

November 13, 2017

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
Mark Heggen, Comptroller
John Scavo, Director of Planning
Walter Smead, Assessor

ANNOUNCEMENTS AND COMMUNICATIONS

None

RECOGNITION

Supervisor Barrett presented the following resolution to Michael Kennedy in recognition of CADASIL Day.

Resolution No. 279 of 2017, a resolution recognizing November 16, 2017 as CADASIL Awareness Day.

Introduced by Supervisor Barrett, who moved its adoption, seconded by the entire Town Board.

WHEREAS, CADASIL is a rare, cerebral, small vessel hereditary disease that is often misdiagnosed and underdiagnosed, and

WHEREAS, the prevalence of CADASIL is about 2 per 100,000, which could be an underestimation due to misdiagnosis, and

WHEREAS, CADASIL is the most common monogenic inherited form of small blood vessel disease, and

WHEREAS, patients with CADASIL suffer from damage within the small blood vessels, especially those within the brain, and

WHEREAS, CADASIL causes multiple strokes and TIAs (Transient Ischemic Attacks, mini-strokes) in young adults aged 20-50, often without cardiovascular risk factors, and

WHEREAS, CADASIL is a progressively debilitating disease and symptoms follow a step-wise progression ranging from migraine headaches to strokes and finally dementia, and

WHEREAS, the progress, severity and specific symptoms of CADASIL are variable from person to person and can include seizures, migraines, dizziness, balance problems, visual disturbances, mood disorders, anxiety, depression, apathy, fatigue, cognitive decline and dementia, and

WHEREAS, it may take years to receive a diagnosis of CADASIL since medical professionals are inadequately educated on CADASIL, and

WHEREAS, CADASIL affects women, men and children of all ethnicities around the world, and

WHEREAS, there are no treatments or cure for CADASIL, and

WHEREAS, increased awareness, education, and research are needed to help find effective treatments and ultimately a cure for CADASIL; now, therefore, be it

RESOLVED, that the Clifton Park Town Board does hereby proclaim November 16, 2017 as "CADASIL AWARENESS DAY".

Michael Kennedy spoke of this genetic disease and its progress and his activity and efforts in raising awareness of this rare disease.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 280 of 2017, a resolution authorizing execution of a contract for the acquisition of Kinns Road Park from the County of Saratoga.

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

WHEREAS, Senate Bill No. S5813B and Assembly Bill No. A7510-B were introduced in the New York State Legislature for the purpose of authorizing the County of Saratoga to transfer and convey the reforested lands owned by the county and known as Kinns Road Park, described in Schedule A attached hereto, to the Town of Clifton Park, subject to said lands being devoted to park and recreational purposes in perpetuity, and

WHEREAS, on September 13, 2017, Governor Cuomo signed Home Rule Legislation submitted by the Town Board, and approved by Assemblywoman Mary Beth Walsh, and Senator James Tedisco, and

WHEREAS, the legislation authorized the County of Saratoga to transfer the 63.362± acre property known as Kinns Road Park to the town, without compensation and without the necessity of replacement forest property by the county, and

WHEREAS, by Resolution No. 212 of 2017, the Saratoga County Board of Supervisors authorized execution of documents of conveyance consistent with the authorization of state legislature; now, therefore, be it

RESOLVED that the Supervisor is authorized to execute a contract for the purchase and sale of Kinns Road Park, and to accept a quit claim deed and related documents accepting conveyance of the park property without compensation; and be it further

RESOLVED that upon conveyance, the 63.362± acre property as described in Schedule A, attached, is hereby designated as a Public Park in perpetuity.

Supervisor Barrett reviewed the process the town and county have gone through to result in the town ownership of the park. During the process, Forester Richard Cipperly developed a Forestry Management Plan for the park and brought in BOCES students studying areas of environmental conservation and forestry for “on hands” work.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 281 of 2017, a resolution authorizing the Assessor to re-levy delinquent sewer charges on the 2018 property tax bills.

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

WHEREAS, Michael O’Brien, Collection Systems Manager of the Clifton Park Sewer District No.1, has reported unpaid sewer bills per the attached schedule for users of the Olde Nott Farm Sewer District, and

WHEREAS, it is necessary for the Assessor to re-levy the 2016 unpaid Olde Nott Farm Sewer user charges to ensure payment of the same; now, therefore, be it

RESOLVED, that the Town Board accepts the reported delinquent sewer charges for the Olde Nott Farm Sewer District per the attached schedule and authorizes the Assessor to re-levy that amount on the property owners’ 2018 Town and County Tax bills; and be it further

RESOLVED, that all proceeds be returned in February to the Olde Nott Farm Sewer District.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 282 of 2017, a resolution authorizing the Assessor to re-levy delinquent sewer charges on the 2018 property tax bills.

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

WHEREAS, Michael O’Brien, Collection Systems Manager of the Rivercrest Sewer District No.1 has reported unpaid sewer bills per the attached schedule for users of the Rivercrest Sewer District Extension No. 1, and

WHEREAS, it is necessary for the Assessor to re-levy the unpaid 2016 Rivercrest Sewer District Extension No. 1 user charges to ensure payment of the same; now, therefore, be it

RESOLVED, that the Town Board accepts the reported delinquent sewer charges for the Rivercrest Sewer District Extension No. 1 per the attached schedule and authorizes the Assessor

to re-levy that amount on the property owners' 2018 Town and County Tax bills; and be it further

RESOLVED, that all proceeds be returned in February to the Rivercrest Sewer District Extension No. 1.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 283 of 2017, a resolution authorizing the Assessor to re-levy delinquent sewer charges on the 2018 property tax bills.

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

WHEREAS, the Saratoga County Sewer District No. 1 has reported unpaid sewer bills per the attached schedule for the Saratoga County Sewer District No. 1, and

WHEREAS, it is necessary for the Assessor to re-levy the unpaid Saratoga County Sewer District No. 1 charges to ensure payment of the same; now, therefore, be it

RESOLVED, that the Town Board accepts the reported delinquent sewer charges for the Saratoga County Sewer District No. 1 per the attached schedule and authorizes the Assessor to re-levy that amount on the property owners' 2018 Town and County Tax bills; and be it further

RESOLVED, that all proceeds be returned in February to the Saratoga County Sewer District No. 1.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 284 of 2017, a resolution authorizing the Assessor to re-levy delinquent sewer charges on the 2018 property tax bills.

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

WHEREAS, the Clifton Park Sewer District No. 1 has reported unpaid sewer repair bills at 3 Cider Mill Drive, Clifton Park for the Clifton Park Sewer District No. 1, and

WHEREAS, it is necessary for the Assessor to re-levy the unpaid Clifton Park Sewer District No. 1 charges to ensure payment of the same; now, therefore, be it

RESOLVED, that the Town Board accepts the reported delinquent sewer repair charges for the Clifton Park Sewer District No. 1 at 3 Cider Mill Drive, Clifton Park and authorizes the Assessor to re-levy that amount on the property owners' 2018 Town and County Tax bills; and be it further

RESOLVED, that all proceeds be returned in February to the Clifton Park Sewer District No. 1.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 285 of 2017, a resolution authorizing the Assessor to re-levy delinquent water charges on the 2018 property tax bills.

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

WHEREAS, the Town of Ballston Water Department has reported unpaid Town of Ballston water bills for Town of Clifton Park users per the attached, and

WHEREAS, it is necessary for the Assessor to re-levy the unpaid Town of Ballston Water bills to ensure payment of the same; now, therefore, be it

RESOLVED, that the Town Board accepts the reported delinquent water charges for the Town of Ballston Water Department per the attached and authorizes the Assessor to re-levy that amount on the property owners' 2018 Town and County Tax bills; and be it further

RESOLVED, that all proceeds be returned in February to the Town of Ballston.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 286 of 2017, a resolution authorizing the Assessor to re-levy delinquent water charges on the 2018 property tax bills.

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

WHEREAS, the Clifton Park Water Authority has reported unpaid water bills for Town of Clifton Park users per the attached, and

WHEREAS, it is necessary for the Assessor to re-levy the unpaid Clifton Park Water Authority bills to ensure payment of the same; now, therefore, be it

RESOLVED, that the Town Board accepts the reported delinquent water charges for the Clifton Park Water Authority per the attached and authorizes the Assessor to re-levy that amount on the property owners' 2018 Town and County Tax bills; and be it further

RESOLVED, that all proceeds be returned in February to the Clifton Park Water Authority.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 287 of 2017, a resolution authorizing the establishment of The Town Center Form Based Code Expansion Advisory Committee.

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

WHEREAS, Resolution No. 215 of 2017 authorized an agreement with M.J. Engineering and Land Surveying for engineering, design and planning services relative to potential zoning amendments to the Form Based Town Center Zoning Code, and

WHEREAS, the engineering studies will provide details for the project, including organizing working group and stakeholder meetings, revisions to the study area boundary and schedule, proposed changes to Tables of Allowable Uses, and other Form Based Code Documents and draft materials to comply with SEQRA, and

WHEREAS, John Scavo, Director of Planning, has recommended that a working group be formed to consider and implement proposed zoning amendments in the study area per the attached list; now, therefore, be it

RESOLVED, that the Clifton Park Town Board establishes The Form Based Code Expansion Advisory Committee, terms to expire December 31, 2018.

Supervisor Barrett explained this Town Center Plan and Code will be for the eastern side of I 87. He reviewed the process which will likely take a number of months.

Director of Planning Scavo reported since 2008 the town has been responsible for reviewing stormwater pollution prevention plans, approving and enforcing the plans. The Form-based Code, through redevelopment has also improved water quality in the town center and looks at infrastructure to insure habitat protection.

The Supervisor said it is necessary to sustain success in Exit 9 area which is important for tax base, services for residents and adding value to the community. He asked that the committee meet in early December and thanked Councilwoman Standaert and Councilman Whalen for being a part of the group.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 288 of 2017, a resolution scheduling a public hearing on a proposal to make permanent the real property tax exemptions for Cold War veterans contained in §182 of the Town Code.

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

WHEREAS, Section 458-b of the Real Property Tax Law authorized local laws providing real property exemptions for qualifying veterans of the US Military Services who had served during the Cold War period but had limited such exemptions to the 10 year period following enactment, and

WHEREAS, the New York State Legislature has now amended §458-b of the Real Property Tax Law to allow municipalities to extend and make permanent such exemptions with the enactment of amendments to existing local laws, and

WHEREAS, the Town Board wishes to schedule a public hearing on a proposal to amend the Town's local law authorizing tax exemptions for Cold War veterans in order to make those exemptions permanent; now, therefore, be it

RESOLVED that a public hearing is hereby scheduled for December 4, 2017 on a proposal to amend Chapter 182 of the Town Code to extend the exemptions from Real Property Taxes for Cold War veterans for so long as they remain qualifying owners pursuant to RPTL 458-b, as amended.

Assessor Smead explained there was a ten-year term limit that had to be renewed, however, the state legislature has decided to make it permanent and removed the term restriction.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Frank Berlin, Main Street, encouraged residents to vote in the affirmative for the purchase of the 37 acres from the school.

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

Motion carried at 7:43 p.m.

Patricia O'Donnell
Town Clerk