

WHEREAS, quotes were received by the Town Board, as Commissioners of the Sherwood Forest Park District, for landscape work for the district, and

WHEREAS, the lowest conforming quote for the work to be done which includes removal and disposal of debris at various entrances and weeding the planting areas around the entrance signs to Sherwood Forest Park District was submitted by Cliffside Services Inc. in an amount not to exceed \$2,875; now, therefore, be it

RESOLVED, that the Town Board, as Commissioners of the Sherwood Forest Park District, hereby awards the contract to Cliffside Services for landscape work at the Sherwood Forest Park District, at a cost not to exceed \$2,875 for the 2015 season, to be budgeted from SP87125-24 (Sherwood Forest Park District-Maintenance).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 26 of 2015, a resolution authorizing the rehiring of Kathleen Bogucki as Groundskeeper at the Barney Road Golf Course for the 2015 season.

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

WHEREAS, it is necessary that returning staff be rehired by the Buildings and Grounds Department for operation of the Barney Road Golf Course, and

WHEREAS, Michael Handerhan, Buildings and Grounds Supervisor, has recommended Kathleen Bogucki, 42 Par Del Rio, Clifton Park, be rehired as Groundskeeper for the golf course; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Kathleen Bogucki as a Golf Course Groundskeeper for the 2015 season at an hourly rate of \$13.50 to be paid from A-7190-4000 (Barney Road Golf Course-Employee), effective immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 27 of 2015, a resolution authorizing the hiring of Bruce Gardner as a seasonal employee at the Barney Road Golf Course for the 2015 season.

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

WHEREAS, a need exists for a seasonal employee for the Barney Road Golf Course, and

WHEREAS, Michael Handerhan, Buildings and Grounds Supervisor, has recommended that Bruce Gardner, 7 Osgood Street, Mechanicville, New York, be hired to fill the position at Barney Road Golf Course; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Bruce Gardner as a seasonal employee at Barney Road Golf Course for the 2015 season, at an hourly rate of \$12 to be paid from A-7190-4000 (Barney Road Golf Course-Employee), effective immediately.

Mr. Handerhan reported Mr. Gardner is knowledgeable in golf course care. Supervisor Barrett recommended a couple of the younger people shadow him to gain experience.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 28 of 2015, a resolution changing Frederick Porter from part-time matrix status to full-time matrix status.

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

WHEREAS, Resolution No. 90 of 2013 appointed Frederick Porter to permanent status as Golf Course Superintendent per civil service certification, and

WHEREAS, it is necessary to change Mr. Porter's status from part-time status on the matrix to full-time status on the matrix; now, therefore, be it

RESOLVED, that Frederick Porter is moved to full-time status on the matrix at Grade 5, Step 6 \$22,045 per year for year 2015, retroactive to January 1, 2015.

Mr. Handerhan explained for the months of January and February there is equipment work to be done. Mr. Handerhan said Mr. Porter also has plowing experience and can help out in the Buildings and Grounds Department if necessary. It was noted there will be no extra cost.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 29 of 2015, a resolution authorizing two members of the Environmental Conservation Commission, four members of the Planning Board and eight members of the Zoning Board to attend the 2015 Saratoga County Planning and Zoning Workshop to be held in Saratoga, New York, on January 28, 2015.

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

WHEREAS, the 2015 Saratoga County Planning and Zoning Workshop will be held in Saratoga Springs, New York, on January 28, 2015, and

WHEREAS, two members of the Environmental Conservation Commission, four members of the Planning Board and eight members of the Zoning Board have requested authorization to attend this conference, and

WHEREAS, attendance at this conference will confer a benefit upon, and be in the best interest of the Town of Clifton Park; now, therefore, be it

RESOLVED, that two members of the Environmental Conservation Commission, four members of the Planning Board and eight members of the Zoning Board be authorized to attend the 2015 Saratoga County Planning and Zoning Workshop at a total cost not to exceed \$1,080 for all attendees, \$120 to be paid from A-8090-001 (ECC-Travel and Conferences), \$240 from A-8020-1 (Planning Board-), \$640 from A-8010-001 (Zoning-Travel and Conferences) and \$80 from A-3620-1 (Building & Zoning-Training & Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 30 of 2015, a resolution certifying retirement days for elected and appointed officials.

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

WHEREAS, it is necessary to establish standard work days for elected and appointed officials to be reported to the New York State and Local Employees' Retirement System based on the record of activities maintained; now, therefore, be it

RESOLVED, that the Town Board hereby establishes standard work days for elected and appointed officials, per Schedule "A".

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 31 of 2015, a resolution setting a public hearing to consider the adoption of a local law amending sections 208-33 and 208-34 of the Town Code, which set forth zoning regulations for the Town's B-1 and B-2 Business zones.

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

WHEREAS, the B-1 and B-2 Business zones were adopted in 1991 for the express purpose of providing for medical and professional offices and services, and to provide a buffer between large retail areas and existing residential zones, and

WHEREAS, a recent judicial re-interpretation of the meaning and purpose of the two zoning districts, contrary to the expressed intent of the Town Board which adopted the zoning designations creates the potential for confusion and uncertainty in implementation of the Town's Zoning Laws and comprehensive planning tools, and

WHEREAS, the Town Board wishes to seek public comment on a proposed amendment to the B1 and B2 zoning codes which will clarify the regulation of residential use within the affected business zones and restore the interpretation of these zoning codes to their original intent; now, therefore, be it

RESOLVED, that a public hearing be scheduled for February 2, 2015 at 7:15 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider the adoption of a local law amending sections 208-33 and 208-34 of the Town Code, and be it further

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

Town Attorney McCarthy reviewed the B1, B2 section added to the code in 1991. In order to clarify the B1 and B2 language the word "commercial" is proposed to be added between the words "multiple" and "building". He explained the B1 and B2 zones were created as a step down buffer between large retail areas and residential. It was noted this is being done as a result of a lawsuit that was ruled against the town in State Appeals Court. Supervisor Barrett said this will be appealed.

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.

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 8:30 p.m.

Patricia O'Donnell
Town Clerk