

July 5, 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  
Myla Kramer, Director of Parks, Recreation and Community Affairs  
Steven Myers, Director of Building and Zoning

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the June 13 and 20, 2016 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 reported signs are up regarding improvements to Ushers Road trail. He explained this trail is about 25 years old, originally owned by the Longkill Park District, however, the town has taken it over and will be making improvements.

The Supervisor gave an update on the Rexford Bridge construction, noting construction is starting on the round-about, to be on the Schenectady County side of the bridge, causing detours beginning July 15<sup>th</sup> at 9:00 p.m. through July 18<sup>th</sup> a 6:00 a.m.

Supervisor Barrett thanked all involved in the July 4<sup>th</sup> celebration, particularly all the sponsors as follows: Major Sponsors – County Waste, Market 32 by Price Chopper, Prestige Vending Services and other sponsors 101.3 The Jockey, Shane's/Moe's/Menchies, Jack Byrne Ford, Clifton Park Driving Range, Ianniello Anderson, P.C and Animal Care Hospital of Clifton Park, as well as the Buildings & Grounds Department for their work.

**PUBLIC HEARING, 7:05 PM  
TO CONSIDER A LOCAL LAW AMENDING  
SECTION 103-16 BUILDING PERMIT FEES, TENTS**

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on June 27, 2016.

Supervisor Barrett explained a resident approached him regarding the tent fee of \$200, remarking the fee is high for a resident's use. He noted the resident was using the tent on town property. He said the tent fee is under commercial use. Director of Development and Zoning Myers explained there is only one fee in the structure and it was decided to differentiate between residential use and commercial businesses. Supervisor Barrett said he told the resident if this amendment is passed he will arrange a refund for her.

The public hearing was opened for comments from the audience at 7:13 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. Supervisor Barrett declared the public hearing closed at 7:14 p.m.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 168 of 2016, a resolution to enact Local Law No. 4 of 2016, a local law amending Section 103-16 of the Town Code, Building Permit Fees, Tents.

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

WHEREAS, Section 103-16 of the Town Code sets fees for various building permits issued by the Department of Building and Development, and

WHEREAS, Steven Myers, Director of Building and Zoning, has recommended amending Section 103-16 to update the building permit fees for tents used for special events held for residential purposes, and

WHEREAS, on July 5, 2016 the Town Board conducted a public hearing to consider a local law amending Section 103-16 of the Town Code changing the building permit fees, per the attached schedule, and

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

RESOLVED, the Town Board hereby adopts Local Law No. 4 of 2016, a local law amending Section 103-16 of the Town Code, Building Permit Fees, Tents; and be it further

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

It was noted by the Supervisor during the public hearing that the resident was using a tent on town property. After discussion it was determined to amend the resolution as follows:

MOTION BY Councilman Whalen, seconded by Councilwoman Walowit to change the language from “held at a residence” to “held for residential purposes”. Motion unanimously carried.

ROLL CALL VOTE ON AMENDED RESOLUTION

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

Noes: None

DECLARED ADOPTED

Resolution No. 169 of 2016, a resolution accepting an application for inclusion in the Conservation Easement Historic Preservation program of a parcel of land located at 1773 Crescent Road, Clifton Park.

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

WHEREAS, a public hearing was held on June 20, 2016 to receive public comment regarding an application for inclusion of a parcel of land at 1773 Crescent Road into the

Conservation Easement Historic Preservation program in accordance with Chapter 125 of the Town Code, as amended, and

WHEREAS, the Town Board has considered the application and the comments received; now, therefore, be it

RESOLVED, that the application for the parcels of land, located at 1773 Crescent Road, Clifton Park, (SBL: 288.-1-6.12) owned by Henry and Marylou Tetreault, is hereby accepted and is granted a 25 year conservation easement consistent with the attached application pursuant to Chapter 125 of the Clifton Park Town Code.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 170 of 2016, a resolution scheduling a public hearing to consider a petition to rezone a portion of a parcel of land at English Road and NYS Route 9.

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

WHEREAS, the Town Board has received a petition from Connie Lake Properties for a change in zoning for a portion of the parcel of land identified as SBL: 250.-2-27, and

WHEREAS, the subject property is situated at the corner of English Road and NYS Route 9, immediately adjacent to the town line with the Village of Round Lake, and adjacent to property owned by Connie Lake Properties within the village, and operated as The Mill Restaurant, and

WHEREAS, the petition requests that a 1.05 acre portion of the lot be re-zoned from its current R-1 designation to B-4A, while the remaining 1.61 acres of the parcel continue to be designated as R-1 with subsequent application to the Planning Board contemplated; now, therefore, be it

RESOLVED, that a public hearing will be held on July 18, 2016 at 7:05 P.M. on a petition to rezone a 1.05 acre area of property immediately adjacent to the municipal boundary with the Village of Round Lake, at the intersection of English Road and NYS Route 9; 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. 171 of 2016, a resolution scheduling a public hearing to consider a local law amending §208-71(B)(2) to eliminate minimum area requirements for PDD designations within Town Center.

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

WHEREAS, by Local Law No. 4 of 2015, the Town Board enacted Town Center Zoning designations for the Exit 9 area, and

WHEREAS, Town Center zoning provides for more flexible, form-based zoning determinations for businesses, landowners and developers within the Town Center area, and

WHEREAS, Local Law No. 4 of 2015 contains a 5 acre minimum acreage requirement for Planned Development Districts within the Town Center area, and

WHEREAS, the Town Board wishes to solicit public comment on a proposal to eliminate the minimum acreage requirement for PDD consideration within the Town Center area; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for 7:10 P.M. on July 18, 2016 on a proposed amendment to §208-71(B)(2) of the Town Code, to eliminate minimum area requirements for PDD designations within Town Center; and be it further

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

It was noted the Planning Department staff has recommended eliminating the five-acre requirement. Supervisor Barrett noted that outside the Town Center Plan, there is a minimum of 10-acre requirement for PDDs and this will remain the same. Supervisor Barrett stated this is not changing the stance of limiting more than 50 dwelling units per project.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 172 of 2016, a resolution authorizing the Supervisor to sign a lease and a service contract through Konica Minolta for a Bizhub 554E copier/printer/scanner.

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

WHEREAS, the current lease/service agreement for the copy machine and scanner on the upper level of the Town Hall expired in 2015, and the machine has become inoperable, and

WHEREAS, the majority of offices on the upper level of Town Hall are dependent upon the machine for day to day operations, including production and distribution of Town Board resolutions and backup materials, and

WHEREAS, Dahn Bull, Director of Communications and Technology, solicited proposals for a new copier/printer/scanner and related service contract from local vendors, and

WHEREAS, Mr. Bull recommends awarding the contract for the copier and related services to Konica Minolta based on a review of the responsive proposals received, and

WHEREAS, the proposed cost for leasing the copier has been budgeted per the attached schedule; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to enter into a lease agreement and a service contract with Konica Minolta for a Bizhub 554E copier/printer/scanner, for thirty-six (36) months at a cost of \$196.37 per month; and be it further

RESOLVED, that the service contract through Konica Minolta is for \$0.005 per click, funds for the lease of the copier and for the service contract to come from A-01620-00003 (General Fund-Town Hall Operations-Copier).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 173 of 2016, a resolution authorizing Not So Common Players to serve alcoholic beverages at the opening night of Damn Yankees at an After Party to be held at the Shenendehowa Adult Community Center on July 15, 2016.

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

WHEREAS, Not So Common Players is hosting an After Party at the opening night of Damn Yankees on July 15, 2016 from 10:00 P.M to 12:00 A.M., with approximately 60 people in attendance, and

WHEREAS, David Ross, Chairperson of the Not So Common Players, has requested permission to serve alcohol in the form of beer at the event; now, therefore, be it

RESOLVED, that the sponsoring group is hereby authorized to serve beer at a party at the Shenendehowa Adult Community Center on July 15, 2016 from 10:00 P.M. to 12:00 A.M.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 174 of 2016, a resolution establishing the position of Guard.

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

WHEREAS, the town’s needs for guard patrols and security within the town’s parks and public buildings continue to grow and evolve, and

WHEREAS, the town continues to seek qualified individuals with the flexibility to work part time with varied shifts to respond to the town’s needs, and

WHEREAS, the Town Board wishes to create two openings for the position of Guard in the non-competitive class for part-time employees to patrol town buildings and grounds, provide crowd control and traffic control at town functions and special events, and to investigate disturbances and vandalism at town parks and grounds; now, therefore, be it

RESOLVED, that the Town Board hereby establishes the position of Guard, pursuant to the attached job description, at Grade 4, Step 1, (\$19.48/hr).

Supervisor Barrett explained this has been an approved position at Saratoga County since the 1970s. Qualifications will be increased to include more experienced individuals. The Guard will report to the on-duty Security Officer.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 175 of 2016, a resolution authorizing the hiring of Chris Anderson as an Adventure Challenge Assistant.

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

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has identified the need for additional staff to conduct the Adventure Challenge Course for 2016, and

WHEREAS, Ms. Kramer has recommended that Chris Anderson, 1403 West High Street, Ballston Spa, be hired as an Adventure Challenge Assistant for the 2016 Project Adventure Program; now, therefore, be it

RESOLVED, that Chris Anderson be appointed to said position, effective immediately through October 31, 2016, to be paid \$13.30/hour from A7621-E2360 (Recreation Programs-Adventure Challenge Staff).

Director of Parks, Recreation and Community Affairs said there has been an increased number of requests from outside groups for this program and it is necessary to have a pool of people ready to go to in order to staff the program at various times.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 176 of 2016, a resolution hiring additional camp counselors for the 2016 full day and half day Summer Day Camp Program.

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

WHEREAS, the Town Board has determined that additional staff should be hired by the Parks and Recreation Department for the Town of Clifton Park Summer Day Camp Program, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that the individuals listed in the attached Schedule A be hired; now, therefore, be it

RESOLVED, that the individuals listed in the attached Schedule A be hired as additional staff for the town's 2016 Day Camp Program, effective June 27, 2016 through August 19, 2016, and be it further

RESOLVED, that the camp counselors be paid as indicated on Schedule A.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 177 of 2016, a resolution authorizing the hiring of staff for the Clifton Park Action Park.

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

WHEREAS, an opening exists for an additional attendant for the Clifton Park Action Park, and

WHEREAS, Myla Kramer, Director of the Office of Parks, Recreation and Community Affairs, has recommended that William Sangiwar be hired to fill the position; now, therefore, be it

RESOLVED, that authorization is hereby given to hire William Sangiwar, 30 Grissom Drive, Clifton Park, as an attendant for the Clifton Park Action Park, effective immediately through October 31, 2016 at Step 1 (\$8.50/hour) to be paid from Action Park Staff (A-7200-E4000).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 178 of 2016, a resolution accepting the attached list of alternate lifeguards to be hired, if needed, for the three town owned pools.

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

WHEREAS, Resolution No. 116 of 2016, passed on May 2, 2016, accepted a list of alternate lifeguards authorized for hire at the three town owned pools, and

WHEREAS, the Town Supervisor has recommended that the revised list of individuals, listed as Schedule "A", be accepted as alternate lifeguards for such purpose for the remainder of the 2016 season; now, therefore, be it

RESOLVED, that the attached revised Schedule "A" be accepted as the amended list of alternate lifeguards, to be hired if needed, and be it further

RESOLVED, that the alternate lifeguards shall be paid \$8.75/hour from the appropriate fund: A-7150-E4690 (Barney Road Life Guards), A-7152-E4690 (Locust Lane Life Guards), SP5-7151-E4000 (Longkill Park District #1 Guards).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Susan Thompson, English Road, stated she is not in favor of rezoning the parcel at English Road and NYS Route 9 and any effort to rezone should be considered illegal spot zoning. She reminded the Board that last year there was amplified music three nights a week and Sunday afternoons. Ms. Thompson said this year has been quiet, however, she feels this will change with any rezoning. She stated this is a self-created hardship and asked the Board not to consider rezoning.

Anton Salacker, Crestmont Drive, reiterated his requests for a sidewalk on the north side of NYS Route 146. Supervisor Barrett said there are two major trail projects currently taking place that are grant funded, Mr. Salacker asked, and Supervisor Barrett agreed, that his letter of June 28, 2016 be made part of these minutes.

Supervisor Barrett reported the hospitality initiative continues awaiting approval from Governor Cuomo. He said the hospitality logo, a combination of drawings from Sally Ways art class, will be presented soon.

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 7:57 p.m.

Patricia O'Donnell  
Town Clerk