

March 14, 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  
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy  
Mark Heggen, Comptroller  
Michael O'Brien, Collection System Manager

**ANNOUNCEMENTS AND COMMUNICATIONS**

Supervisor Barrett announced yard waste pickup will begin April 1<sup>st</sup>. He asked that bags be kept out of the elements until ready for pick up.

The Supervisor further announced bulk waste pickup will begin April 18 through May 14, noting the northern part of town will be the first segment.

Supervisor Barrett reminded residents of the opportunity of donating to ReStore part of Habitat for Humanity.

The Supervisor gave an update on the continuing work at Kinns Road Park, noting it is going very well.

**PUBLIC PRIVILEGE ON RESOLUTIONS**

No one wished to be heard.

Resolution No. 72 of 2016, resolution awarding a contract to eliminate an existing cross connection between the existing storm sewer connection and the existing sanitary sewer system within the Clifton Knolls subdivision.

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

WHEREAS, by Resolution No. 126 of 2015, the Town Board took lead agency status and declared the Casablanca Court storm water pipe replacement & relocation project to be an unlisted action pursuant to SEQRA, and issued a negative declaration regarding the same, and

WHEREAS, John M. McDonald Engineering has prepared bid documents for the elimination of an existing cross connection between the public storm sewer facilities and the existing sanitary sewer system at 27 Casablanca Court and 26 Secada Drive, and

WHEREAS, bids were received and opened on March 9, 2016, and

WHEREAS, the low bidder for the contract was Bellamy Construction Co., Inc., in the amount of \$67,045 for the correction of drainage issues at 27 Casablanca Court and 26 Secada Drive, and

WHEREAS, McDonald Engineering has checked the references of Bellamy Construction Co., Inc. on other similar projects and finds that they are qualified to perform the work for which

they bid, and McDonald Engineering recommends that the town award the contract to Bellamy Construction Co., Inc., and

WHEREAS, homeowners in the vicinity of the project area have executed easement documents to allow for the installation and maintenance of appropriate storm sewer facilities; now, therefore, be it

RESOLVED, that the bid to eliminate an existing cross connection between the existing storm sewer connection and the existing sanitary sewer system at 27 Casablanca Court and 26 Secada Drive is hereby awarded to Bellamy Construction Co. Inc. of Scotia, New York, in an amount not to exceed \$67,045 to come from H43-8540-200 (2015 Capital Projects Account-Transmission & Distribution-Equipment), and be it further

RESOLVED, that the Supervisor is authorized to execute contract documents consistent with the bid documents; and be it further

RESOLVED, that the Supervisor is authorized to accept permanent easements for the installation and maintenance of the resulting facilities and to sign the attached easement documents.

Collection System Manager O'Brien explained the process to be followed and noted easements have been received from two landowners. He stated New York State mandates these situations be corrected when found.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 73 of 2016, a resolution awarding the contract for the Stony Creek Park District No. 1 Path Replacement Project.

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

WHEREAS, proposals were publicly opened on March 1, 2016 for replacement of the path in the Stony Creek Park District No. 1, and

WHEREAS, proposals were received from ten local contractors, and

WHEREAS, the low bid was submitted by M. Sullivan Construction, Inc. in the amount of \$89,000, and

WHEREAS, McDonald Engineering has checked the references of M. Sullivan Construction, Inc. on other similar projects and find that they are qualified to perform the work for which they bid, and recommends that the bid be awarded to M. Sullivan Construction, Inc., Albany, New York; now, therefore, be it

RESOLVED, that the bid for replacement of the Stony Creek Park District No. 1 path be awarded to M. Sullivan Construction, Inc. for an amount no greater than \$89,000; and be, it further

RESOLVED, that the Stony Creek Park District No. 1 Path Replacement Project be budgeted with a transfer from Assigned Fund Balance to SP9-7115-200 (Stony Creek No. 1 Park District-equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 74 of 2016, a resolution authorizing the Comptroller and Assistant Comptroller to attend the New York State Government Finance Officers Association (NYSGFOA) Annual Conference in Albany, New York.

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

WHEREAS, Comptroller Mark Heggen has requested that he and Assistant Comptroller Stephanie Drenchko be authorized to attend the NYSGFOA Annual Conference to be held April 5-8, 2016, at the Albany Marriott, in Albany, New York, and

WHEREAS, their 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 Comptroller Mark Heggen and Assistant Comptroller Stephanie Drenchko are hereby authorized to attend the NYSGOFA Conference April 5-8, 2016, in Albany, New York, at a cost for both attendees not to exceed \$780 to be paid from A-1315-001 (General Fund Comptroller's Office-Travel & Conferences), to be vouchered appropriately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 75 of 2016, a resolution adopting Local Law No. 2 of 2016, a local law amending Sections 103-15.2 and 208-109C(3)(d), and 208-109D(4) of the Town Code to require neighbor notifications for area variances and administrative appeals.

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

WHEREAS, the Town's Zoning Code provides that landowners applying for use variances provide notification to all property owners within 500 feet of the property lines on the subject property, and

WHEREAS, the Code had exempted area variance applicants and those filing administrative appeals of the Zoning Officer's interpretations from the notification requirement, and

WHEREAS, the Town Board finds that the Zoning Board of Appeals may benefit from neighborhood input regarding area variances, as well as in cases where the Zoning Officer's interpretation of the Code is appealed to the Board, and

WHEREAS, the Town Board has held public hearings on January 19, 2016 and March 7, 2016 on proposals to require neighbor notifications for both nonresidential and residential properties, and

WHEREAS, the proposal limits the requirement for such neighbor notifications in the case of residential applicants to property owners adjacent to or abutting the subject property to

limit the administrative burden on such applicants while still providing landowners most likely to be impacted by the variance with the notice of the application; now, therefore, be it

RESOLVED, that the Town Board hereby adopts Local Law No. 2 of 2016, attached, a local law amending Sections 103-15.2 and 208-109 C(3)(d), and 208-109D(4) of the Town Code, and be it further

RESOLVED, that the neighbor notification requirement will be effective for new area variances and administrative appeals applications received after April 1, 2016; and be it further

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

Supervisor Barrett explained this is the second public hearing due to revisions made after receiving very good feedback from residents at the first public hearing.

Councilman Whalen spoke in favor of the legislation.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 76 of 2016, a resolution authorizing the Supervisor to sign an agreement with Shen Lacrosse Club to use town facilities for practice and games as scheduled.

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

WHEREAS, Shenendehowa Lacrosse Club provides recreational lacrosse opportunities for players in 3<sup>rd</sup> through 8<sup>th</sup> grades, and

WHEREAS, the Town Board wishes to make the arena available for youth lacrosse as per the attached schedule, and

WHEREAS, the Lacrosse Club has provided a certificate of insurance naming the town as additionally insured, covering club use of the facility; now, therefore, be it

RESOLVED, that Shen Lacrosse Club is authorized to rent the Prestige Services Arena at the rate of \$100 per hour based upon the attached schedule; and be it further

RESOLVED, that the Supervisor is authorized to sign the attached letter of agreement with the Shen Lacrosse Club.

Jason Gifford, Vice President of Lacrosse Club, thanked the Town Board for the use of the arena.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 77 of 2016, a resolution appointing Paul Szczesny to the Historic Preservation Commission.

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

WHEREAS, an opening exists for a member to the Historic Preservation Commission, and

WHEREAS, Paul Szczesny, 418 Vischer Ferry Road, Clifton Park, has been recommended to serve on the Commission, and

WHEREAS, Mr. Szczesny's appointment to the Historic Preservation Commission would confer a benefit to the Town of Clifton Park; now, therefore, be it

RESOLVED, that Paul Szczesny, 418 Vischer Ferry Road, Clifton Park, is hereby appointed to the Historic Preservation Commission to serve at the pleasure of the Town Board.

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 7:26 p.m.

Patricia O'Donnell  
Town Clerk