

May 4, 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: Deputy Town Attorney Peller
Mark Heggen, Comptroller
Richard Kukuk, Superintendent of Highways
Myla Kramer, Director of Parks, Recreation and Community Affairs
Teresa Cook, Animal Control

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the April 13 and 20, 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 thanked all who volunteered on Shredding Day.

ARBOR DAY POSTER WINNERS PRESENTATIONS

Councilwoman Standaert and Councilman Whalen presented awards to the following Arbor Day Poster Winners: First Place – Sophia Prentice, 1st grade Karigon; Glennis Cho, 2nd grade Karigon; Justin Rosenberg, 5th grade Karigon; Second Place – Madison Eggliston, 1st grade Karigon; Maya Bossom, 3rd grade Karigon; Ella White, 5th grade Karigon; Third Place – Regan Gibb, 1st grade Karigon; Riley Sweeney, 2nd grade Karigon; Samantha LaBrake, 4th grade Orenda.

PRESENTATION BY NORTH COUNTRY ROOTS

Officials of North Country Roots gave a presentation on medical marijuana, attached, and their interest in opening a Medical Marijuana Dispensary in the Town of Clifton Park. Douglas Butdorf, President, introduced Thomas Gosrich, pharmacist and attorney, Vice President, and Eduardo Suarez, NYS Peace Officer and Sergeant/New York Police instructor. Mr. Butdorf stated a pharmacist will be on site at all times the facility is open. The state law requires there be no plant materials available for purchase. NY State passed legislation in July 2014 with a mandate to make it possible for patients within 18 months. Mr. Butdorf said his company will be submitting their application to the state May 29, 2015. Mr. Gosrich reviewed medical conditions included in their presentation, noting it is a very restrictive list. Mr. Butdorf stated only patients and/or registered caregivers with state issued medical cards will be allowed access into the dispensary. Mr. Suarez reviewed community safeguards included in the presentation, noting dispensaries may not be located on the same street and within 1000 feet of schools or houses of

worship. He reviewed the security and logistics of the dispensary. He noted language on signage is limited by state regulations. He further noted there is complete video tracking from “seed to sale”. Mr. Suarez said any marijuana in one of their dispensaries is grown and produced within their facility. Mr. Butdorf said dispensaries will be open in Clifton Park, Utica, Plattsburgh and Gouverneur and approval from municipalities is not required. He reviewed distribution of revenues, noting money goes to the county. He reviewed the development process from plant to dosage. Mr. Butdorf reported up to 40 FTE union jobs will be created by North Country Roots.

Mr. Butdorf said none of the other proposed sites have mentioned creating special zoning districts, explaining those dispensaries will be in commercial zones. Supervisor Barrett said there are only going to be 20 locations in New York State. Mr. Butdorf stated there is no insurance coverage, including Medicaid or Medicare, for medical marijuana.

Supervisor Barrett, noting businesses cannot be zoned out of a municipality, referred to the creation of the special Adult Use Business zone, and said the town would create a special zone where a medical marijuana dispensary could locate. He doesn't feel the town is in a position to say, carte blanche, that these dispensaries can locate anywhere within the town business zones.

Supervisor Barrett asked about multi-family housing and the use of vapor medical marijuana. Mr. Butdorf said it is his understanding it can be used in the patient's own home and there is no regulation regarding multi-family homes.

Mr. Gosrich said the role of the pharmacist will also include education and patient counseling. He reviewed the process for patients to obtain the state issued card, explaining marijuana is a federal Schedule One Product so a physician would be jeopardizing his DEC license if he wrote a prescription for medical marijuana. Physicians can, however, write a certification that is sent to the state for issuance of the state card. Physicians are required to take a four hour course in order to write a certification. He reviewed the process of the using the swipe card. It was noted the dispensary would be open five days a week from noon to 7:00 p.m. and closed on Sundays and Mondays.

In response to Councilman Whalen's question it was noted there is a patient caregiver program allowing a caregiver to be registered with the state. The caregiver would also be issued a card similar to the patient's card.

Supervisor Barrett asked if they are looking at specific sites. Mr. Butdorf responded they have met with a few landlords and are looking for easy access off the Northway.

Councilwoman Standaert asked why medical marijuana cannot be given through a pharmacy. Mr. Gosrich responded this is an aspect of federal law and is a complicated issue that the federal government has not yet figured out. It was noted there is no FDA oversight over medical marijuana. Councilwoman Standaert asked how dosages are determined. Mr. Gosrich responded that this information will be provided in the doctors' course. She asked Mr. Suarez if any unintended consequences could come to the community and asked why there are there are panic buttons and alarms in the dispensaries. Mr. Suarez responded any retail operation could be a victim of crime. He explained that medical marijuana is more expensive than street marijuana and abuse of medical marijuana can be tracked and have consequences. He feels the abuse of medical marijuana is low.

Councilwoman Walowit asked if the state will determine what physicians can prescribe medical marijuana. Mr. Gosrich explained any physician is eligible to be in the program, however, a four hour training course is required and will be readily available on line. He said if no change in physician or recommended dosage, the card is good for a year. Mr. Gosrich explained the physician's names will go into the system and the dispensary will have access to that data base. Mr. Butdorf reported on what they are seeing nationwide the cost of the medical marijuana could be \$900-\$1600 per year but depends on particular type of illness. It was noted the building may be approximately 3000 square feet.

Councilman Whalen expressed appreciation to North Country Roots for the presentation, noting it has been very educational. It was noted there is no guarantee that North Country Roots will

receive state approval to locate in town. Mr. Butdorf said they have also reached out to real estate agents and landowners.

Supervisor Barrett said he is aware that there are people in the area that can benefit from the product but is not swayed by the financial aspect.

The Supervisor opened the floor for comments as follows: concern with safety of a cash only operation, questions regarding 1000 feet location from schools and places of worship, as well as why Clifton Park was chosen and what is the benefit to the town. Comment from the floor noted people need to be educated as to the benefits of medical marijuana. Mr. Butdorf commented people prefer their pharmacy to be close to home, not necessarily near a hospital, so the same would be for the dispensary. He continued Clifton Park was chosen due to its central location near the Northway and its proximity to the North Country. Mr. Butdorf responded jobs and revenue to the county will benefit the town but also the town will be on the “cutting edge of something very interesting and new”. There will only be 20 dispensaries in the state for a population of 20 million people and this will bring patients to town who may use other services e.g. restaurants, gas stations, markets. Mr. Butdorf said the Department of Health has made it plain that geographic distribution of dispensaries is important so populations can get to them. Question regarding how marijuana will be destroyed if necessary. Mr. Butdorf responded there is a process in place to fully destroy the product. Supervisor Barrett said he thinks overtime more than 20 dispensaries will be added and this makes the proposed zoning important. He stated he can't imagine a scenario where the Clifton Park Town Board would say that these businesses would be able to locate in any business zone in the town of Clifton Park. Supervisor Barrett said it is the Board's responsibility to take public input and craft the zoning. Mr. Butdorf said the price for medical marijuana is set by the state, not the business, and it is expected the state will announce approval of businesses and locations in July.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 104 of 2015, a resolution authorizing the issuance of a Mass Gathering Permit to Shmaltz Brewing Company for an event to be held to celebrate the 2nd anniversary of the operation of the brewery.

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

WHEREAS, Shmaltz Brewing Company has requested that the town issue a Mass Gathering Permit for a party to be held at the brewery located at 6 Fairchild Square to celebrate the 2nd anniversary of the operation of the brewery, and

WHEREAS, the celebration will be held on Saturday, June 27, 2015, from 1 - 5 pm, with attendance estimated at 500± people in attendance, and

WHEREAS, a one day permit was issued to the brewery by the New York State Liquor Authority, and

WHEREAS, a permit is required per Section 64-3 of the Mass Gathering Law as a fee of \$25 per patron will be charged or \$15 for designated drivers, and

WHEREAS, the town has been provided with information concerning this activity, and

WHEREAS, the town has been named as an additional insured on the required insurance policy; now, therefore, be it

RESOLVED, that the Town Board is satisfied with the information provided and that the potential effect of the proposed public assemblage will have minimal effect upon the public health, safety and welfare of the people and property of the Town of Clifton Park; and be it further

RESOLVED, that the Town Board hereby directs that a permit be issued to Shmaltz Brewing Company to celebrate the 2nd anniversary of the opening of the brewery, celebration to take place on June 27, 2015 from 1 – 5 pm.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 105 of 2015, a resolution authorizing the Supervisor to execute a twelve month renewal contract with Public Sector HR Consultants for human resource needs.

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

WHEREAS, by Resolution No. 131 of 2011, the Town Board authorized the retention of Public Sector HR Consultants LLC (PSHRC) to provide consulting services relative to human resources and benefit administration, and

WHEREAS, PSHRC provides cost effective services and expertise in areas of personnel management, employee recruitment and training, record keeping and benefits administration; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute a twelve month renewal contract with PSHRC commencing May 1, 2015 and ending April 30, 2016, at the rate of \$1,000 per month, to be paid from A-1220-15 (Supervisor-Other Contractual).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 106 of 2015, a resolution adopting Local Law No. 6 of 2015, a local law repealing Local Law No.10 of 1999 which established the International Center Planned Unit Development District and replacing the designation with Hamlet Mixed Use Zoning.

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

WHEREAS, Local Law No. 10 of 1999 established a Planned Unit Development District for the “International Center” commonly known as “Southard House” located at 1585-1587 Route 146, Rexford, and

WHEREAS, the uses at the premises consist of office buildings and retail uses, and

WHEREAS, Willard and Bonnie Daggett have requested that the Planned Unit Development District be repealed and replaced with surrounding Hamlet Mixed Use Zoning, and

WHEREAS, the Hamlet Mixed Use Zoning designation is consistent with the existing and surrounding uses, and would provide more flexibility to the property owners while not adversely impacting surrounding uses, and

WHEREAS, on April 20, 2015, the Town Board conducted a public hearing to consider a local law repealing Local Law No. 10 of 1999, to be replaced with the Hamlet Mixed Use Zoning designation, and

WHEREAS, the public was given the opportunity to speak in favor of or against the proposed local law, and

WHEREAS, on April 17, 2015, the Saratoga County Planning Board noted no significant county-wide impacts from the proposed repeal of Local Law No. 10 of 1999, which established the International Center Planned Unit Development District; now, therefore, be it

RESOLVED, that the Town Board hereby adopts Local Law No. 6 of 2015, a local law repealing Local Law No. 10 of 1999 which established the International Center Planned Unit Development District, and be it further

RESOLVED, that pursuant to Local Law No. 6 of 2015, the Planned Unit Development District designation be replaced with Hamlet Mixed Use Zoning designation under Chapter 208-43-1 et seq., to be consistent with the zoning assigned to surrounding parcels; and be it further

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 107 of 2015, a resolution authorizing the hiring of new camp counselors for the Full Day Camp for the 2015 summer season.

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

WHEREAS, it is necessary that additional camp counselors be hired by the Office of Parks and Recreation for the Town of Clifton Park Summer Day Camp program, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that John Collins, 21 Parkside Trail, Ballston Lake, and Nicholas Padula, 1654 Crescent Road, Clifton Park, be hired; now, therefore, be

RESOLVED, that John Collins and Nicholas Padula be hired as camp counselors for the town's 2015 Full Day Camp program, effective May 29, 2015 through August 21, 2015; and be it further

RESOLVED, that the new camp counselors be paid at Step 1, \$8.00 per hour, from A-7320-E4800 (Summer Rec. Full Day-Counselors)

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 108 of 2015, a resolution permitting Timothy Ward and “Dig Deep” to serve alcohol during a fundraising softball tournament at Veteran’s Memorial Park on October 31, 2015.

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

WHEREAS, Timothy Ward and “Dig Deep”, 10A Summerwind Lane, Ballston Lake, has requested a waiver of the town’s “No Alcohol” policy for the consumption of alcohol during a charity softball tournament at Veteran’s Memorial Park on October 31, 2015, and

WHEREAS, it is the town’s policy to require the using agency to monitor the consumption of alcohol, be responsible for the group’s activities, and to provide the town with appropriate evidence of insurance to indemnify the town; now, therefore, be it

RESOLVED, that Timothy Ward and “Dig Deep” is authorized to consume alcohol during a fundraising softball tournament on October 31, 2015 from 1:30 - 7:30 pm at Veterans Memorial Park providing that they provide the town with a certificate of insurance in the amount of \$1,000,000, naming the Town of Clifton Park as an insured, so as to indemnify the town for any incidents which may result with the waiver of the “no alcohol” policy for the event.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 109 of 2015, permitting Kindra McHale to serve alcohol during a family gathering at Collins Park on July 11, 2015.

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

WHEREAS, Kindra McHale, 10 Colonial Court, Ballston Lake, has requested a waiver of the town’s “No Alcohol” policy for the consumption of alcohol during a family gathering at Collins Park on July 11, 2015, and

WHEREAS, it is the town’s policy to require the permit holder to monitor the consumption of alcohol, be responsible for the group’s activities, and to provide the town with appropriate evidence of insurance to indemnify the town; now, therefore, be it

RESOLVED, that Kindra McHale and attendees of the family gathering are authorized to consume alcohol July 11, 2015 from 1:00 - 4:00 pm at Collins Park providing that they provide the town with a certificate of insurance in the amount of \$1,000,000, naming the Town of Clifton Park as an insured, so as to indemnify the town for any incidents which may result with the waiver of the “no alcohol” policy for the event.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 110 of 2015, a resolution awarding the contract for Fireworks, for the Town of Clifton Park’s 4th of July celebration to Santore’s World Famous Fireworks and authorizing the Supervisor to sign the agreement for same.

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

WHEREAS, bids were solicited for the annual Fourth of July fireworks display, and

WHEREAS, Santore's World Famous Fireworks, 846 Stillwater Bridge Road, Schaghticoke, New York, was the sole bidder, in an amount of \$15,000, for a twenty minute musically choreographed pyrotechnic display, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that due to the superior qualifications and previous experience that the bid of Santore's World Famous Fireworks in the amount of \$15,000 be accepted; now, therefore, be it

RESOLVED, that the bid for the 4th of July fireworks display be awarded to Santore's World Famous Fireworks, Schaghticoke, New York, at a cost not to exceed \$15,000, as budgeted from (A-7550-052 Festivals/Performing Arts-July 4th Fest); and be it further

RESOLVED, that the Supervisor is hereby authorized to sign an agreement reflecting the above terms, subject to review and approval by the Town Attorney of the agreement.

It was noted this was formerly Alonzo's Fireworks.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 111 of 2015, a resolution appointing Brendan Brustle, Andrew Maturro and William Wink to permanent status as part-time Animal Control Officers per Civil Service certification.

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

WHEREAS, Brendan Brustle, 30 Acorn Avenue, Clifton Park, Andrew Maturro, 2215 Huntridge Drive, Clifton Park, and William Wink, 20 Northcrest Drive, Clifton Park, were provisionally appointed to the position of part-time Animal Control Officer, and

WHEREAS, Brendan Brustle, Andrew Maturro, and William Wink, successfully passed the Civil Service exam for the position of part-time Animal Control Officer and were certified as permanent employees on April 28, 2015; now, therefore, be it

RESOLVED, that Brendan Brustle, 30 Acorn Avenue, Clifton Park, Andrew Maturro, 2215 Huntridge Drive, Clifton Park, and William Wink, 20 Northcrest Drive, Clifton Park, are hereby appointed to permanent status as part-time Animal Control Officers for the Town of Clifton Park, per Civil Service certification as of April 28, 2015.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 112 of 2015, a resolution accepting a thirty foot wide emergency access easement and two five foot wide strips of land to be used for future trail/sidewalk from Country Club Golf, LLC.

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

WHEREAS, as a condition of approval of subdivision plan, lands of Country Club Golf, LLC, dated June 10, 2014, the Town of Clifton Park Planning Board required that the applicant convey a thirty foot wide emergency access easement and two five foot wide strips of land for future trail/sidewalk; now, therefore, be it

RESOLVED, that the Town Board hereby accepts the conveyance of the following:

Name of Owner
Country Club Golf, LLC

- 30 foot wide easement for emergency access
- 5 foot wide parcel, known as Strip “A” on subdivision plan, containing .007 acres of land for future sidewalk/trail purposes
- 5 foot wide parcel, known as Strip “B” on subdivision plan, containing .133 acres of land for future sidewalk/trail purposes

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. 113 of 2015, a resolution accepting a conservation easement from Crossings Property Development LLC.

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

WHEREAS, the Town of Clifton Park granted site plan approval on April 22, 2014 with respect to the property for the construction of a 35,000 square foot medical office building and all associated infrastructure and utilities, and

WHEREAS, as a condition of the site plan approval and pursuant to best management practices for storm water management as outlined in Section 5.3.1 of the New York State Storm Water Management Design Manual, grantor is required to declare a “Conservation of Natural Areas” restriction on a portion of the property as described on Exhibit “B” attached hereto; now, therefore, be it

RESOLVED, that the Town Board hereby accepts the conveyance of a conservation easement from Crossings Property Development LLC, briefly described as follows:

Name of Owner

- 5.13 Acres of Land
SBL 272.00-1-16

Crossings Property Development LLC

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 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. 113 of 2015, a resolution accepting a conservation easement from Crossings Property Development LLC.

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

WHEREAS, the Town of Clifton Park granted site plan approval on April 22, 2014 with respect to the property for the construction of a 35,000 square foot medical office building and all associated infrastructure and utilities, and

WHEREAS, as a condition of the site plan approval and pursuant to best management practices for storm water management as outlined in Section 5.3.1 of the New York State Storm Water Management Design Manual, grantor is required to declare a “Conservation of Natural Areas” restriction on a portion of the property as described on Exhibit “B” attached hereto; now, therefore, be it

RESOLVED, that the Town Board hereby accepts the conveyance of a conservation easement from Crossings Property Development LLC, briefly described as follows:

Name of Owner

- 5.13 Acres of Land
SBL 272.00-1-16

Crossings Property Development LLC

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 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. 114 of 2015, a resolution authorizing the Highway Superintendent to attend the 2015 Association of Towns Highway School in Ithaca, New York.

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

WHEREAS, Highway Superintendent Richard Kukuk has requested authorization to attend the 2015 Highway School at Ithaca College in Ithaca, New York, June 1-3, 2015, at a cost not to exceed \$675, and

WHEREAS, Mr. Kukuk's attendance at the conference would confer a benefit to the town; now, therefore, be it

RESOLVED, that Richard Kukuk is hereby authorized to attend the 2015 Association of Town's Annual Highway School in Ithaca, New York, June 1-3, 2015, at a cost not to exceed \$675, to be paid from A05010-00001. (Highway Admin.-Training & Conferences)

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 115 of 2015, a resolution authorizing the Town Board to ratify the Memorandum of Agreement with the Civil Service Employees Association, Inc. Highway Unit representing Town of Clifton Park Highway Unit of Saratoga County Local 846.

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

WHEREAS, an agreement has been reached between the Town of Clifton Park and the Civil Service Employees Association, Inc., AFSCME Local 1000, AFL-CIO for the Town of Clifton Park, Highway Unit of Saratoga County Local 846, and

WHEREAS, this agreement will cover a three (3) year term, commencing on January 1, 2016 and terminating on December 31, 2018; now, therefore, be it

RESOLVED, that the Town Board hereby ratifies the Memorandum of Agreement dated April 21, 2015 with the Civil Service Employees Association, Inc. unit representing Town of Clifton Park Highway Unit of Saratoga County Local 846, copy of which is annexed hereto as Exhibit "A", all provisions to be incorporated into a new contract as appropriate; and be it further

RESOLVED, that the provisions in the previous contract not modified by this Memorandum of Understanding to remain.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 116 of 2015, a resolution scheduling a public hearing to consider a local law relative to proposed zoning changes to Chapter 208 to recognize Medical Marijuana Dispensaries within the Town Zoning Code.

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

WHEREAS, on July 5, 2014, Governor Cuomo signed the Compassionate Care Act, which provided for the legal use of marijuana products under certain conditions and subject to state regulation, and

WHEREAS, pursuant to the act, the New York State Department of Health will select a limited number of registered organizations which will be allowed to be licensed by the state to operate up to four locations to dispense marijuana products pursuant to regulation, and

WHEREAS, the town has been advised that at least one potential registered organization has expressed interest in local approvals to locate a medical marijuana dispensary within the town, and

WHEREAS, the current zoning code does not make provision for medical marijuana dispensaries due to the recent changes in state law which introduced the concept in New York, and

WHEREAS, guidance from the State of New York is limited to provisions indicating that dispensaries should not be located within residential zones, and

WHEREAS, the Town Board wishes to seek public comment on a proposal to provide for this land use within the Town Center Zones and within all of the Business, Highway Business, Corporate Commerce and Light Industrial Zones; now, therefore, be it

RESOLVED, that a public hearing will be held on May 18, 2015, at 7:05 PM, to consider a local law relative to proposed zoning changes to Chapter 208 of the Zoning Code to provide for medical marijuana dispensaries within the town’s Town Center and Business Zones, including Corporate Commerce and Light Industrial, by amendment to Sections 208-32, 33, 37, 208-45 (B), 208-50.2, 208-53,208-64 and 208-20-3.1 and 3.4, allowable uses, and be it further

RESOLVED, that the Town Clerk is directed to publish notice of the public hearing accordingly.

Supervisor Barrett stated this public hearing will foster discussion and he can’t imagine a dispensary located in a business zone.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 117 of 2015, a resolution authorizing and ratifying the renewal of the town's electricity contract with Constellation Energy Services of New York, formerly Integrys Energy Services of New York.

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

WHEREAS, the town's most recent electricity supply contract with Integrys Energy Services of New York is due to expire on January 16, 2016, and

WHEREAS, Integrys Energy Services has been acquired by Constellation Energy Services, a designated supplier for the Municipal Electric and Gas Alliance, with competitive pricing acquired through various wholesale supply services, and

WHEREAS, energy prices fluctuate on a daily basis and locking in future rates requires that future contracts be executed in a timely manner in response to such price movements, and

WHEREAS, Constellation Energy Services can meet the town's needs to maximize the return on future remote net metering credits through the anticipated solar energy project with GroSolar by consolidating energy bills for supply and delivery services through National Grid, and

WHEREAS, the town wishes to renew its Wholesale Electric Supply Contract for calendar year 2016 to ensure price and budgetary stability for the town's electricity needs; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute the attached electric supply contracts with Constellation Energy Services of New York, effective from December 7, 2015 through December 21, 2016 and from December 13, 2015 through January 2, 2017, respectively, and that the Town Board ratifies the commitments signed by the Supervisor on May 4, 2015.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Michael Albright, Leonardo Drive, presented a petition with 100 signatures requesting the "Town of Clifton Park to undertake the reconstruction and repaving of the residential street known as Leonardo Drive as soon as possible". He stated there are critical shortcomings in the construction of the roadway and it has never been repaved. Supervisor Barrett confirmed with Highway Superintendent that this will be done this year. Mr. Albright said it needs to be reconstructed instead of repaved and noted safety issues. Highway Superintendent Kukuk agreed with Mr. Albright noting there is subsurface water. Mr. Kukuk said he doesn't know how much can be rebuilt and reconfigured as it would be very difficult to change the design. The grates can be raised and paving brought to it. Mr. Albright said cutting down the crown would help a lot. Supervisor Barrett said he will have J.M. McDonald Engineering look at it.

Ronald Streeter, Glenwood Drive, reminded the Board and residents of the Relay for Life to be held on the Shenendehowa Campus track on June 12-13, 2015 with opening ceremonies scheduled for 7:00 p.m. on June 12th

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 9:30 p.m.

Patricia O'Donnell, Town Clerk