

January 19, 2016

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
Deputy Town Clerk Brobston

Absent: Town Clerk O'Donnell

Also Present: Town Attorney McCarthy
Mark Heggen, Comptroller
Steven Myers, Director of Building and Zoning

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the January 4, 2015 Organizational Meeting and January 4, 2016 regular meeting 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 reported the new senior van has arrived and will be more efficient in transporting seniors to various locations. Funding was secured from the county for the van.

The Supervisor stated the water main break in the City of Troy has not affected the Town of Clifton Park, however, assistance has been offered to the Town of Halfmoon if necessary.

Supervisor Barrett announced the TV show, Fire Ball Run, will be taped in the town later this year, through a partnership with The Chamber of Southern Saratoga County. He stated there could be a favorable financial impact.

PUBLIC HEARING, 7:05 PM

TO CONSIDER A LOCAL LAW AMENDING SECTIONS 103-15.2, NOTIFICATION LISTING FEE AND 208-109C(3)(d), ZBA AREA VARIANCE NOTIFICATION

The Deputy Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on January 11, 2016.

Supervisor Barrett summarized the proposed local law explaining this expands requirements for applicants in sending out 500 foot notices to properties nearby when seeking a variance. Director of Building and Zoning Myers explained this will include notice to residential neighbors of any commercial use requiring an area variance.

The public hearing was opened for comments from the audience at 7:09 p.m.

Jeffrey S. Baker, Attorney with Young/Sommer LLC, representing the Dwass Kill Preservation Fund, commended the Town Board for the proposed legislation, however stated it is too narrow, and feels it should apply to all area variances not just commercial. He recommended using the term “adjoining” property owners if 500 feet notice would be too burdensome. Mr. Baker further recommended that written notice be applicable for all area variances. He said “commercial use” is not defined in Zoning Code. Mr. Baker distributed his letter dated January 19, 2016, attached, to the Town Board.

John Halverson, Walsh Lane, stated at a minimum notices should apply to commercial uses that are adjacent to residential and with some provision to allow notice to the public of these situations.

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one else wished to be heard. Supervisor Barrett declared the public hearing closed at 7:20 p.m.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 7 of 2016, a resolution scheduling a public hearing to consider an application for the Conservation Easement Historic Preservation program.

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

WHEREAS, the town’s Conservation Easement program requires public comment on properties proposed to be included in the program, and

WHEREAS, Kevin Rosenberg has requested inclusion in the program for property at 283 Riverview Road (SBL 288.-1-111); now, therefore, be it

RESOLVED, that a public hearing is scheduled for February 1, 2016 at 7:00 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider the property owned by Kevin Rosenberg (SBL 288.-1-111) for inclusion in the Conservation Easement Historic Preservation program, and be it further

RESOLVED, that the property owner give notice to all adjacent property owners and other entities as provided in the town’s Conservation Easement legislation in advance of the public hearing and submit receipts of mailing to the Town Clerk’s office prior to the date of the public hearing; and be it further

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 8 of 2016, a resolution scheduling a public hearing to consider an application for the Conservation Easement Historic Preservation program.

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

WHEREAS, the town’s Conservation Easement program requires public comment on properties proposed to be included in the program, and

WHEREAS, Victor and Carol Temple have requested inclusion in the program for properties at 958, 960 and 962 Main Street, Jonesville, (SBL: 259.13-1-34, 259.13-1-28.2 and 259.131-28.1); now, therefore, be it

RESOLVED, that a public hearing is scheduled for February 1, 2016 at 7:05 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider the properties owned by Victor and Carol Temple (SBL: 259.13-1-34, 259.13-1-28.2 and 259.131-28.1) for inclusion in the Conservation Easement Historic Preservation program, and be it further

RESOLVED, that the property owner give notice to all adjacent property owners and other entities as provided in the town's Conservation Easement legislation in advance of the public hearing and submit receipts of mailing to the Town Clerk's office prior to the date of the public hearing; and be it further

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 9 of 2016, a resolution authorizing the Supervisor to accept a bid for municipal lease financing for the purchase of Buildings & Grounds and Highway Departments equipment and to sign all related documents.

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

WHEREAS, on January 12, 2016, bids were received for the leasing of town vehicles, and

WHEREAS, after reviewing the bids, Comptroller Mark Heggen has recommended that the bid of JPMorgan Chase Bank, N.A. be accepted for municipal lease financing for the purchase of Buildings & Grounds and Highway Departments equipment, at an interest rate of 1.9% for a seven (7) year period, and

WHEREAS, total financing is to be \$478,582, with estimated annual payments of \$72,289.17 of which \$42,079.34 will be charged to (Buildings & Grounds-Equipment) A-7110-200 and \$30,209.83 will be charged to (Highway-Lease Equipment) DA- 05130-145; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to accept the bid of JPMorgan Chase Bank, N.A. for the purchase of Buildings & Grounds and Highway Departments equipment, at an interest rate of 1.9% for a seven (7) year period, to be budgeted from 2016 budget and subsequent annual budgets; and be it further

RESOLVED, that the Supervisor is hereby authorized to sign all related documents subject to the review and approval of the Town Attorney.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 10 of 2016, a resolution approving the 2016 Summer Recreation Salary Matrix for pool employees.

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

WHEREAS, the Supervisor has prepared a 2016 Summer Recreation Salary Matrix, per Schedule B; now, therefore, be it

RESOLVED, that the Town Board hereby adopts the 2016 Salary Matrix for pool and swim program salaries, per Schedule B.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 11 of 2016, a resolution authorizing committee, commission or board members to attend the 2016 Saratoga County Planning and Zoning Workshop to be held on January 27, 2016 in Saratoga Springs, New York.

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

WHEREAS, the 2016 Saratoga County Planning and Zoning Workshop will be held in Saratoga Springs, New York, on January 27, 2016, and

WHEREAS, 16 members representing the Environmental Conservation Commission, the Planning Board, the Zoning Board of Appeals and the Highway Safety Committee 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 16 members total from the Environmental Conservation Commission, the Planning Board, the Zoning Board of Appeals and the Highway Safety Committee are authorized to attend the 2016 Saratoga County Planning and Zoning Workshop at a total cost not to exceed \$960, per the attached Schedule A.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 12 of 2016, a resolution authorizing the Supervisor to sign a Lease Agreement with De Lage Landen Financial Services, Inc. (through Electronic Business Products), for a digital copying system for use by the Department of Building & Zoning.

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

WHEREAS, Steven Myers, Director of Building & Zoning, has requested that a new digital copier/printer be leased for use by the Building & Zoning Department, and

WHEREAS, the proposed cost for leasing the copier has been budgeted, per the attached schedule, and

WHEREAS, quotes were received, with Electronic Business Products submitting the lowest quote of \$177 per month for thirty-six months, and

WHEREAS, the Town Board finds that the use of an installment purchase contract to finance the digital copying system is a cost-effective method of acquisition of such equipment and is consistent with General Municipal Law Section 109 (B); now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to enter into a lease agreement with De Lage Landen Financial Services, Inc. (through Electronic Business Products), for a Lanier, MP 4503 digital copier/printer system with print/scan/fax modules and fifty sheet stapling finisher, for thirty-six (36) months, at a cost not to exceed \$177 per month, plus \$.0085 for black and white copies and \$.06 for color copies, to be paid from A-3620-003 (Building-equipment/copier) for use by the Department of Building & Zoning.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 13 of 2016, a resolution authorizing Samuel Chase, Patrick Jarosz, Sheryl Reed, and Robert Adams from the Building Department to attend the 21st Annual Northern Adirondack Educational Conference to be held in Lake Placid, New York, February 28, 2016 thru March 3, 2016.

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 2016 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 Samuel Chase, Patrick Jarosz, Sheryl Reed and Robert Adams to the 20th Annual Northern Adirondack Educational Conference from February 28, 2016 to March 3, 2016 at Lake Placid, at a total cost for four attendees not to exceed \$3,246, 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. 14 of 2016, a resolution authorizing Wade Schoenborn, Derek Miller and Mark Kazmierczak to attend the 11th Annual New York State Building Officials Conference March 28 - 31, 2016, in Liverpool, New York.

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, the 2016 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 28 - 31, 2016 in Liverpool, New York, at a total cost not to exceed \$2,424 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. 15 of 2016, a resolution authorizing the hiring of a Laborer for the Buildings & Grounds Department.

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

WHEREAS, an opening exists for a Laborer in the Buildings & Grounds Department, and

WHEREAS, Michael Handerhan, Buildings and Grounds Supervisor, has recommended that Vincent Mucurio, 890 Main Street, Clifton Park, be hired to fill the position; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Vincent Mucurio as a Laborer for the Buildings & Grounds Department, at Grade 3, Step 1, \$35,684, effective immediately, to be budgeted from A7110-E4000 (Buildings & Grounds-Employee).

Supervisor Barrett wished John Dworak best wishes upon his retirement. Mr. Mucurio has worked part time in the Buildings and Grounds Department.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Frank Berlin, Main St. Jonesville, recommended the Curious By Nature website for information and photographs of Clifton Park trails and parks. He showed photos of brook trout found in town streams.

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

Motion carried at 7:47 p.m.

Patricia O'Donnell
Town Clerk