

TOWN OF CLIFTON PARK TOWN BOARD MEETING

March 11, 2019

I. Call to Order/7:00 P. M.

II. Pledge to Flag

III. Roll Call

IV. Approval of Town Board Minutes

V. Communications/Announcements

VI. Business

- **Public Hearing – 7:05 pm Emma Lane PDD proposed Amendments**
- **Public Hearing – 7:10 pm Parking Violations Town Code Ch. 194 Proposed Amendments**
- **Recognition of the Southern Saratoga YMCA's 25th Anniversary**
- **Resolutions for Consideration**
- **Other Business**

VII. Open Public Privilege

NOTE:

Each speaker shall state name and address prior to addressing the Board and shall be granted the floor for a single time frame of up to five minutes. The Board asks that members of the public respect the opportunity of the speaker at the podium to be heard, and asks that the public refrain from conducting side meetings within the meeting room. In an effort to ensure that the widest number of community viewpoints are heard, the Board asks members of groups or the public to withhold comment, if their viewpoints have already been presented.

The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the Town decision making process.

VIII. Adjournment

TOWN OF CLIFTON PARK
COUNTY OF SARATOGA
STATE OF NEW YORK

NOTICE OF PUBLIC HEARING REGARDING
PROPOSED AMENDMENTS TO CHAPTER 194 OF THE TOWN CODE
RELATIVE TO PARKING ENFORCEMENT AND ADMINISTRATION

Please take notice that the Town Board of the Town of Clifton Park will conduct a public hearing on March 11, 2019, at 7:10 p.m. in the Wood Memorial Meeting Room in the Town Office Building, located at One Town Hall Plaza, Town of Clifton Park, County of Saratoga, State of New York to consider amendments to the Town's code relative to parking enforcement and administration.

The proposed legislation would establish an administrative parking violations agency within the Town, provide a streamlined mechanism for responding to and contesting parking tickets within the Town, reduce maximum fines in the first instance and impose a 25% penalty for failure to answer parking violations. The proposal would also eliminate outdated provisions for traffic provisions related to traffic surcharges and moving violations.

Copies of the proposed local law are posted at <https://cliftonpark.org/government/legal-notices.html> , and are available for review in the Town Clerk's office during normal business hours.

Patricia O'Donnell, Town Clerk

Chapter A217 Planned Development Districts

Article XXXVIII

[Verbeck Frank] Emma Lane

[Adopted 6-16-1997 by L.L. 4-1997]

§ A217-311 Title.

This local law shall be known and may be cited as, "Local Law Amending Local Law No. 10-1996, as amended by Local Law No. 11-1996 of the Town of Clifton Park entitled "Local Law Relating to Zoning for the Town of Clifton Park" Providing for the Creation of a Planned [Unit] Development District to be known as Planned [Unit] Development District, [Verbeck Frank of Clifton Park] Emma Lane of Clifton Park."

§ A217-312 Establishment of district.

Local Law No. 10-1996 as amended by Local Law No. 11-1996 of the Town of Clifton Park entitled, "Local Law Relating to Zoning for the Town of Clifton Park" and further amending Local Law No. 11-1996 of the Town of Clifton Park entitled "A Local Law Relating to Zoning in the Town of Clifton Park and the Zoning Map of the Town of Clifton Park," as set forth therein and made a part thereof, be and the same hereby is amended by changing from B-1, a portion thereof constituting approximately 15.10 acres, as hereinafter described in Exhibit A attached hereto and made a part hereof, and creating within the boundaries of said newly described area a planned development district to be known and described as "Planned [Unit] Development District, [Verbeck Frank] Emma Lane [of Clifton Park] Planned [Unit] Development District."

§ A217-313 Boundaries.

The area of said Planned [Unit] Development District ([PUD]PDD), [Verbeck Frank of Clifton Park] Emma Lane, consists of approximately 15.10 acres of land located northerly of New York State 146, southerly of Robinwood Estates, westerly of Northcrest Subdivision and Northcrest Drive and easterly of Bruno Road and is bounded and described in Exhibit A attached hereto and made a part hereof.

§ A217-314 Development.

A. The development of the [Verbeck Frank of Clifton Park] Emma Lane Planned [Unit] Development District has been presented and is described according to a sketch plan filed with the Town Planning Board of the Town of Clifton Park (hereinafter, the "Planning Board") and attached hereto as Exhibit B. The exact location of the improvements shown on the sketch plan may be modified, altered or amended during the site plan review by the Planning Board.

B. Lands set forth in Exhibit B, attached hereto and made a part hereof shall be developed in the following manner:

(1) Division of the 15.10 acre parcel into four uses, with approximate sizes of 5.5 acres for Area A; 7.15 acres for Area B; 1.55 acres for Area C and 0.9 acres for Area D.

(2) Area A so created shall consist of a one-story adult-care home specializing in the care of seniors with Alzheimer's or other short-term memory loss located on approximately 5.5 acres of the site. The

design of the adult-care home shall consist of an approximately [thirty] forty-thousand-square-foot single-story building, together with parking for [30] 40+/- cars.

(3) Area B so created shall consist of one-story office buildings, each of which not exceeding 4,800 square feet in floor area with a total of 28,800 square feet of office land use, in six buildings, on approximately 7.15 acres, together with an average of one parking space for each 225 square foot of floor area.

(4) Area C so created shall consist of 24 garden style apartments in two two-story buildings of approximately 15,000 square feet each on the approximately one-and-one-half-acre site, together with parking, providing no fewer than 1.5 vehicles per dwelling unit. The apartments shall be designed to accommodate the needs of seniors.

(5) Area D, consisting of approximately 0.9 acre of land, is the site of an existing single-family detached home with a minor residential driveway curb cut on New York State Route 146 and existing vegetation and lawn area, which will remain largely undisturbed. Area D may be developed in the future consistent with current B-1 uses. The historic appearance of residence shall be maintained.

C. Two paved entrance driveways from New York State Route 146, at locations that are to be determined by the Planning Board, subject to the requirements and review of New York State Department of Transportation, shall be constructed and serve to accommodate traffic flow through and to Areas A, B, C and D. The existing driveway for Area D will be eliminated when the second new curb cut is installed onto Route 146. The driveway entrances will be constructed in accordance with New York State Department of Transportation Curb Cut Requirements. The on-site access roads and parking lots will be designed and constructed in accordance with standard private roadway and emergency vehicle circulation criteria. To the extent that common areas are created, easements for cross access and maintenance shall be entered into by the parties of Areas A, B, C and D, their heirs, successors and assigns. There will be no access provided from Robinwood.

D. A one-hundred-fifty-five-foot building line setback from the centerline of New York State Route 146, in which there will be no building or parking, shall be complied with for all new construction. The north and east perimeter of the 15.10 acre area shall have a one-hundred-foot building and parking setback, and the west perimeter of the area shall have a twenty-five-foot building and parking setback. Buildings within the Planned Unit Development District will have minimum internal property line setbacks of 10 feet. Parking on Parcel A shall be allowed within the front yard setback along Route 146 as indicated on Exhibit B. The building on Parcel "A" shall have a setback of 130 feet from the centerline of Route 146.

E. Site development.

(1) Existing vegetation along the property lines and within the buffers shall be preserved and enhanced as deemed appropriate by the Planning Board during site plan review to maintain visual character and reduce impacts to adjoining lands. Additional buffering shall be constructed and maintained to minimize the visual impact to adjoining lands as required by the Planning Board. This buffer may include fencing, berming, vegetation or a combination thereof to extent necessary to minimize any visual impact upon the surrounding neighborhood. The quality and density of buffering for subsequent phases shall be consistent with or superior to that of approved Parcel A.

(2) A lighting plan shall be submitted for an area of the [PUD] PDD at the time it is submitted to the Planning Board. The lighting plan shall detail the height, style, location and wattage of the proposed fixtures as well as the proposed illumination pattern. Ambient lighting as it affects adjacent residences shall be mitigated during site plan review.

(3) A walkway will be constructed around the perimeter of the thirty-thousand-square-foot adult-care facility within the one-hundred-foot-buffer. Visual impacts to adjoining properties will be mitigated during site plan review.

(4) Noise from emergency generators shall be buffered with fencing and/or vegetation and evidence of sound mitigation submitted during site plan review.

F. The construction of lands set forth in Exhibit B shall be a phased construction. The initial phase of development shall commence within 12 months of completion of all necessary governmental approvals for the proposed adult home therefor, including subdivision approval to create a separate parcel in Area A as shown in the application of the [PUD] PDD, and it shall consist of the construction of the approximately thirty-thousand-square-foot one-story adult home specializing in the care of seniors, 30 parking spaces, a portion of the easterly most access driveway from Route 146, sanitary sewer and water services, a stormwater management area, landscaping and signage. Subsequent phases of development shall be allowed to proceed upon obtaining site plan and subdivision approval on an area-by-area basis as the market demand occurs for the respective uses. The parking and utility infrastructure shall be constructed as required for the associated use and square footage of building space.

G. Architectural character; signage; subdivision of lands.

(1) Architectural character of all buildings within the [PUD] PDD shall be consistent with that of the existing single-family residence to provide a unified appearance for the entire [PUD] PDD. The existing residence in Area D may be eligible for inclusion as a Town, state or national historic landmark and the exterior shall be preserved to the greatest extent practicable. Artificial illumination affecting adjacent neighborhoods will be minimized to the extent possible.

(2) The site identification signage for the project will be located along the New York State Route 146 corridor area at the entrance driveways. On-site directional signage shall identify individual building locations as required. The size, height, lettering style, illumination and placement of all signs will be in accordance with current Town signage and zoning code requirements.

(3) Lands set forth in Exhibit A shall be subdivided to create lots of which all will have privately owned and maintained buildings, grounds and utility infrastructure.

H. Parking shall be provided pursuant to the requirements of the Planning Board during site plan review as per the Town Code of the Town of Clifton Park.

I. In accordance with the normal practices of the Planning Board, the Planning Board shall consider the input of residents from adjacent neighborhoods regarding the site plan review for each phase. All landowners within 500 feet of the [PUD] PDD boundary shall be notified for each phase of subdivision approval and site plan review in lieu of Local Law Nos. 4 and 5 of 1990.

§ A217-315 Water and sewerage facilities.

A. Water will be supplied through the Clifton Park Water District No. 1 and serviced by the Clifton Park Water Authority. The water service extension shall be completed in accordance with the Town of Clifton Park Water Authority and New York State Department of Health standards. If requested, the developer shall transfer the water distribution system to the Water Authority, at no cost. The sewer system shall be interconnected to the Saratoga County Sewer District.

B. Sanitary waste disposal to service improvements on lands set forth in Exhibit A shall be provided through a connection to the Saratoga County Sewer. Gravity or pressure sewer connection may be utilized. All sanitary waste disposal facilities will be designed and constructed in accordance with New York State Department of Health, New York State Department of Environmental Conservation and Saratoga County Sewer District standards. The design alternative and location will be finalized prior to detailed site plan review and approvals for the adult home.

§ A217-316 Submission of plans.

Before construction of any particular phase of lands of [Verbeck Frank of Clifton Park] Emma Lane PDD as set further in Exhibit B herein is started or any building permit is issued relating thereto, with respect to any such phase final plans and specifications shall be submitted to and approved by the Town Planning Board and filed with the Town Clerk.

§ A217-317 Construction regulations.

All improvements shall be designed and constructed pursuant to plans and specifications approved by a duly licensed architect and/or engineer and in full compliance with the New York State Uniform Fire Prevention and Building Code and the Code of the Town of Clifton Park. The plans and specifications shall be approved by the Planning Board, and following such approval by the Town Planning Board such plans shall be filed in accordance with law. The architect and/or engineer performing the work herein shall be employed by and at the sole expense of the developer. All construction performance thereon and upon completion shall be subject to the inspection and approval of the Town Building Inspector.

§ A217-318 Map.

Local Law No. 10-1996, entitled "Zoning Map" is hereby amended by providing that said "Planned [Unit] Development District, [Verbeck Frank of Clifton Park] Emma Lane," be set forth on the Town Zoning Map.

[1]

Editor's Note: The Zoning Map is on file in the Town offices.

NOTICE OF
PUBLIC HEARING

Please take notice that on March 11, 2019, at 7:05pm, the Clifton Park Town Board will hold a Public Hearing on a proposal to amend The Verbeck Frank Planned Development District on Emma Lane. The Amendment will increase the allowed size of the Peregrine Senior Living facility at 1 Emma Lane from 30,000 sf to 40,000 sf, and to increase parking lot capacity from 30 cars to 40 cars. The amendment will also change the name of the planned development district from Verbeck Frank to “The Emma Lane Planned Development District” to better reflect its location and identification in the community.

Chapter 194
Vehicles and Traffic

[HISTORY: Adopted by the Town Board of the Town of Clifton Park as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Streets and sidewalks — See Ch. 176.

Article I
Parking and/or Operation of Motor Vehicles

[Adopted 8-13-1991 by L.L. No. 14-1991]

§ 194-1 Purpose.

The purpose of this article is to protect the public health, welfare and safety by prohibiting and/or regulating the parking and/or operating of motor vehicles within the Town of Clifton Park.

§ 194-2 Definitions.

The following words when used in this article shall, for the purpose of this article, have the meanings respectively ascribed to them in this section.

PARKING

When parking is prohibited by this article, no person shall park a vehicle, whether occupied or not, but may stop or stand temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers or in the event of an emergency.

PERSON

Every natural person, firm, partnership, association or corporation.

TRAFFIC AND PARKING VIOLATIONS AGENCY

The Traffic and Parking Violations Agency will consist of the Town Attorney and Assistant Town Attorneys, as well as other employees and individuals as may be appointed by the Town Board, and shall have the authority to adjudicate all parking tickets issued pursuant to this Chapter, pursuant to Article II of this Chapter.

STOP or STOPPING

When prohibited, means any halting, even momentarily, of any vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic, to comply with the directions of a police officer or traffic control sign or signs or in the event of an emergency.

VEHICLE

Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or devices used exclusively upon stationary rails or tracks.

§ 194-3 Authority.

Pursuant to Vehicle and Traffic Law § 1660-a, Subdivision 10, and upon the written request of any of those individuals set forth in § 1660-a of the Vehicle and Traffic Law, the Town Board of the Town of Clifton Park does hereby:

- A. Add the position of Security Officer and continue the position of Parking Enforcement Officer and Code Enforcement Officer (hereinafter "Officer"), whose duties shall include enforcement of this article. This article may also be enforced by any other local law enforcement agency. **[Amended 7-15-2002 by L.L. No. 6-2002]**
- B. Authorize the Officer to designate, in accordance with the New York State Uniform Fire Prevention and Building Code, certain parking spaces as places for parking for handicapped persons to whom a permit has been issued pursuant to Vehicle and Traffic Law § 1203-a and for severely disabled persons to whom a special registration has been issued pursuant to Vehicles and Traffic Law § 404-a.

[C]. § 194-4 Handicapped Parking.

[Amended 3-20-1995 by L.L. No. 3-1995]

- A. The Clifton Park Town Board recognizes the importance of providing individuals with disabilities with accessible parking spaces within the Town of Clifton Park. In order to ensure that such parking spaces are readily available, [it is appropriate to raise fines for persons convicted of] parking in a space reserved for [people with disabilities] handicapped parking without special plates or a special parking permit is prohibited.
- B. No person shall stop, stand or park a vehicle in any space designated as a place for handicapped parking unless the vehicle bears a permit issued under Vehicle and Traffic Law § 1203-a or a registration under Vehicle and Traffic Law § 404-a and, in all cases, such vehicle is being used for the transportation of a handicapped or severely disabled person.

[C. Penalties. [Amended 5-2-2005 by L.L. No. 4-2005]

- (1) A conviction for the violation of parking in a space reserved for people with disabilities, without valid special plates or a valid special parking permit, shall be punishable by a fine not to exceed \$200, or a term of imprisonment not to exceed 15 days, or by both such fine and imprisonment.
- (2) For conviction of a second offense committed within 18 months of the first, the court shall impose a fine not less than \$150, nor more than \$300, or a term of imprisonment not to exceed 15 days, or both such fine and imprisonment.
- (3) For a conviction of a third or subsequent offense committed within 18 months of the first, the court shall impose a fine of not less than \$250, nor more than \$500[, or a term of imprisonment not to exceed 15 days, or both such fine and imprisonment].

§ 194-5 Stopping, Parking and Standing Regulations.

- A. [C.] No person shall stop, park or leave standing any vehicle, whether or not attended and/or occupied, upon the paved part or the main traveled part or along the shoulder of that portion of Clifton Park Center Road lying between Hemlock Drive and Beechwood Drive, Ivy Court, Evergreen Avenue, Elm Place and Biette Road. **[Amended 4-6-1998 by L.L. No. 2-1998]**
- B [D.] No person shall park or leave unattended any vehicle on any public or Town highway, road or street on the roads known and designated as Tallow Wood Drive and Heartwood Court during the time period of 11:00 p.m. through 6:00 a.m.
- C.[E] No person shall park and leave unattended any vehicle on the road known and designated as Tracey Court during the time period of 7:00 a.m. through 4:00 p.m. Monday through Friday. **[Added 11-17-2003 by L.L. No. 11-2003]**

D. [E] No person shall park or leave unattended any vehicle on the street or road known as Parkside Trail at any time where no-parking signs are posted. [Added 4-5-2010 by L.L. No. 2-2010]

F. [§ 194-6] **Parking During Snowfalls.**

No person shall park or leave unattended any vehicle on the pavement or shoulder of any Town highway, road or street during a period of snowfall, sleet, freezing rain or other winter-type weather and for a forty-eight-hour period after the precipitation ceases.

G.[§ 194-7] **Recreational Vehicles.**

No person shall park or leave unattended any recreational vehicle, boat and/or trailer on any Town highway, road or street for longer than a forty-eight-hour period.

H.[§ 194-12] **Parking Near Emergency Locations.**

No person shall park any vehicle other than emergency vehicles upon the street or roadway in front of any firehouse or ambulance station or within a radius of 15 feet of any fire hydrant or within 500 feet of any building or area where a fire is located.

I.[§ 194-13] **Parking in Fire Lanes.**

[Amended 10-17-1994 by L.L. No. 8-1994]

J. No person shall park or leave unattended any vehicle in any fire lane. In certain posted areas, vehicles in violation of this section may be towed away as provided in § 73-15 of this Code.

§ 194-6 [8] **Parklands.**

[Amended 4-6-1998 by L.L. No. 2-1998]

A. [§ 194-11] **Parking in designated areas only.**

No person shall park or leave unattended any vehicle in any area of the Clifton Commons or other Town-owned parks other than in designated areas and/or spaces.

B. **[194-8] Operation of a Motor Vehicle in Town Parks.**

No person shall operate or drive a vehicle on Town parklands other than on the recognized and customarily traveled, paved and/or graveled roadways and/or parking lots. Additionally, the use of motorized vehicles shall be restricted on Town-wide trails as provided in § 152-4 of the Town Code.

[§ 194-7] **Driving on shoulders of highways.**

No person shall operate or drive a vehicle on the shoulder of any highway within the Town of Clifton Park, absent emergency circumstances.]

C. **[§ 194-9] [10] Reckless and Destructive Driving.**

No person shall operate or drive a vehicle on Town Property, or within any Park or Preserve property, parking lot, or access road in an unsafe, reckless or destructive manner nor operate or drive any vehicle in a manner that creates a public nuisance or annoyance.

§ 194-[14] 7 Penalties For Offenses.

[Amended 3-20-1995 by L.L. No. 3-1995; 5-2-2005 by L.L. No. 4-2005]

A. A violation of any section of this article shall be deemed a traffic infraction.

B. Except as otherwise set forth in § [194-4] 194-7F, upon a conviction of a violation of this article, such violation shall be punishable by a fine not to exceed [\$150] \$100.00. [, or a term of imprisonment not to exceed 15 days, or by both such fine and imprisonment]. [Amended 3-20-1995 by L.L. No. 3-1995]

C. Except as otherwise set forth in § [194-4] 194-7F, upon a second conviction of a violation of this

article, both committed within 18 months, such violation shall be punishable by a fine not to exceed [250] \$200. [, or a term of imprisonment not to exceed 15 days, or by both such fine and imprisonment].

- D. Except as otherwise set forth in § [194-4] **194-7F**, upon a third or subsequent conviction of a violation of this article, all committed within 18 months, such violation shall be punishable by a fine not to exceed \$[500] \$300. [or a term of imprisonment not to exceed 15 days, or by both such fine and imprisonment].
- E. Where no answer has been made, or appearance entered, upon any such citation or violation within 20 days after the violation date, the Traffic and Parking Violations Agency may impose a penalty upon each violation upon plea, conviction or default.
- F. Penalties for Handicapped Parking Violations. Penalties. [Amended 5-2-2005 by L.L. No. 4-2005]
- (1) A conviction for the violation of parking in a space reserved for people with disabilities shall be punishable by a fine not to exceed \$200.
- (2) For conviction of a second offense committed within 18 months of the first, the court shall impose a fine not less than \$150, nor more than \$300.
- (3) For a conviction of a third or subsequent offense committed within 18 months of the first, the court shall impose a fine of not less than \$250, nor more than \$500. (Note- references to Imprisonment in former 194-4 C are removed.)
- (4) Where no answer has been made, or appearance entered, upon any such citation or violation within 20 days after the violation date, the Traffic and Parking Violations Bureau may impose a penalty upon each violation upon plea, conviction or default.
- G For violations of sections 194-6-8, driving on Town Property, or Reckless driving within Town Parks or Preserves, a fine not to exceed \$500 may be imposed and, as well as an orders of restitution in cases of damage to persons or property may be issued.

**[§ 194-15 Reimbursement for blood test expenses.
[Added 6-17-1996 by L.L. No. 4-1996]**

Anyone convicted in the Town Court for an alcohol or drug related driving offense shall reimburse the Town for any blood test expenses the Town incurs with regard to such person within 30 days of such conviction.]

[Article II
Vehicles and Traffic Surcharge

[Adopted 10-4-2004 by L.L. No. 2-2004]

§ 194-16 Purpose.

The purpose of this article is to impose a local surcharge on convictions rendered in the Town Justice Court pursuant to the enabling authority of § 1809-D of the New York State Vehicle and Traffic Law, as added by Chapter 56 of the Laws of 2004.

§ 194-17 Local surcharge on convictions.

For convictions rendered in the Town of Clifton Park Justice Court for violations committed between the effective date of this article and September 1, 2005, which convictions are subject to a mandatory surcharge imposed pursuant to § 1809 of the New York State Vehicle and Traffic Law, there shall be an additional surcharge of \$10 per violation.

§ 194-18 Payment to Clerk of Court; Disposition of Surcharge.

The surcharge authorized by § 194-16 of this article shall be paid to the clerk of the court that rendered the conviction. Within the first ten days of the month next succeeding the collection of such surcharge, the court shall pay the surcharge upon application to the chief fiscal officer of the Town which imposed such surcharge. Such chief fiscal officer shall require such proof as is necessary in order to determine whether a refund is required by law.

§ 194-19 Refunds.

Any person who has paid a surcharge authorized by this article which is ultimately determined not to be required by this article shall be entitled to a refund of such surcharge upon application to the chief fiscal officer of the Town which imposed such surcharge. Such chief fiscal officer shall require such proof as is necessary in order to determine whether a refund is required by law.]

**ARTICLE [III] II
ADMINISTRATION AND ENFORCEMENT**

§ 194-[20] 8 Traffic and Parking Violations Agency.

- A. Pursuant to Article 14B of the New York State General Municipal Law, there is hereby established a Traffic and Parking Violations Agency, hereinafter referred to as TPVA, which shall have the authority to adjudicate all parking tickets issued pursuant to this Article.
- B. The Town Attorney and Assistant Town Attorneys are hereby designated to be a Judicial Hearing Officer to perform the duties set forth in Section 1806-a(4) of the New York State Vehicle and Traffic Law.

§ 194- [21] 9 Powers and Duties.

The powers and duties of the TPVA shall be as follows:

- A. To establish a schedule of fines which may be listed on the parking ticket.
- B. To assess fines, accept pleas and fines and to provide a mechanism for the efficient administration of this chapter.
- C. To accept fines and issue receipts to those who plead guilty or are found guilty.
- D. To resolve the claims of those who either plead guilty with an explanation or not guilty and mitigate the prescribed fine, in whole or in part, or refuse to mitigate the same.
- E. To keep a record of all violations issued, fines assessed and fines collected of which each person has pled or been found guilty during the preceding 36 months.
- F. Where an answer has not been made to a parking ticket within 20 days after the ticket was issued, to enter and file a default judgment of a fine not to exceed the maximum penalty allowed this section as determined by a judicial hearing officer pursuant to the provisions of Section 1806-a(4) of the Vehicle and Traffic Law.
- G. To perform such other or additional duties and keep such other and additional records as shall be prescribed by the Town Board of the Town of Clifton Park.
- H. To provide that a person who has received a parking ticket may answer and enter an appearance, though a web-based application, by mail, or in person at the TPVA.

- I. The Agency is authorized to impose a penalty or enhanced fine upon each violation for failure to respond to the citation within the first 20 days after the date of violation.

§ 194-[22] 10. Entry Of A Plea.

A person who has received a parking ticket pursuant to this chapter may answer by appearing in person at the TPVA, by mail or on a web-based application and plead:

- A. Not guilty, whereupon the case will be transferred to the Clifton Park Town Court for a trial.
- B. Not Guilty with an explanation. The TPVA shall determine whether such explanation and/or documentation warrants the dismissal of the ticket and notice of said determination shall be sent to such person. If the TPVA determines that the ticket should not be dismissed, the case will be transferred to the Clifton Park Town Court for a trial.
- C. Guilty and pay the fine listed on the parking ticket.
- D. Guilty with an explanation. The TPVA shall determine whether such explanation and/or documentation warrants a mitigation of the fine, in whole or in part, or refuse to mitigate the same and notice of said decision shall be sent to such person.
- E. The TVBA shall retain authority to negotiate Plea agreements and compromise cases transferred to Clifton Park Town Court pursuant to section 194-22 A or B up to the time of trial.

§ 194-[22] 11. Right To A Trial.

Prior to the entry of a default judgment pursuant to Subdivision F of Section 194-21, a person who is not able to reach an agreement with the TPVA on the disposition of a parking ticket may request that the matter be transferred to the Clifton Park Town Court which shall conduct a trial.

§ 194-[23] 12. Right Of Counsel.

Any person appearing before the TPVA may be represented by an attorney.

§ 194-[24] 16. Fines.

All fines collected pursuant to this chapter shall be paid to the TPVA .

§ 194-[28] 17 Severability.

If any section, provision or part thereof in this chapter shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of the chapter as a whole or any section, provision or part thereof not so adjudged invalid or unconstitutional.

§ 194-[29] 18 When Effective.

This chapter shall be effective April 1 2019 and shall also apply to all traffic tickets currently pending in the Clifton Park Town Court which shall be transferred to the Traffic and Parking Violations Bureau.

Resolutions for Consideration
Clifton Park Town Board Meeting
March 11, 2019

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Supervisor	Recognize the Southern Saratoga YMCA's 25 th Anniversary	P. Barrett
2. Supervisor	Appoint David Alexander to the Environmental Conservation Commission	P. Barrett
3. Supervisor	Appoint Paula Cooper as Planning Board Secretary	P. Barrett
4. Buildings & Grounds	Authorize the hiring of Bradyn Pomainville, Michael Dworak, and Colin Graves for seasonal work for Summer 2019	P. Barrett
5. Buildings & Grounds	Award a bid for preventative maintenance of HVAC in Town-owned buildings to P&J Mechanical Corp.	P. Barrett
6. Town Clerk	Authorize the Supervisor to sign a lease with Ed & Ed Business Technology for a new mailing system	P. Barrett
7. Parks & Recreation/ Highway	Authorize the Clifton Park Baseball League to use Town Roadways and parkland for the CPBL "4" Cooperstown 5k Road Race	P. Barrett
8. Parks & Recreation	Authorize the hiring of Adventure Challenge Facilitators and Assistants for the 2019 season	P. Barrett
9. Parks & Recreation	Approve the 2019 Golf Course Staff Salary Matrix	P. Barrett
10. Parks & Recreation	Authorize the hiring of Golf Course Staff for the 2019 season	P. Barrett

Resolution No. _____ of 2019, a resolution recognizing the 25th Anniversary of the Southern Saratoga YMCA.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the mission of the YMCA is “To put Christian principles into practice through programs that build healthy spirit, mind and body for all” and

WHEREAS, for over twenty-five years the Southern Saratoga YMCA has lived this mission every day through the programs and classes they provide for the entire Clifton Park community and beyond, and

WHEREAS, over the past twenty-five years the Southern Saratoga YMCA has grown into more than one building and expanded to include state of the art athletic and recreational facilities, and

WHEREAS, the Southern Saratoga YMCA is known for its unique and ambitious events for all ages including the ever popular Any One Can Tri Triathlon once again held in memory of Clifton Park resident Chris Gleason, and the Kids Can Tri Too, and

WHEREAS, the Southern Saratoga YMCA gives back directly to the community by hosting everything from blood drives, to the Lunar New Year celebrations, to Girl and Boy Scout Troops, while also organizing food drives for area food cupboards, and

WHEREAS, through programs as varied as Adventure Princess up through Youth and Government, the Southern Saratoga YMCA has helped to prepare today’s youth to be tomorrow’s future, and

WHEREAS, by modeling the belief that living healthy is about spirit, mind and body at every age and stage the Southern Saratoga YMCA has offered lifechanging classes and programs including LIVESTRONG and Circles of Champs dedicated to improving the quality of life for children who’ve been touched by a life-threatening illness, and

WHEREAS, for over twenty-five years the Southern Saratoga YMCA has been more than a gym, but rather a cause, and that cause being the strengthening of the community; now, therefore be it

RESOLVED, that the Town Board thanks and recognizes the Southern Saratoga YMCA on the occasion of their twenty-fifth anniversary for their contributions towards the health and well-being of Clifton Park residents. We are proud to have you as part of our community.

Resolution No. _____ of 2019, a resolution appointing David Alexander as a member of the Environmental Conservation Commission.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, a vacancy exists on the Environmental Conservation Commission, and

WHEREAS, David Alexander, 14 Berkshire Drive W., Clifton Park has been recommended to fill the position, and

WHEREAS, Mr. Alexander's presence on the Environmental Conservation Commission will confer a benefit to the Town of Clifton Park, now, therefore be it

RESOLVED, that David Alexander is hereby appointed to the Environmental Conservation Commission for the remainder of a two-year term, term to expire December 31, 2020.

Resolution No. _____ of 2019, a resolution appointing Paula Cooper to the position of Planning Board Secretary for the Town of Clifton Park.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, as of March 1, 2019 a vacancy exists for the position of Planning Board Secretary with the resignation of Betsey Snyder from the position; and

WHEREAS, Paula Cooper, 45 Old Route 146, Clifton Park, is recommended by the Director of Planning to fill the vacant position; now therefore be it

RESOLVED that Paula Cooper is hereby appointed Planning Board Secretary for the remainder of the 2019 Calendar Year; and be it further

RESOLVED, that the position be compensated at an annual budgeted rate of \$6,500 per year, to be paid \$250 per pay period; and be it further

RESOLVED, that this appointment shall take effect immediately.

Resolution No. _____ of 2019 a resolution authorizing the hiring of 2019 summer help for the Department of Buildings & Grounds.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, openings exist for seasonal work in the Buildings & Grounds Department, and

WHEREAS, Daniel Clemens, Buildings & Grounds Superintendent, has recommended that the individuals listed on Schedule A be hired to fill the positions as noted; now therefore, be it

RESOLVED, that individuals listed on Schedule A are hired, for seasonal work as assigned, for Buildings and Grounds for the summer of 2019, effective immediately, to be paid as noted.

Resolution No. _____ of 2019, a resolution awarding the bid for the preventive maintenance for Town owned buildings and facilities pursuant to General Municipal Law Section 103.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Department of Building and Grounds advertised bids for a preventive maintenance service agreement for all Town Owned Buildings, across all systems and for all makes and models of HVAC systems in use by the Town, and

WHEREAS, bids were opened on March 4, 2019, and

WHEREAS, P & J Mechanical Corp., 91 Krey Blvd. Rensselaer, NY submitted the low bid of \$13,448.00 annually for a three-year term, in response to the bid documents, and

WHEREAS, Dan Clemens, recommends that the contract be awarded to P & J Mechanical as low bidder; now, therefore, be it

RESOLVED, that the bid for the HVAC contract for the preventive maintenance of the HVAC systems in all Town Owned Buildings and facilities be awarded to P & J Mechanical, 91 Krey Blvd. Rensselaer, on the basis of their bid, in an amount not to exceed \$40,344.00 for the term of the contract; and be it further

RESOLVED, that the Supervisor is authorized to execute a contract with P&J Mechanical consistent with the bid documents, for a term of up to three years; and be it further

RESOLVED, that the accounts on Schedule A be charged based on the allocation; and be it further

RESOLVED, that the succeeding years, if continued, shall have the appropriate funds included in each subsequent years' budget.

Resolution No. _____ of 2019, a resolution authorizing the Supervisor to sign a sixty-three (63) month lease with Ed & Ed Business Technology, for an IN600AF Neopost Mailing System for use by the Town Hall.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Town Clerk Patricia O'Donnell has obtained quotes for digital mailing systems, and

WHEREAS, the proposed cost for leasing the postal mailing system has been budgeted, and

WHEREAS, the Town Clerk has recommended that the Town Board accept the quote from Ed & Ed Business Technology of \$134.93 per month, which includes the cost of the postal machine rental as well as maintenance, delivery, setup and training; now, therefore be it

RESOLVED, that the Town Supervisor is authorized to enter into a sixty-three (63) month lease agreement with Ed & Ed Business Technology for an IN600AF Neopost Mailing System for use by the Town Hall, at a cost not to exceed \$134.93 per month, to be paid from A1410-009 (Town Clerk – Lease & Rentals).

Resolution No. _____ of 2019, a resolution authorizing the Clifton Park Baseball League to use Town roadways for their CPBL "4" Cooperstown 5k road race.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Clifton Park Baseball League has requested the use of a portion of Clifton Common and Town of Clifton Park roadways as specified in the attachment hereto, for the purpose of holding their CPBL "4" Cooperstown 5k road race on Sunday, April 13, 2019 from 7:00 AM until 10:00 AM, and

WHEREAS, the event has the approval of the Town's Highway Superintendent, the Director of Parks & Recreation, the Buildings and Grounds Supervisor, and the Public Safety Director, now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the CPBL to use a portion of Clifton Common and Town roadways as specified in the attachment hereto, April 14, 2019, at 7:00 AM, for the purpose of holding the CPBL "4" Cooperstown 5k, and be it further

RESOLVED, that this approval is expressly conditioned upon receipt prior to April 13, 2019, in the Office of the Highway Superintendent and the Office of Parks, Recreation and Community Affairs, 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 members of the CPBL 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.

Resolution No. _____ of 2019, a resolution authorizing the hiring of Adventure Challenge Facilitators and Assistants, per Schedule A.

Introduced by, who moved its adoption, seconded by _____.

WHEREAS, the Town Board wishes to hire Adventure Challenge Staff to conduct the 2019 Project Adventure Program within the Department of Parks, Recreation and Community Affairs; now, therefore, be it

RESOLVED, that the individuals on the attached Schedule A are appointed to said positions, effective April 1, 2019 through October 31, 2019, at the salary amounts listed on Schedule A, to be paid from A-7621-E2350 (Facilitator) and A7621-E2360 (Assistant).

Resolution No. _____ of 2019, a resolution approving the 2019 salary matrix for Barney Road Golf Course employees.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Director of Parks, Recreation and Community Affairs has requested that rates of pay be increased for 2019 Clifton Park Golf Course Staff Matrix, per Schedule A, and

WHEREAS, the Supervisor wishes to maintain pay rate increases similar to other seasonal 2019 Parks & Recreation Staff matrices; now therefore be it

RESOLVED, that the Town Board hereby adopts the 2019 Salary Matrix for Golf Course staff per Schedule A.

Resolution No. _____ of 2019, a resolution hiring returning Golf Course Supervisor and Attendants for the Barney Road Golf Course for the 2019 Season.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Town Board wishes to hire seasonal staff for the upcoming season at the Barney Road Golf Course,

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

RESOLVED, that authorization is hereby given to hire the individuals listed on the attached Schedule "A" as staff for the Barney Road Golf Course, effective April 1, 2019 through November 17, 2019, at a salary as indicated on Schedule "A."