

8/17/2009

August 17, 2009

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: Councilman Paolucci
Councilman Hughes
Councilman Roth
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy
Mark Heggen, Comptroller
Barbara McHugh, Director of Community Development

Absent: Michael Shahan, Town Administrator

MOTION BY Councilman Roth, seconded by Councilman Paolucci, to approve the minutes of the August 3, 2009 meeting as presented.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Councilman Roth, in response to a Community News "Sound Off" comment questioning the Town Highway Department repairing the road to the Elks Club, explained the road, by deed, is a common area between the Town of Clifton Park and the Elks Club leading the town park, pavilion and softball fields.

Supervisor Barrett thanked the Parks and Recreation Department and all the sponsors for the Sunday Nights in the Park.

REPORTS TO THE BOARD

Town Comptroller Heggen reviewed the July financial report, noting 2009 expenditures and revenues are running approximately the same as 2008 with the exception of the \$1 million for the clean up of the December 2008 ice storm. Mr. Heggen said ice storm revenue is starting to come in from NYS and will be reflected in the 2009 general and highway funds. He is currently reviewing the town auditor's initial draft.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 236 of 2009, a resolution referring the proposed amendment of the Coburg Village Planned Unit Development to the Planning Board for review and comment.

Introduced by Councilman Hughes, who moved its adoption, seconded by Councilman Paolucci.

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WHEREAS, an application has been received to amend the Coburg Village Planned Unit Development by changing the allowed use on Parcel "C" of the Planned Unit Development from "Neighborhood Business" to senior citizen apartments, and

WHEREAS, the Clifton Park Town Code requires that an application to amend a PUD be referred to the Planning Board for review and comment; now, therefore, be it

RESOLVED, that the application to amend the Coburg Village Planned Unit Development is hereby referred to the Planning Board for review and comments to be submitted to the Town Board within sixty days from the date of this resolution.

Councilman Roth stated he will recuse himself from voting as he sits on the Board of Coburg Village. He read a letter he received, as a Coburg Village Board member, from nine residents requesting assisted living residences rather than senior housing. He noted there is a waiting list for the apartments. Councilman Roth, referring to houses owned by Coburg Village on Vischer Ferry Road, said the houses may have historic value and he understands Coburg Village does not intend to demolish the buildings at this time.

Gavin Vuillaume commented only Parcel C is being amended. He said the 9½ acre Parcel A which is on the north side of Grooms Road could be assisted living if needed in the future.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Abstain: Councilman Roth

DECLARED ADOPTED

Resolution No. 237 of 2009, a resolution adopting an operating budget for the fall 2009 Fitness Counts Running Program.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Roth.

WHEREAS, the Town of Clifton Park wishes to continue its effort to help children develop good healthy habits for life through its running fitness program for children ages 4-12, and

WHEREAS, this program would support Character Counts values including sportsmanship, fairness, respect, responsibility and citizenship; now, therefore, be it

RESOLVED, that the attached budget is hereby adopted showing expected expenditures and revenues for the Fitness Counts Running Program, expenses to be paid from A-7309-87 (Community Programs-Character Counts).

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

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Resolution No. 238 of 2009, a resolution authorizing the Supervisor to sign contracts with 2009 fall and winter subcontractors and to approve program budgets, per Schedule "A".

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

WHEREAS, the updated contracts for use with fall and winter subcontractors require the signature of the Town Supervisor; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign contracts with 2009 fall and winter subcontractors, per Schedule "A", and be it further

RESOLVED, that the Town Board hereby adopts the program budgets for the fall and winter programs, per Schedule "A".

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 239 of 2009, a resolution authorizing the hiring of a Group Leader and an Assistant for the Fall 2009 Fitness Counts Running Program.

Introduced by Councilman Roth, who moved its adoption, seconded by Councilman Hughes.

WHEREAS, the fall 2009 Fitness Counts Running Program will be conducted September 10 - 24, 2009, and

WHEREAS, it is necessary to hire a group Leader and an Assistant for the program, and

WHEREAS, Myla Kramer, Director of Parks and Recreation, has recommended that Sandra Decker, 622 Mac Elroy Road, Ballston Lake, be hired as a Group Leader for the program and Jenna Iwaniec, 108 Old Coach Road, Clifton Park, as an Assistant; now, therefore, be it

RESOLVED, that authorization is given to hire Sandra Decker, Ballston Lake and Jenna Iwaniec, Clifton Park, for the fall 2009 Fitness Counts Running Program, to be paid \$100 and \$75 respectively for the six day program, to be paid from A-7309-87 (Community Programs-Character Counts).

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 240 of 2009, a resolution supporting the third Annual Run for Life to benefit Hannah's Hope Fund.

Introduced by Councilman Roth, who moved its adoption, seconded by Councilman Paolucci.

WHEREAS, the third Annual Run for Life to benefit Hannah's Hope Fund will take place on Sunday, September 20, 2009, and

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WHEREAS, the mission of Hannah's Hope Fund is to raise funding for research for a treatment and cure of Giant Axonal Neuropathy (GAN), a neurodegenerative disorder that essentially causes nerves to die, and

WHEREAS, at last years event, more than four hundred runners and an equal number of spectators participated, raising over \$24,000 for Hannah's Hope Fund, and

WHEREAS, Hannah's Hope Fund for Giant Axonal Neuropathy (GAN) is the only existing organization in the world whose mission is to raise awareness and fund research to treat and cure this ravaging disease, and

WHEREAS, since its inception, Hannah's Hope Fund has made remarkable strides, including hosting the first ever symposium for GAN, which was attended by twenty scientists from three countries, and last year Hannah's Hope Fund brought the top gene therapy labs in the world together to plan the GAN Therapy Project which is a collaborative effort between the University of North Carolina at Chapel Hill, Emory University, and Stanford University; now, therefore, be it

RESOLVED, that the Clifton Park Town Board supports the third Annual Run for Life, on Sunday, September 20, 2009 to benefit Hannah's Hope Fund.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 241 of 2009, a resolution in connection with a block party to be held in the Peacock Glen subdivision.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Roth.

WHEREAS, the residents of the Peacock Glen subdivision plan to conduct its annual summer block party within the subdivision on September 12, 2009, from 2:00 - 10:00 P. M. and have requested permission to use a portion of Swan and Sandpiper and Swan and Tern Courts for their party activities; now, therefore, be it

RESOLVED, that the residents, with the approval and advice of the Town Highway Superintendent, have permission to close a portion of Swan and Sandpiper and Swan and Tern Courts, September 12, 2009 from 2:00 - 10:00 P.M. for their party activities, but must not block off the street and make sure emergency vehicles can gain access to the street if needed, and be it further

RESOLVED, that the residents shall be responsible for all clean-up activities on Town property or on the street right-of-way resulting from the social activity; and be it further

RESOLVED, that a copy of this resolution be sent to the applicable Fire Department, the Ambulance Corps., the Sheriff's Department and the State Police.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

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Resolution No. 242 of 2009, a resolution in connection with a block party to be held in the Country Knolls West subdivision.

Introduced by Councilman Hughes, who moved its adoption, seconded by Councilman Paolucci.

WHEREAS, the residents of the Country Knolls West subdivision plan to conduct its annual summer block party within the subdivision on August 22, 2009, from 2:00 - 7:00 P. M. and have requested permission to use Brookline Drive from Pebble Beach to Sun Valley Drives for their party activities; now, therefore, be it

RESOLVED, that the residents, with the approval and advice of the Town Highway Superintendent, have permission to use Brookline Drive from Pebble Beach to Sun Valley Drives on August 22, 2009 from 2:00 - 7:00 P.M. for their party activities, but must not block off the street and make sure emergency vehicles can gain access to the street if needed, and be it further

RESOLVED, that the residents shall be responsible for all clean-up activities on Town property or on the street right-of-way resulting from the social activity; and be it further

RESOLVED, that a copy of this resolution be sent to the applicable Fire Department, the Ambulance Corps., the Sheriff's Department and the State Police.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 243 of 2009, a resolution in connection with a block party to be held in the Woodland Hills Subdivision.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Roth.

WHEREAS, the residents of the Woodland Hills Subdivision plan to conduct its annual summer block party within the subdivision on September 12, 2009, from 1:00 - 5:00 P. M. and have requested permission to use portions of Arnold, Wheeler, Trice and Peck Drives, for their party activities; now, therefore, be it

RESOLVED, that the residents, with the approval and advice of the Town Highway Superintendent, have permission to use portions of Arnold, Wheeler, Trice and Peck Drives, September 12, 2009 from 1:00 - 5:00 P.M. for their party activities, but must not block off the streets and make sure emergency vehicles can gain access to the street if needed, and be it further

RESOLVED, that the residents shall be responsible for all clean-up activities on Town property or on the street right-of-way resulting from the social activity; and be it further

RESOLVED, that a copy of this resolution be sent to the applicable Fire Department, the Ambulance Corps., the Sheriff's Department and the State Police.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

8/17/2009

Resolution No. 244 of 2009, a resolution authorizing the Southern Saratoga YMCA to use Town roadways for a 5K Run/Walk event.

Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Roth.

WHEREAS, the Southern Saratoga YMCA is organizing a "Run/Walk" event on Tuesday, August 18, 2009 starting at 6:30 pm and ending when the last participant arrives back at the YMCA, and

WHEREAS, the event will begin at the YMCA proceed through Hollandale into Clifton Gardens and back to the YMCA; now, therefore, be it

RESOLVED, that authorization is given for the Southern Saratoga YMCA to use Town roadways for a 5K Run/Walk event; and be it further

RESOLVED, that YMCA volunteers be permitted to temporarily stop traffic at each intersection at which a vehicle and a 5K participant arrive at the same time.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 245 of 2009, a resolution authorizing the Town Supervisor to sign a NYSERDA application requesting American Recovery and Reinvestment Act Stimulus Funds to support the installation of photovoltaic/solar equipment (PV) on the roof of the Town Highway Garage.

Introduced by Councilman Hughes, who moved its adoption, seconded by Councilman Roth.

WHEREAS, the Town continues to seek State and Federal Funding whenever such funding may be available, and

WHEREAS, by Resolution No. 191 of 2009, the Town applied for a U.S. Department of Energy Efficiency and Conservation Block Grant for \$149,200 for the Project, and

WHEREAS, the estimated project cost to install photovoltaic/solar equipment (PV) on the roof of the Highway Garage is \$280,000; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign a NYSERDA application requesting American Recovery and Reinvestment Act Stimulus Funds to support the installation of photovoltaic/solar equipment (PV) on the roof of the Town Highway Garage, in an amount of \$129,500, with a cash match from the Town of five (5) percent; and be it further

RESOLVED, that if the Grant is received the Town will consider a separate resolution to appropriate the necessary funds for its share.

Director of Community Development McHugh explained this is coming forth as a result of discussions with NYSERDA staff. She reported the town is in the process of pursuing federal funding, as well, to help support this effort. Ms. McHugh said if successful, this would result in using the highway garage into a real working maintenance repair facility. Councilman Roth thanked Ms. McHugh for her efforts. He asked if one or the other grant applications is denied, would the town have to come up with the additional money. Ms. McHugh said there will other rounds for these grants but feels the town has a good chance in the first round.

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ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Norman Goldman, London Square, read a prepared statement reiterating his concern of the change of name from Shenendehowa Senior Center to Shenendehowa Adult Community Center and asked the Town Board if they approved of this change. He further questioned the expending of town money for the driveway to the new school. Mr. Goldman objected to the creation and funding of the town newsletter. He stated he is glad the town is pursuing a project that might reduce the carbon dioxide footprint.

Jean Haug, Torrero Drive, asked the Supervisor to contact Leather Co. for safety consultation. Supervisor Barrett responded it appears every time something is asked of Leathers Company there is a cost involved. He stated he is comfortable that town staff will give good recommendations regarding any safety issues. Councilwoman Walowit said she has had three responses for designs to be posted at the playground. It is anticipated the visuals will be posted mid-September. Supervisor Barrett said it is still being researched as to how to receive feed back on the visuals. Ms. Haug recommended holding meetings that included children for input. Supervisor Barrett said it is possible a meeting could be held at the playground. She believes the majority of people want the playground replaced in kind.

Jim Baisley, Barkwood Lane, speaking with regard the discussions of the playground, stated “kids just want to have fun”. He said there are some safety issues with the current playground and it needs to be updated. He stated he doesn’t want to see “anymore nails, screws and paint”.

Supervisor Barrett reported staff from Buildings and Grounds Department, as well as Safety Officer Pasquarell, inspect the Kids Corner playground constantly to make sure it is safe.

Youseff Ballout, Torrero Drive, stated safety should be the main responsibility of the town. He asked if there will be a public forum regarding a new playground, stating it is important to have a structure that allows for creative play.

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

Motion carried at 8:07 p.m.

Patricia O’Donnell
Town Clerk