

August 7, 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.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

Also Present: Town Attorney McCarthy
Dahn S. Bull, Superintendent of Highways
Mark Heggen, Comptroller
Michael Handerhan, Supervisor of Buildings and Grounds
John Scavo, Director of Planning

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the July 17, 2017 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 announced the town Blood Drive is scheduled for August 9th noon to 6 in the Wood Room.

PRESENTATION – NATIONAL CLOWN WEEK

Supervisor Barrett presented the following resolution to representatives of the Electric City Clowns and thanked them for their dedication to their craft.

Resolution No. 187 of 2017, a resolution proclaiming the first week of August 2017 as International Clown Week.

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

WHEREAS, the people of the Town of Clifton Park recognize the importance of laughter in their lives, and

WHEREAS, clowns have long been known as ambassadors of joy and good will and bring happiness to both children and adults, and

WHEREAS, it is universally known that laughter is the best medicine, and

WHEREAS, clowns can make people forget their pain, sadness, illness and distress, and

WHEREAS, clowns have helped us preserve our sense of humor and ability to laugh at ourselves, and

WHEREAS, clowns encourage laughter in people from young to old and rich and poor alike, and

WHEREAS, clowns can dissolve thoughts of prejudice and intolerance of others, and

WHEREAS, locally the Electric City Clowns participate in regular community service at hospitals, nursing homes and assisted living facilities; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park does hereby proclaim that the week of August 1-7, 2017, shall be recognized as International Clown Week within the Town of Clifton Park, and shall encourage all citizens to give fitting recognition to the clowns of the world.

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. 188 of 2017, 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, Priscilla Kelly has requested inclusion in the program for property at 349 Vischer Ferry Road, Clifton Park (SBL: 277.-1-17); now, therefore, be it

RESOLVED, that a public hearing is scheduled for August 21, 2017 at 7:05 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider the property owned by Priscilla Kelly (SBL: 277.-1-17) 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. 189 of 2017, a resolution authorizing the Supervisor to sign Supplemental No. 2 for construction inspection and management for the Erie Canal Community Connector Trail Project.

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

WHEREAS, by Resolution No. 154 of 2015, the Town Board authorized a contract for construction inspection and management services with Greenman-Pederson Engineers for the Erie Canal Community Connector Trail Project linking the Towns of Halfmoon and Clifton Park along a 4.4 mile route closely following the Erie Canal Towpath from the Vischer Ferry Preserve to Clamsteam Road in the Town of Halfmoon, and

WHEREAS, by Resolution No. 163 of 2016, the Town Board authorized the construction contract with Gallo Construction Corp. for the project, with a construction schedule for completion by December 31, 2016, and

WHEREAS, by Resolution No. 41 of 2017, the Town Board authorized Change Order No. 1 to the construction contract with Gallo Construction Corp. dated December 22, 2016 to change the construction completion deadline to May 5, 2017, and which included no additional costs to the Town of Clifton Park; and the Town Board additionally authorized Supplemental No. 1 to the Greenman-Pederson Engineering Construction Inspection Contract, and

WHEREAS, the project encountered further operational delays and reached final completion in June 2017, resulting in additional engineering costs for construction inspection as outlined in Supplemental No. 2, attached, and

WHEREAS, pursuant to the Gallo Construction contract, additional engineering costs associated with project delays may be re-allocated from construction funding previously approved so that the additional inspection charges detailed in Supplemental No. 2 result in no additional cost to the town; now, therefore, be it

RESOLVED, that the Town Board authorizes the Supervisor to sign Supplemental No. 2 to the Greenman-Pederson Engineers and Constructive Services Contract in a supplemental letter dated June 24, 2017, for construction inspection services for the Erie Canal Community Connector Towpath Project; and be it further

RESOLVED, that funds authorized by Supplemental No. 2 to the Greenman-Pederson Contract be deducted from the Gallo Construction Contract Account.

Director of Planning Scavo explained the project is still within budget for actual construction costs and there will be no additional costs to the town.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 190 of 2017, a resolution extending an Intermunicipal Agreement between the Town of Halfmoon and the Town of Clifton Park for the provision of Animal Control Service.

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

WHEREAS, by authority of Section 119-0 of the General Municipal Law of the State of New York, the parties hereto are enabled to enter into binding agreements for the cooperative performance of various municipal projects, contracts and functions, and

WHEREAS, the Towns of Clifton Park and Halfmoon recognize the benefit to both municipalities that arise from the cooperative provision of service to their residents, and

WHEREAS, Resolution No. 15 of 2014 authorized an agreement between the Town of Halfmoon and the Town of Clifton Park, and

WHEREAS, Clifton Park and Halfmoon wish to extend an existing agreement whereby Clifton Park will provide on call and sick/vacation coverage for the Halfmoon Animal Control Department, and

WHEREAS, Clifton Park has the personnel and equipment to provide on call and sick/vacation coverage for the Halfmoon Animal Control Department; now, therefore, be it

RESOLVED, that the Town Board approves extending the Intermunicipal Agreement between the Town of Halfmoon and the Town of Clifton Park for the provision of Animal Control Services, per the attached agreement; and be it further

RESOLVED, that the Intermunicipal Agreement between the Towns of Clifton Park and Halfmoon is hereby extended for the period commencing September 1, 2017 through August 31, 2018.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 191 of 2017, a resolution appointing John Klimes as Alternate Member to the Zoning Board of Appeals.

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

WHEREAS, an opening exists for an Alternate Member to the Zoning Board of Appeals, to be designated by the Chairman as a voting member for the Zoning Board when a regular member is unavailable or ill, and

WHEREAS, Supervisor Barrett recommends John Klimes, 44 Longview Dr., Clifton Park, to fill the position; now, therefore, be it

RESOLVED, that John Klimes is hereby appointed as Alternate Member to the Zoning Board of Appeals, term to expire December 31, 2017.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 192 of 2017, a resolution establishing a petty cash fund for the Clifton Park Senior Community Center.

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

WHEREAS, Director of the Senior Center and the Town Supervisor have requested that a petty cash fund be established for the Senior Community Center for small incidental purchases; now, therefore, be it

RESOLVED, that a petty cash fund of \$150 is hereby established for the Senior Community Center for small incidental purchases.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 193 of 2017, a resolution establishing a policy and procedure for reviewing the speed limits on town roads.

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

WHEREAS, Section 1662-(a) of the New York State Town Law provides the Town Board with authority to determine speed limits on town roads within certain parameters, and

WHEREAS, the Town Board reviews applicable speed limits within the town for new subdivisions after construction and re-alignment, and upon request regarding particular locations from time to time, and

WHEREAS, the town's Highway Safety Committee provides advice and analysis to the town on a case by case basis, upon request from the Town Board, and

WHEREAS, the Town Board wishes to establish a policy and procedure for reviewing the speed limits upon town roads upon request, using objective criteria to help enforce consistency in reviewing speed limit requests; now, therefore, be it

RESOLVED, that the Town Board hereby adopts the attached Policy and Procedure for the establishment and review of speed limits on town roads with advice and analysis from the Highway Safety Committee and Planning staff.

Supervisor Barrett noted this has been presented by the Highway Safety Committee. Director of Planning Scavo explained towns can set speed limits on local roads as low as 30 miles per hour, however, school zones can be set lower.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 194 of 2017, a resolution hiring a Head Lifeguard for the end of the 2017 Summer Season for Locust Lane pool.

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

WHEREAS, it is necessary that head lifeguards be hired to assist in the management of Locust Lane pool, and

WHEREAS, due to head guards leaving for college at the end of the pool season, Locust Lane pool has a vacancy for a head lifeguard as of August 7, 2017, and

WHEREAS, the Supervisor has recommended that the following individual be hired as head lifeguard at the Locust Lane pool at the following rate:

<u>Name</u>	<u>Pool</u>	<u>Address</u>	<u>Rate</u>
Jordyn Marr	Locust Lane	11 Palo Alto Court, Clifton Park	\$9.45

Now, therefore be it

RESOLVED, that Jordyn Marr shall be hired as Head Lifeguard for Locust Lane (A-7152-E4690) pool as of August 7, 2017 through October 1, 2017, to be paid at the rate as stated.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 195 of 2017, 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 Councilman Romano.

WHEREAS, Supervisor Barrett has recommended that the individuals listed on Schedule "A", be accepted as alternate lifeguards for the remainder of the 2017 season; now, therefore, be it

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

RESOLVED, that the alternate lifeguards shall be paid \$9.00/hour from the appropriate fund: A-7150-E4690 (Barney Road Life Guards), A-7152-E4690 (Locust Lane Life Guards), or SP5-7151-E4000 (Longkill Park District #1 Guards).

Supervisor Barrett noted he is not related to anyone on the attached list.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 196 of 2017, a resolution awarding the contract for the repairs to the tennis court fence in the Sherwood Forest Park District.

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

WHEREAS, quotes for fence repairs were received on or before July 22, 2017, and

WHEREAS, Siena Fence Company, Round Lake, New York, submitted the low quote in the amount of \$5,230 in response to the request for quotes documents, and

WHEREAS, Michael Handerhan, Buildings & Grounds Supervisor, recommends awarding the contract for fencing and related equipment to Siena Fence Co. Inc.; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners for the Sherwood Forest Park District, hereby award the contract for fencing and related improvements at the Sherwood Forest tennis court to Siena Fence Co. Inc. as per the documents, attached, in an amount not to exceed \$5,230, to be paid from Capital Projects Fund H47-7125-200.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 197 of 2017, a resolution awarding the contract for the installation of playground equipment in the Sherwood Forest Park District.

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

WHEREAS, quotes for playground equipment were received on or before July 17, 2017, and

WHEREAS, The PlayPro, Denver, North Carolina, submitted the low quote in the amount of \$11,962 in response to the request for quotes documents, and

WHEREAS, Michael Handerhan, Buildings & Grounds Supervisor, recommends awarding the contract for playground equipment to The PlayPro; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners for the Sherwood Forest Park District, hereby award the contract for installation of playground equipment and related improvements at the Sherwood Forest Park to The PlayPro as per the documents, attached, in an amount not to exceed \$11,962, to be paid from Capital Projects Fund H47-7125-200.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 198 of 2017, a resolution authorizing a supplemental agreement with New York State Department of Transportation (NYS DOT) adding Marchiselli funding to the Design, Right Of Way, Construction/Construction Inspection phases of the Crescent Road Trail Pedestrian Improvements project, PIN 1757.36, a joint project with the Town of Halfmoon;

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

WHEREAS, the Crescent Road Trail Bike and Pedestrian Improvements project construction phase was authorized by Town Board Resolution No. 258 of 2015; and the project has been completed pending final project closeout, and,

WHEREAS, the New York State Department of Transportation notified the Town of Clifton Park on June 2, 2017 of \$180,000 in additional Marchiselli funds available for the Design, Right Of Way and Construction phases of the Project, and has prepared a proposed Supplemental Agreement (SA) #5 required for the subject project that applies to all phases of the project: Professional Engineering/Design, Right of Way Acquisition, Right of Way Incidentals, and Construction/Construction Inspection/Construction Support; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to sign the SA#5 with New York State Department of Transportation, accepting the Marchiselli funding to the project budget per NYS DOT State-Local Agreement – Schedule A.

Director of Planning said construction has been completed. He explained night construction was done which incurred additional costs but insured that I 87 continued to flow and this allowed no back up of the exits on the interstate system at peak hours or daytime. Mr. Scavo continued the Verizon strike delayed an aspect of the construction that would have gone on simultaneously but could not be done during the strike resulting in additional costs.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 199 of 2017, a resolution authorizing a supplement to agreement #2 for final construction inspection services for the Crescent Road Bike and Pedestrian Trail Improvement project, PIN 1757.36, a joint project with the Town of Halfmoon.

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

WHEREAS, by Town Board Resolution No. 166 of 2014, the Town Board authorized M.J. Engineering and Land Surveying, P.C. for Construction Inspection/Construction Support services for \$137,000 in June 2014 for the construction inspection services that were completed in construction season ending December 2016, and,

WHEREAS, the Crescent Road Bike and Pedestrian Improvement project construction contract to James H. Maloy, Inc. was authorized by Town Board Resolution No. 258 of 2015 and the project was completed in December 2016, pending final project closeout, and

WHEREAS, the New York State Department of Transportation notified the Town of Clifton Park on June 2, 2017 of \$180,000 in additional Marchiselli funds available for the Design, Right Of Way and Construction phase of the Project, and has prepared a proposed Supplemental Agreement (SA) #5 required for the subject project that applies to all phases of the project: Professional Engineering/Design, Right of Way Acquisition, Right of Way Incidentals, and Construction/Construction Inspection/Construction Support, and

WHEREAS, the project's schedule for the construction phase exceeded the timetable initially estimated for construction inspection when the project was estimated by MJ Engineering, and

WHEREAS, James H. Maloy, Inc. was able to complete the construction under budgeted construction costs with extended work days, including strategic night work, during the construction season to get the project done with minimal impacts to the public, resulting in further additions to engineering construction inspection costs, and

WHEREAS, the Town Board wishes to re-allocate unused construction phase funds to engineering costs for the increased construction inspection costs associated with the project; now, therefore, be it

RESOLVED, that the Town Board authorizes the Town Supervisor to sign and execute the Supplemental to Agreement #2 (Construction Inspection, C/I & C/S) for \$65,000 with M.J. Engineering and Land Surveying, P.C. to be funded from the remaining Maloy construction phase project budget).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 200 of 2017, a resolution appointing Michael Hartnett as a member of the Open Space, Trails and Riverfront Committee.

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

WHEREAS, an opening exists on the Open Space, Trails and Riverfront Committee, and

WHEREAS, the Town Supervisor has recommended that Michael Hartnett, 46 Sweet Brier Drive, Ballston Lake, fill the position, and

WHEREAS, Mr. Hartnett's presence on the Open Space, Trails and Riverfront Committee will confer a benefit to the Town of Clifton Park; now, therefore, be it

RESOLVED, that Michael Hartnett is hereby appointed to the Open Space, Trails and Riverfront Committee to fill the unexpired term of Frank Demetrowitz, term to expire December 31, 2018.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 201 of 2017, a resolution authorizing the Planning Department to submit a grant application to the 2017 Capital District Economic Development Council for consolidated grant funding to construct a multiuse path along Hubbs Road from Main Street to the Dutch Meadows residential subdivision to reduce vehicle congestion and improve air quality.

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

WHEREAS, the Clifton Park Town Board recognizes that there is a need for connectivity of existing neighborhoods to the historic Main Street in the hamlet of Jonesville, and

WHEREAS, the residents have requested the town provide a pathway connecting the Dutch Meadows residential subdivision to historic Jonesville, and

WHEREAS, the town has entered into an engineering consultant agreement with MJ Engineering to develop general mapping of the assumed project limits, identify right of way acquisitions, and provide an estimated cost breakdown for the multi-use pathway project, and

WHEREAS, the design services segmented out logical termini portions of the pathway to facilitate staged construction funding; now, therefore, be it

RESOLVED, that the Town Board of Clifton Park authorizes the town Planning Department to submit a grant application to New York State for the current Consolidated Funding Announcement; and be it further

RESOLVED, that the Town Supervisor and designated Planning staff are authorized to execute all necessary documentation required to submit a completed grant application to New York State.

Supervisor Barrett noted the engineering has been completed on this project with an estimated cost of the project of \$830,000.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 202 of 2017, a resolution authorizing the Planning Department to submit a grant application to the 2017 Capital District Economic Development Council for consolidated grant funding to construct the Route 146 sidewalk project to reduce vehicle congestion and improve air quality.

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

WHEREAS, the Clifton Park Town Board recognizes that there is a need for connectivity of existing neighborhoods within the Town Center, and

WHEREAS, the Town's Master Trails Plan includes a sidewalk extension with the northern right of way line of NYS Route 146, the sidewalk will connect a residential neighborhood to the business/retail center of the northern Route 146 node of the Clifton Park Town Center, and

WHEREAS, the town has entered into an engineering consultant agreement with MJ Engineering to develop general mapping of the assumed project limits, identify right of way acquisitions, and provide an estimated cost breakdown for the Route 146 sidewalk project, and

WHEREAS, the design services segmented out logical termini portions of the pathway to facilitate staged construction funding, and

WHEREAS, the residents of Clifton Park have voiced their desire to see an extension of the existing sidewalk system extended west on the north side of NYS Route 146 to link the existing neighborhood's pathway to the Town Center; now, therefore, be it

RESOLVED, that the Town Board of Clifton Park authorizes the Town Planning Department to submit a grant application to New York State for the current Consolidated Funding Announcement; and be it further

RESOLVED, that the Town Supervisor and designated Planning staff are authorized to execute all necessary documentation required to submit a completed grant application to New York State.

Supervisor Barrett noted the engineering has been completed on this project with an estimated cost of the project of \$440,000.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 203 of 2017, a resolution authorizing the transfer of up to \$30,000 from Clifton Knolls Park District Assigned Fund Balance for 2017 projects.

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

WHEREAS, the Park District Committee is requesting additional projects be completed in the current year that were not originally planned for the 2017 budget year, and

WHEREAS, there is currently sufficient reserves in the Clifton Knolls Park District Assigned Fund Balance, and

WHEREAS, Michael Handerhan, Buildings & Grounds Supervisor, has requested that \$30,000 be transferred from the Clifton Knolls Park District Assigned Funds for the current and anticipated 2017 projects; now, therefore, be it

RESOLVED, that authorization is hereby granted to the Comptroller to transfer an amount not to exceed \$30,000 from SP3-913 (Clifton Knolls Park District-Committed Fund) to SP3-7131-24 (Clifton Knolls-General Maintenance) for the additional Clifton Knolls Park District projects planned for 2017.

Supervisor of Buildings and Grounds Handerhan explained the ponds need to be cleaned up and there is additional tree work necessary on the area by Locust Lane fields.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 204 of 2017, a resolution authorizing the Sewer Department to waive the sewer connection fee (hookup charge) for commercial expansion on Pierce Road.

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

WHEREAS, Section 169-103 of the Town Code establishes a connection fee of \$1,000 per lateral sewer connections to sewer mains within the town, and

WHEREAS, Mazzone Hospitality has received Planning Board approval for the construction of an additional warehouse structure with attached office space at the 743 Pierce Road location where flex space facilities have already been constructed, and

WHEREAS, the approved plans did not adequately comply with all applicable sewer use laws, resulting in significant design, engineering and materials costs to the owners, and

WHEREAS, Michael O'Brien, Collection Systems Manager, has requested authority to waive the sewer hookup charge contained in Section 169-103 of Town Code as a result of the oversight of sewer law compliance during the approval process; now, therefore, be it

RESOLVED, that the Town Board authorizes the Sewer Department to waive applicability of the sewer hookup fee contained in Section 169-103 of the Town Code, to Mazzone Hospitality's warehouse addition at 743 Pierce Road.

Supervisor Barrett explained due to error, an extra cost and burden was put on applicant.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 205 of 2017, a resolution authorizing the Sewer Department to waive the sewer connection fee (hookup charge) for connection charges related to the Northway Church site plan.

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

WHEREAS, Northway Church has agreed to perform significant improvements to public infrastructure in connection with plans to connect the church project on Ushers Road, and

WHEREAS, improvements include an extension of the sewer main along Van Patten Road, as well as replacement of an obsolete manhole and related infrastructure, all of which benefit Clifton Park Sewer District No. 1 beyond the connection of the church project to sewer district facilities, and

WHEREAS, Michael O'Brien, Collection Systems Manager, has requested authority to waive the sewer hookup charge established in Section 169-103 of Town Code in partial exchange for the public improvements; now, therefore, be it

RESOLVED, that the Town Board authorizes the Sewer Department to waive applicability of the sewer hookup fee contained in Section 169-103 of the Town Code to the Northway Church project on Ushers Road.

Supervisor Barrett explained the improvement that the developer has agreed to take on will derive a benefit for the entire system and be a value well over the \$1000 hookup fee.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 206 of 2017, a resolution scheduling a public hearing regarding creation of the Vischer's Landing Park District

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

WHEREAS, the Town Board of the Town of Clifton Park (the "Town") proposes to undertake the formation a park district for the Vischer's Landing subdivision to the east of Vischer Ferry Road, between Greenlea Drive and Redfield Park, as described in the Map, Plan and Report prepared by the town's Planning staff, which is on file in the Town Clerk's office, and

WHEREAS, the proposed District will include all of the approximately 24.95 acres of lands contained within that certain residential subdivision known as Vischer's Landing subdivision, formerly known as the Oronacah Farms subdivision, as depicted in the subdivision map filed in the Saratoga County Clerk's office on February 26, 2008, and will include all new residential properties listed on Exhibit A, attached hereto, and

WHEREAS, the maximum annual cost of the services to be performed by the Park District is \$3,000, and

WHEREAS, the annual costs of the Park District to the typical property within the District is \$150, which will be financed through ad valorem assessments upon each of the properties listed above, and

WHEREAS, the Town Board now desires to call a public hearing regarding the Project, as required by Town Law Section 209-d; now, therefore, be it

RESOLVED, that the Town Board will hold a public hearing to hear all persons interested in the Project, which public hearing shall be held at the Clifton Park Town Hall, One Town Hall Plaza, Clifton Park, New York, on August 21, 2017 at 7:06 p.m.; and be it further

RESOLVED, and ordered that the Town Clerk give notice of such hearing by publishing in the official town newspaper the Notice of Public Hearing in substantially the form attached hereto and by posting the Notice of Public Hearing on the town's official sign-board not less than ten nor more than twenty days before such hearing.

Judy Hughes, Pond View Drive, a resident of Vischer Landing, noted she will be unable to attend the August 21st public hearing. She spoke in favor of the formation of the park district for the Vischer Landing subdivision. She said she has sent emails to residents of the development explaining the creation of the park district, has met with residents on a one-to-one basis, and residents have met with Supervisor Barrett or Director of Planning Scavo. Mrs. Hughes reported residents understand the taxing method of funding the park district and Supervisor Barrett supplied a printout of each home's assessment. She stated residents were eager to begin this year, however, the town and developer had not yet completed necessary paperwork and requirements. Mrs. Hughes explained Vischer's Landing has an open area that can be developed into a park. Supervisor of Buildings and Grounds Handerhan has prepared a list of weekly mowing and potential additions to the development over the next few years. Mrs. Hughes noted she had been chairperson of the Clifton Knolls park district for 15 years and has a working relation with the town. She urged the Town Board to approve the park district so work can begin next year. Supervisor Barrett noted if residents cannot attend the August 21st meeting, the town has the option to extend the public hearing into September.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Don Whitbeck, Summerhill, reported the bike path from Summerhill to Meadow Estates needs a great deal of work, noting it has been blacktopped but still has cracks. He asked that the path be repaved and brush needs to be cut back.

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 8:20 p.m.

Patricia O'Donnell
Town Clerk