

April 8, 2019

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.

Present: Supervisor Barrett
Councilman Whalen
Councilwoman Standaert
Councilman Romano
Councilwoman Walowit
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy
Dahn Bull, Superintendent of Highways
Mark Heggen, Comptroller
Daniel Clemens, Supervisor of Buildings & Grounds
John Scavo, Director of Planning
Walter Smead, Assessor

ANNOUNCEMENTS AND COMMUNICATIONS

Councilwoman Standaert reminded residents of Clean Up Day on April 27th.

Supervisor Barrett reminded residents of Shredding Day scheduled for April 28th from 1 to 3 pm and requests a can of food for the Jonesville Food Pantry for each bag of shredding.

Councilman Whalen reviewed events for Historic Preservation Month planned for May 4th from 2:00 to 4:00 pm at Grooms Tavern.

The Supervisor announced the Clifton Park Community Chorus concert will be held April 28th at 3 pm at Shenendehowa Methodist Church and is dedicated to the memory of Dian Dippold, chorus accompanist for many years.

The final performances of the Not So Common Players production of "Calvin Berg" will be held April 11th-14th at the Clifton Park Halfmoon Library.

The first walk-thru of the Town Center Park 37 acres will be held April 10th, meeting at 5:30 pm at the Public Safety building, Supervisor Barret commented he would like participation from residents.

Wildflower Walks are scheduled for April and May at the 41acre property, 588 Riverview Road and Dwaas Kill Nature Preserve throughout the spring and summer.

PUBLIC HEARING, 7:10 (7:17) PM TO CONSIDER RENEWING A CONSERVATION EASEMENT

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on March 28, 2019.

Town Assessor, Walter Smead noted only one renewal has been received. This is for 21.87 acres at 55 Droms Road, Rexford, and is for 15 years.

Supervisor Barrett noted there are 2000 acres in the Conservation Easement program.

The public hearing was opened for comments from the audience at 7:20 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 7:21 pm.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 104 of 2019, a resolution renewing existing term easements pursuant to Chapter 125-10 Conservation Easements of the Town Code.

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

WHEREAS, the town initiated a Term Conservation Easement Program in 1996, with term easements issued with a minimum 15-year term thereafter, and

WHEREAS, the first term conservation easements issued pursuant to Town Code Chapter 125 expired in 2011, and

WHEREAS, on February 6, 2012, the Town Board adopted Local Law No. 1 of 2012 providing for the streamlining of the process for holders of existing term conservation easements to re-apply for terms of their choice, and

WHEREAS, an application was received from one holder of an existing conservation easement expiring in 2019 to renew the existing conservation easement, and

WHEREAS, Susan Drescher has applied for renewal of a 15-year conservation easement for a home, located at 55 Droms Road, Rexford, NY, (SBL: 276.-1-46.122), and

WHEREAS, pursuant to Chapter 125-10 (C) the Town Board conducted a single public hearing on April 8, 2019 to consider all applications for renewal of term conservation easements, and

WHEREAS, the public was given the opportunity to speak in favor of or against the renewal of expiring term conservation easements; now, therefore, be it

RESOLVED, that the expiring renewal submitted for property at 55 Droms Road, Rexford, NY, is hereby renewed for a 15-year term.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 105 of 2019, a resolution awarding the bid for pool chemicals for the Barney Road, Locust Lane and Burning Bush pools for the 2019 season.

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

WHEREAS, on March 29, 2019, bids were received for the above referenced contract, and

WHEREAS, the Supervisor has recommended that the bid for pool chemicals for the three town pools be awarded to Slack Chemical Co., Inc. of Carthage, NY, for the following amounts:

Sodium Hypochlorite	Per gallon	\$1.249/gal
Car Boy Bleach	5-gallon container	\$7.25/container
Muriatic Acid	Per gallon in 5-gallon carboy	\$3.37/gal
Drum Deposit		\$8.00 per carboy

Now, therefore, be it

RESOLVED, that the Town of Clifton Park hereby accepts and awards the above referenced bid to Slack Chemical Co., 465 South Clinton Street, Carthage, NY, 13619 for an estimated cost of \$14,321, to be paid as follows; \$6,467 from line A-7150-045 (Barney Road Pool – Supplies), \$3,210 from line A-7152-045 (Locust Lane Pool – Supplies) and \$4,644 from line SP5-7151-045 (Country Knolls Pool – Supplies), in accordance with the amount used at each pool.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 106 of 2019, a resolution authorizing R.K. Hite, Inc. to offer the Recommended Just Compensation amounts to certain property owners for the acquisition of additional properties necessary for the completion of the Sitterly Road Traffic Improvements and Traffic Signals Project regarding the Right-of-Way Acquisition Phase.

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

WHEREAS, the town has received funding for the construction of the Sitterly Road Traffic Improvements Project, and

WHEREAS, the town has retained R. K. Hite and Co., Inc. to evaluate the land acquisition necessary for the construction of the project, and to prepare appraisal reports on the interests in land required for the project, and

WHEREAS, by Resolution No. 290 of 2017, the Town Board approved the project and appropriated funds for Design and Right-of-Way acquisitions, and

WHEREAS, by Resolution No. 288 of 2018, the Town Board approved just compensation awards for four properties necessary for the completion of the project, and

WHEREAS, R.K. Hite has completed the analysis of the additional properties required for the project, as detailed in the attached correspondence, and has requested that determinations be made for just compensation for the owners of property where rights are to be acquired, and

WHEREAS, the Town Attorney recommends acceptance of the recommendations made by R. K. Hite & Co., Inc.; now, therefore, be it

RESOLVED, that the Town Board finds and determines that the appraisal reports on the properties listed in the attached Request for Determination of Just Compensation are complete and support the requested values for the real property interests required for the project, and be it further

RESOLVED, that the Town Board approves the just compensation amounts for the properties listed; and be it further

RESOLVED, that R. K. Hite & Co., Inc. is authorized to offer the amounts to the property owners as listed on the attached request for just compensation.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 107 of 2019, a resolution authorizing SingleCut Beersmiths Brewery to use town roadways for their charity road race 5k on May 4, 2019.

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

WHEREAS, SingleCut Beersmiths Brewery has requested the use of the Town of Clifton Park roadways as specified in the attachment hereto, for the purpose of holding a 5k charity road race on Saturday, May 4, 2019 from 10:00 AM until the last participant completes the course, and

WHEREAS, the event has been approved by the Town Highways Superintendent; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes SingleCut Beersmiths Brewery to use town roadways as specified in the attachment hereto, May 4, 2019 at 10:00 AM, for the purpose of holding the Have a Drink on Me 5k, a charity road race to benefit Helping Hands School, and be it further

RESOLVED, that this approval is expressly conditioned upon receipt prior to April 20, 2019 in the office of the Highways Superintendent of an insurance certificate in the amount of \$1,000,000 naming the Town of Clifton Park as an additional insured; and be it further

RESOLVED, that this approval is expressly conditioned upon the roads not being closed but employees of SingleCut Beersmiths Brewery are permitted to temporarily stop traffic at each end of the course in the event both a vehicle and race participant arrive at the same time.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 108 of 2019, a resolution adopting Local Law No. 5 of 2019, amending Chapter 208 of the Town Code regarding Breweries, Distilleries and Accessory uses.

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

WHEREAS, Chapter 208 of the Town Code provides definitions and zoning districts within the town, and

WHEREAS, breweries and distilleries have been allowed uses within the Light Industrial Zones, and are subject to licensure and regulation by the State Liquor Authority pursuant to the NYS Alcohol Beverage Control Law, and

WHEREAS, the Town Board scheduled and held a public hearing on April 1, at 7:05 pm on a proposal to define breweries and distilleries, and the tap rooms and tasting rooms that are associated with these facilities pursuant to certain licenses issued by the State Liquor Authority,

as well as amendments to the definition of accessory uses throughout the Zoning Code; now, therefore, be it

RESOLVED, that Town Board hereby adopts Local Law No. 5 of 2019, a local law to amend Chapter 208-7 and 208-64 of the Town Code, as attached.

Supervisor Barrett explained this brings changes into line with New York State code and offers flexibility for businesses to offer smaller food service. There were no dissenting voices regarding the changes.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 109 of 2019, a resolution authorizing the installation of an electronic sign at the entrance to the Clifton Common.

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

WHEREAS, the Superintendent of Buildings and Grounds requested prices for the purchase and installation of an electronic sign at the Clifton Common entrance, and

WHEREAS, written quotes were received on or before March 25, 2019, and

WHEREAS, AJ Sign Co. submitted the lowest conforming quote to install a single sided LED sign with a wireless communication center in an amount not to exceed \$14,845, and

WHEREAS, the Town Board wishes to have the sign installed at the entrance to the Clifton Common; now, therefore, be it

RESOLVED, that the Town Board hereby awards the contract to AJ Sign Co., 842 Saratoga Road, Burnt Hills, NY, for the installation of (1) – LED sign with wireless display, at a cost not to exceed \$14,845, to be paid with a transfer from A-913 (Committed Fund Balance) to A-7112-200 (General Fund – Clifton Common – Equipment).

Supervisor Barrett said this sign will highlight students in the area, celebrating their accomplishments, hard work and dedication.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 110 of 2019, a resolution authorizing the installation of additional road signage to restrict parking, standing or idling along portions of Pierce Road, Town of Clifton Park.

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

WHEREAS, Section 1660 of New York State Vehicle and Traffic Law authorizes the Town Board to regulate parking on town roads under certain parameters, and

WHEREAS, the Highway Department maintains signs along local roadways within the town, including signs along Pierce Road, and

WHEREAS, Resolution No. 4 of 2019, was passed in response to a request by Canadian Pacific Railway personnel that vehicles not be allowed to stand in the vicinity of the railway intersection, potentially impeding the crossing gates and creating unsafe conditions for the trains, and

WHEREAS, the Highway Superintendent has recommended that the Town Board expand the signage further south on Pierce Road to allow for easier snow removal, and that signs be placed advising operators not to park, idle or stand in that area; now, therefore, be it

RESOLVED, that the Highway Department is authorized to install appropriate signage, including no parking, standing or idling signs, along portions of Pierce Road, and be it further

RESOLVED, that this resolution shall become effective upon posting of said signs; and be it further

RESOLVED, that town Security Staff is authorized to enforce parking restrictions pursuant to Chapter 33 of the Town Code.

Supervisor Barrett said trucks have been idling for various amounts of time on Pierce Road and are causing some damage along the entrance Dwaas Kill Preserve. He said this involves a .large stretch of Pierce Road from Dwaas Kill entrance to railroad crossing. The Supervisor stated this is no reflection on U.S. Food Service as these are not their trucks. He further stated Town Security can issue tickets.

Superintendent of Highways Bull reported complaints have been received from the railway that trucks are parking too close to the gates and in one instance, the railroad gate closed on the back of the truck. Mr. Bull said trucks have parked along Pierce Road in bad weather and plows can't get through.

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

Motion carried at 7:30 p.m.

Patricia O'Donnell
Town Clerk