

August 19, 2019

The regular meeting of the Town Board of the Town of Clifton Park was held in the Town Office Building at 7:00 p.m. Supervisor Barrett presiding.

Present: Supervisor Barrett
 Councilman Whalen
 Councilwoman Standaert
 Councilman Romano
 Councilwoman Walowit
 Deputy Town Clerk Brobston

Also Present: Town Attorney McCarthy
 Dahn Bull, Superintendent of Highways
 Mark Heggen, Comptroller
 Daniel Clemens, Supervisor of Buildings and Grounds

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the August 5, 2019 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Councilwoman Walowit announced the 2019 Annual Farm Fest weekend will take place September 14 & 15 from 10am-5pm. Along with the Farm Fest celebration will be Fur Fest that will focus on pet adoption, a \$20 microchip clinic and a Saratoga County K-9 demonstration.

Supervisor Barrett explained the county animal shelter recommended to the County Board of Supervisors to lower the adoption rates.

Supervisor Barrett announced fall Shredding Day to be held Sunday, October 6, 1-3 pm in the Boscov's parking lot. No registration necessary. A donation of can goods for the Jonesville Food Pantry is requested for the service. He thanked the 3N Document Destruction for their services.

Supervisor Barrett stated the upcoming week is the last of the summer camps, the pools will be closing on Labor Day and Sunday/Wednesday concert series are over.

Supervisor Barrett announced Household Hazardous Waste Day will be held September 7. Registration is required. Applications can be obtained at the Town Hall or on-line at cliftonpark.org.

Councilwoman Standaert explained the Green Committee has two volunteer events coming up for the Repair Café. Volunteers who have skills to fix broken items are needed. Information sessions will be August 26 and September 5. She stated the first Repair Cafe' will be set for September 21 at the Clifton Park Halfmoon Library. All the information will be on-line soon. Contact Councilwoman Standaert if interested in volunteering.

PUBLIC HEARING, 7:05 PM (7:11 PM)
 TO CONSIDER AMENDMENTS AND REVISIONS TO
 THE CODE RELATIVE TO DOOR TO DOOR SOLICITORS AND PEDDLERS.

Deputy Town Clerk Brobston read the Notice of Public Hearing as published in The Daily Gazette on August 9, 2019.

Town Attorney McCarthy explained the proposed changes for Chapter 156, Peddling and Soliciting. He explained this law has not been revised for a long time. License fee increase to \$250, ID for vehicles used by the peddlers, more detailed documents from companies represented, administration process for repealing or revoking license, time frame for soliciting not after 30 minutes before dusk and repealing licenses on town property. Modernization for the applicants, vehicles and company.

Supervisor Barrett explained the identification factor with door to door soliciting. More information on the individuals is important.

Councilman Whalen stated the code has not been updated in a considerable amount of time and is well needed.

The public hearing was opened for comments from the audience at 7:15 PM.

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one wished to be heard. Supervisor Barrett declared the public hearing closed at 7:18 PM.

Town Attorney McCarthy recommended a complete repeal of the whole chapter with the proposed changes.

PUBLIC HEARING, 7:07 PM (7:20 PM)
TO CONSIDER REVISIONS AND AMENDMENTS TO THE TOWN'S CODE RELATIVE
TO THE PROCEDURE FOR THE CONSIDERATION OF APPLICATIONS FOR
RESIDENTIAL DENSITY INCREASES IN TOWN CENTER.

Deputy Town Clerk Brobston read the Notice of Public Hearing as published in The Daily Gazette on August 9, 2019.

Town Attorney McCarthy explained when the Town Center Zoning was passed it contained a provision for a base density for residential dwelling units within the zone and contained in Chapter 208-22 that the Town Board may increase that density. At the time it was to follow the same procedure as a PDD. An application has not come before the Board for this request to test that provision and after review with Planning Director Scavo it was decided that PDD's in the Town Center Zone would be counterproductive to the goals of the Town Center Zoning. This proposed procedure takes most of the existing procedures from the PDD's chapter in the zoning code and moves them into Chapter 208-22 which would allow the Town Board to increase the residential dwelling unit density.

Supervisor Barrett stated there really is no change in the restrictions that are included in this process and the Town Board remains the ultimate decision-making authority.

The public hearing was opened for comments from the audience at 7:25 PM.

Councilman Whalen commented on the submission of the application of paper copies and DVD's. Suggested change to electronic submission format.

Everyone was given an opportunity to speak in favor of or against the proposed local law. Supervisor Barrett declared the public hearing closed at 7:31 PM.

PUBLIC HEARING, 7:10 PM (7:32 PM)
TO CONSIDER AN APPLICATION FOR AN INCREASE IN ALLOWABLE RESIDENTIAL
DENSITY FOR A REDEVELOPMENT PROJECT AT 15 PARK AVENUE,
FORMER KMART BUILDING.

Deputy Town Clerk Brobston read the Notice of Public Hearing as published in The Daily Gazette on August 9, 2019.

Joseph D'Annibile, Environmental Design Partnership, representing Windsor Development, reviewed the redevelopment plans for the apartment complex planned for the empty 87,000 square foot Kmart building location, Shoppers World Plaza, they are requesting a density increase from 50 units to 100 units. The proposal includes the demolishing of the exiting Kmart

building and replacing it with 2 buildings, 4 stories, with 50 residential units in each. Each building will have 22 covered parking spaces on the first floor with a total of 192 parking spaces, 2 spaces per unit, developing a street scape entering the project, sidewalks, trees, an open entry plaza and drop-off area. Creating a mixed-use center of residential and existing commercial on the same property. He stated the green space will be increased and a significant reduction impervious area by close to an acre. Updated Stormwater is already located on the parcel. Traffic would be a 90% decreased in comparison of the retail commercial use.

Supervisor Barrett reviewed situations since large buildings retail has somewhat declined and the adoption results from Town Center Plan, as well as the importance of the changes to the Exit 9 commercial areas.

Bob Miller, Jr., explained the change in the retail environment. Internet is affecting retail. The larger box retail stores are difficult to repurpose.

Supervisor Barrett explained municipalities rely on sales tax revenues. As the retailers continue to go out of business it significantly impacts sales tax revenues into the future. He stated there was a past proposal for this site that requested a larger number of units and retail on the first floor.

Supervisor Barrett said he had the opportunity to see the new apartments on Clifton Country Road/Hannaford and was impressed with the amenities and modern look. He questioned if the proposed apartments would be the same style and have the rooftop amenity.

Mr. Miller stated yes, they would be the same quality inside and same amenities.

Councilman Whalen questioned the height of the current building.

Mr. D'Annibile stated the current building is approximately 51 feet just short of 3 stories. 4 story is proposed.

Councilman Whalen questioned the density amenities for the town.

Mr. Miller stated stormwater retention, reduction in impervious area, recreational areas/park, giving life to the Town Center Code vision, pedestrian connectivity.

Mr. Miller stated if the project does not get the increase in density units the project would probably not go forward.

Supervisor Barrett explained a hybrid form-based code was achieved with the Town Center Zone allowing change in density proposals possible.

Rocco Ferraro, Planning Board Chairman, stated at the Dec. 11, 2018 Planning Board meeting the board made a positive recommendation to the Town Board for this proposed 50 additional residential units.

The public hearing was opened for comments from the audience at 8:15 PM.

Anne Connolly, Valdepenas Ln., shared concerns on the marketing of the proposed apartments and amenities. Would like to see it targeted to the millennials.

Judy Moorly, Wheeler Dr., questioned the definition of a park/green space & traffic in the proposal.

Mr. D'Annibile explained the entry plaza/pocket park will have benches, grass and statue.

Supervisor Barrett explained the traffic will be much less with this proposal than with the retail store of Kmart.

John Bologna, Goldfield Ln., asked what the rest of the parking lot would be used for.

Mr. Miller stated they are not sure what the plan is for the outer parking area. With this proposal there may be more interest with the remaining area on the parcel.

Everyone was given an opportunity to speak in favor of or against the proposal. Supervisor Barrett declared the public hearing closed at 8:22 PM

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 196 of 2019, a resolution to grant the Saratoga County Sewer District No. 1 and The Michaels Group Homes LLC an easement over and through a portion of town property for a sanitary sewer line constructed per the approved subdivision plat for Crescent Woods Subdivision.

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

WHEREAS, the Town of Clifton Park, as landowner of a parcel of land identified as SBL: 284.9-3-5, situated in the Town of Clifton Park, Saratoga County, further described in Schedule A, attached, and located on town-owned open space to the south of Patriot Circle, and

WHEREAS, pursuant to approved plans for the Crescent Woods Subdivision, sanitary sewer infrastructure for the development will be served and maintained by Saratoga County Sewer District, and

WHEREAS, the Saratoga County Sewer District No. 1 has requested a permanent sanitary easement to effectively maintain, repair and replace the sewer main, and

WHEREAS, the Town Board wishes to convey a permanent easement to the County of Saratoga over the lands referenced above for the purposes of operation and maintenance of sanitary sewer improvements to be constructed by The Michaels Group; now, therefore, be it

RESOLVED, that the Supervisor is authorized to convey a permanent easement for the maintenance and repair of sanitary sewer improvements as described in Schedule A, to the County of Saratoga, as attached, subject to approval by the Town Attorney.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 197 of 2019, a resolution authorizing the purchase of snow throwing equipment.

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

WHEREAS, Daniel Clemens, Supervisor of Buildings and Grounds, solicited quotes for a snow throwing attachment for a Toro Dingo snow thrower owned by the department, and

WHEREAS, Grassland Equipment & Irrigation Corporation, Troy Schenectady Road, Latham, NY, as an authorized Toro Dealer, submitted the lowest quote for the attachment at a total cost not to exceed \$5,650, and

WHEREAS, Daniel Clemens has recommended the equipment be purchased from Grassland Equipment & Irrigation; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor of Buildings & Grounds to purchase the snow throwing equipment from Grassland Equipment & Irrigation Corp., in a total amount not to exceed \$5,650, from A-7112-200 (Clifton Common-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Buildings & Grounds Supervisor explained this is an attachment to remove snow on narrower pathways.

Resolution No. 198 of 2019, a resolution authorizing the wiring and installation of four “Big Ass” macro fans at Prestige Services Arena.

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

WHEREAS, the town has received the donation of large indoor fans through Rensselaer Polytechnic Institute, and

WHEREAS, Daniel Clemens, Supervisor of Buildings and Grounds, requested quotes for the wiring and installation of the four fans to improve air circulation and cooling efficiency within the arena, and

WHEREAS, Wiring Concepts, LLC, 137 Hop City Rd, Ballston Spa, NY, has submitted the lowest quote for wiring and installation of four large macro fans as a specialty item, at a total cost not to exceed \$8,500, and

WHEREAS, Daniel Clemens has recommended the equipment be wired and installed by Wiring Concepts, LLC; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor of Buildings & Grounds to have the fans installed by Wiring Concepts, LLC., for a total amount not to exceed \$8,500, from A-7112-200 (Clifton Common-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 199 of 2019, a resolution to accept a proposal for the rental of three tents to be used on Household Hazardous Waste Day.

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

WHEREAS, proposals have been received for the rental of tents to be used on Household Hazardous Waste Day, September 7, 2019, and

WHEREAS, after reviewing the proposals received, Stormwater Management Technician Scott Reese has recommended that the low proposal of Whalen and Sons for an amount of \$1,855 for the rental of three tents be accepted; now, therefore, be it

RESOLVED, that the proposal of Whalen and Sons, 5 North Street, Troy, New York, is hereby accepted for an amount not to exceed \$1,850 for the rental of three tents to be used on Household Hazardous Waste Day, to be paid from A-8989-150 (Community Development-Special Collections Day).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Councilman Whalen stated he is no relation to Whalen and Sons.

Resolution No. 200 of 2019, a resolution authorizing the Highway Superintendent to purchase an electric motor tire changer and a transfer from contingency.

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

WHEREAS, the Highway Department solicited quotes for a motorized tire changer, and

WHEREAS, Dahn Bull, Superintendent of Highways, recommends the purchase of an electric motor tire changer from Napa Tools and Equipment, Scotia, NY, at a price not to exceed \$5,679.99; now, therefore, be it

RESOLVED, that the Comptroller is authorized to transfer \$5,000 from Contingency to DA-5132-200 (Highway Garage-Equipment); and be it further

RESOLVED, that the Town Board authorizes the purchase of an electric motor tire changer from Napa Tools and Equipment for \$5,679.99 to be paid from DA-5132-200 (Highway Garage – Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Superintendent of Highways Bull stated this purchase will replace the current 16-year-old changer that needs replacement.

Resolution No. 201 of 2019, a resolution authorizing the Supervisor to sign a lease agreement with National Business Technologies, for a Digital Copying system for use by the Town Clerk's Office.

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

WHEREAS, Town Clerk Patricia O'Donnell has requested that a new digital copier/printer be leased for use by the department, and

WHEREAS, the proposed cost for leasing the copier has been budgeted per the attached schedule, and

WHEREAS, quotes were received with National Business Technologies submitting the lowest quote of \$104.46 per month for 36 months; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to enter into a lease agreement with National Business Technologies, for a Kyocera TASKalfa 3352ci copier/printer system, for thirty-six (36) months, at a cost not to exceed \$104.46 per month, plus \$.006 for black and white copies and \$.05 for color copies, to be paid from A-1410-3 (Town Clerk Copier).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett stated the county had a water main break recently and whenever there is a water main break in a system a boil water advisory is put in place. The town at that time stopped buying county water till the break was repaired to avoid the town wide boil water advisory. The town bought the water from Glenville & Halfmoon. This was a good test of our system. He thanked the CPWA for there decision and efforts.

PUBLIC PRIVILEGE

No one wished to be heard.

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

Motion carried at 8:45 PM.

Teresa J. Brobston
Deputy Town Clerk