

December 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: 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

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the November 14 and 21, 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 announced the Clifton Park Community Chorus will present "Sometime at Christmas" on December 11th at 3 pm at the Shenendehowa United Methodist Church.

The Supervisor announced the town Blood Drive is scheduled for December 14th from noon to 6 pm in the Town Hall.

Supervisor Barrett reported the public information meeting regarding improved recreational access at the Vischer Ferry Preserve at Clute's Dry Dock was well attended. He thanked the Planning Department for their work on this project.

The Supervisor updated the Board on the new website, noting progress is underway and should be ready early in 2017.

PRESENTATION

Supervisor Barrett presented the following resolution to Coach Jeanne Frevola and the Field Hockey Team, congratulating them on their great accomplishments.

Resolution No. 262 of 2016, a resolution recognizing the Shenendehowa Plainsmen Field Hockey Program and its 2016 team on its second NYSPHAA State Championship season

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

WHEREAS, the Shenendehowa Field Hockey program has a strong record of success built upon commitment, hard work, team work, preparation, coaching and sportsmanship, and

WHEREAS, the 2016 team completed its first undefeated season through a combination of team work, faith in each other, their program and coaching staff, as well as individual excellence, and

WHEREAS, the 2016 team was led by Captains Kelly Buckley, Carli Pelletier, and McKenzie Woerner through 21 consecutive victories through regular season, regionals and the NYS Class AA Finals, including 4 overtime wins, demonstrating determination, poise and confidence throughout the entire season, and

WHEREAS, the team earned their way into the state finals by defeating Section VI Champions Ward Melville, avenging last year's loss in the state semi-finals, and

WHEREAS, Captains Kelly Buckley and Carli Pelletier combined for the two goals needed for the 2-1 victory over Section V Champions Scarsdale in the state finals on November 13th at Maine-Endwell High School fields in Binghamton, NY,

WHEREAS, the team's victory in the final game of the NYS Championship against Section V Champs Scarsdale was the result of the kind of teamwork and preparation for which the program has become known and was achieved with contributions from the entire team under the direction of Coach Jeanne Frevola; now, therefore, be it

RESOLVED that the Town Board pauses to recognize Coach Jeanne Frevola and the entire Shenendehowa Field Hockey Program, and the 2016 team for achieving an undefeated season and the team's second NYSPHAA Championship.

Coach Frevola, thanked the Town Board for the recognition and introduced the team.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

REPORT TO THE BOARD

Richard McGachey, Marine Corp Veteran, Volunteer with Saratoga County Program for Veterans explained his role in the organization as a peer and mentor in assisting veterans returning from service. He noted Saratoga County is the only County using all volunteers for this program. Supervisor Barrett noted the program welcomes participants and mentors.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 263 of 2016 a resolution adopting Local Law No. 7 of 2016 amending Section 171-6 of the Town Code.

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

WHEREAS, Section 171-6 (C) (1) regulates the use of window signs by retailers and other commercial enterprises within the Town, and

WHEREAS, on November 18, 2016, the Town Board held a public hearing on a proposal to reduce the regulation of window signs by deleting sub paragraphs (a) and (b) from Section 171-6(C)(1) of the Town Code, and

WHEREAS, the town wishes to adopt amendments to the Town Code to eliminate the area restrictions on window signs within the town; now, therefore, be it

RESOLVED, that the Town Board hereby adopts Local Law No. 7 of 2016, a local law amending Section 171-6 (C)(1) of the Town Code, as attached; and be it further

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

Supervisor Barrett explained this created unnecessary bureaucracy and red tape, therefore, the section will be eliminated.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 264 of 2016, a resolution authorizing the Buildings and Grounds Supervisor to hire a contractor to repair and repaint signs at Parklane Estates, within the Stoney Creek II Park District, and to make a transfer from assigned fund balance.

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

WHEREAS, Michael Handerhan, Buildings and Grounds Supervisor, has recommended that signs in Parklane Estates be repaired and repainted, and

WHEREAS, Mr. Handerhan has recommended that Vital Signs be hired to repair and repaint signs in Parklane Estates, and

WHEREAS, the Stoney Creek II Park District has sufficient reserves in its fund balance to fund this project, and

WHEREAS, the total needed to be transferred to SP-07120-24 (Stoney Creek II Park District- Repairs & Maintenance) to fund the project is \$2,760, and

WHEREAS, the Buildings and Grounds Supervisor is authorized to hire contractors and the Comptroller is authorized to make budget transfers; now, therefore, be it

RESOLVED, that Michael Handerhan is authorized to contract with Vital Signs for a total amount of \$2,760, and be it further

RESOLVED that the Comptroller is authorized to transfer from SPO-918 (Fund Balance) and increase SP-07120-24 (Stoney Creek II Park District-Repairs & Maintenance) in the amount of \$2,760.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 265 of 2016, a resolution authorizing the installation of a street light at the intersection of Maxwell Drive and NYS Route 146.

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

WHEREAS, the Highway Safety Committee has recommended to the Town Board that street lighting is warranted at the intersection on the south side of NYS Route 146 to provide lighting at the existing pedestrian crosswalk, and

WHEREAS, such lighting may be co-located on an existing utility pole, and

WHEREAS, the intersection, adjacent sidewalk along NYS Route 146 and existing crosswalk, see a high volume of pedestrian and bicycle activity which warrants the installation of additional street lighting; now, therefore, be it

RESOLVED, that authorization is hereby granted for the installation of a street light at the southeast corner of NYS Route 146 and Maxwell Road, and be it further

RESOLVED, that said street light shall be charged to the Clifton Park Lighting District No. 1 and that a copy of this authorization shall be forwarded to the New York State Electric and Gas; and be it further

RESOLVED, that the town shall request NYSEG to obtain a Highway Work Permit from the NYS DOT Saratoga Co. Resident Engineer's Office prior to commencing construction activities for the aforementioned street light installation.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 266 of 2016, a resolution authorizing the Shenendehowa Adult Community Center to serve alcoholic beverages at a monthly dinner to be held at 6 Clifton Common Court on Monday, December 12, 2016.

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

WHEREAS, the Shenendehowa Adult Community Center is hosting a monthly dinner on December 12, 2016 from 5:30 - 7:30 P.M., with approximately 110 people in attendance, and

WHEREAS, Liz Gabeloff, Chairperson, has requested permission to serve alcohol in the form of beer and wine at the event; now, therefore, be it

RESOLVED, that the sponsoring group is hereby authorized to serve beer and wine at a monthly dinner at the Shenendehowa Adult Community Center on December 12, 2016 from 5:30 - 7:30 P.M.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 267 of 2016, a resolution appointing Teresa A. La Salle, as the Alternate Member to the Planning Board.

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

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

WHEREAS, Supervisor Philip Barrett recommends Teresa A. La Salle, 1 Robinwood Drive, Clifton Park, to fill the position; now, therefore, be it

RESOLVED, that Teresa La Salle, 1 Robinwood Drive, Clifton Park, is hereby appointed as Alternate Member to the Planning Board, effective immediately.

Supervisor Barrett thanked Eric Prescott for his work on the Planning Board. He noted Ms. LaSalle is a Professional Planner.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 268 of 2016, 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, Cindy Folmsbee and Leonard Attanasio have requested inclusion in the program for property at 3 Old Schaubert Road, Ballston Lake, (SBL:258.-2-1.111); now, therefore, be it

RESOLVED, that a public hearing is scheduled for December 19, 2016 at 7:05 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider the property owned by Cindy Folmsbee and Leonard Attanasio (SBL: 258.-2-1.111) 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. 269 of 2016, a resolution to amend the Inter-Municipal Agreement between the County of Saratoga and the Town of Clifton Park for single stream recycling at the recycling facility at the Town of Clifton Park Transfer Station.

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

WHEREAS, Resolution No. 318 of 2014, approved the Inter-Municipal Agreement with the County of Saratoga, for single stream recycling at the Town of Clifton Park Transfer Station beginning February 1, 2015, and

WHEREAS, Resolution No. 57 of 2015, amended the agreement entered into between the county and town for management of single-stream recycling at the town's recycling center, from March 3, 2015 through December 31, 2016, and

WHEREAS, both county and town desire to enter into a new two year agreement for the term January 1, 2017 through December 31, 2018; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the agreement for single stream recycling at the Clifton Park Transfer Station from January 1, 2017 to December 31, 2018.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 270 of 2016, a resolution authorizing a notice to be served and a public hearing to be scheduled regarding the repair or demolition of an unsafe structure at 778 Plank Road, Clifton Park (Tax Parcel No.: 265.-2-42), owner of record Mary Ann Schmeelke.

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

WHEREAS, Chapter 77 of the Clifton Park Town Code provides that the Town Board may order, after notice and hearing, the repair, demolition, or removal of a building upon its finding that the building is unsafe, dangerous or unfit for the purpose for which it may lawfully be used, and

WHEREAS, Steven Myers, Director of Building and Zoning, has submitted a written report pursuant to Town Code Section 77-4, and has reported that it is his opinion that a residential structure at 778 Plank Road is in extremely poor condition and is without potable water or heat, and

WHEREAS, the Board accepts the report of Steven Myers pursuant to Section 77-5; now, therefore, be it

RESOLVED, that the owners of 778 Plank Road are hereby ordered to show cause at a hearing before the Town Board on December 19, 2016, at 7:07 p.m. in the Wood Memorial Meeting Room in the Clifton Park Town Hall why the building at that location should not be condemned as uninhabitable pending appropriate repairs within 30 days of service of the notice contained in Exhibit "A"; and be it further

RESOLVED, that the Town Clerk is hereby directed to serve the notice contained in Exhibit "A" not later than 5 days before the hearing in accordance with the provisions of Chapter 77 of the Town Code and to file the notice with the Saratoga County Clerk.

Supervisor Barrett said this situation was reported to the town by Saratoga County Social Services. This was looked into by Director of Building Myers who noted his concerns in the attached letter. Supervisor Barrett, noting this is a difficult and sensitive situation, stated it is incumbent to act when health and safety at stake.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Frank Berlin, Main Street, reiterated his concern with the School Board's pending decision on the 34 acres of land. He said hundreds of people signed the petition and there is support from local builders, editor of the local newspaper, and the League of Women Voters to keep the park in the public domain. He thanked the Town Board for making an offer on the land. Mr. Berlin recommended honoring all volunteers in the town.

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 8:04 p.m.

Patricia O'Donnell
Town Clerk