

September 21, 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
Michael Shahen, Town Administrator
Mark Heggen, Comptroller
Jeffrey Vedder, Supervisor of Convenience Transfer Station

MOTION BY Councilman Paolucci, seconded by Councilman Hughes, to approve the minutes of the September 8, 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 reported to date there are 1050 registrations for Hazardous Waste Day. He said if the Town of Malta signs up residents and collects money, those residents can bring items up until Thursday.

Councilman Roth announced the upcoming Not So Common Players production of "Clue the Musical" will be presented for seven performances, opening October 16th.

REPORTS TO THE BOARD

Judith Mackinnon, Director of Shenendehowa Adult Community Center, stated the name Shenendehowa Senior Center, Inc. is still intact but the Center is "doing business as" under Shenendehowa Adult Community Center. She explained the name change from Senior Center was primarily done in order to tap into a variety of grants by using the word "adult". She reported programs have been put in place to attract younger seniors. Ms. Mackinnon reported the Center has become a non-profit partner with Conifer Realty in their quest to build low to moderate income housing in town. She noted monthly meetings are held with town representatives to discuss items of mutual concern. Ms. Mackinnon reviewed the CARELINKS program. She noted the organization is looking at a social day care provision. She reported the center will be partnering with the town in August 2010 for a fundraising event. Ms. Mackinnon noted a bocci tournament will be held on September 26th. Councilman Roth praised the CARELINKS program, noting the costs of operation are going up, and asked if the program is too big for the adult community center to run. He asked if there had been any thought to communicating with the county in this regard. Councilman Roth noted the cost is about \$389.11 per client served within the town. Ms. Mackinnon said discussions are being held with the county as well as the Towns of Halfmoon and Malta to see if there is a way to broaden the base of support for the program.

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Comment from the floor that one of the conditions put on the senior center board giving authorization for CARELINKS to come under its incorporation, was that there not be any conflict in funding. That the CARELINKS program not interfere with the sources of funding that the senior center traditionally obtained.

Supervisor Barrett announced Tyler Kimmey, Gloucester Street, will be refurbishing the Kids Corner Playground on the Clifton Common as his Eagle Scout project. He noted the project will start the beginning of October.

Eagle Scout candidate, Tyler Kimmey, explained he will be staining the entirety of the playground to hopefully lengthen its usage for another four or five years. He said the main point of the Eagle Scout project is to lead the project by planning, organizing volunteers and making sure the project is carried out.

Town Comptroller Heggen reviewed the August Financial Report. Supervisor Barrett said word has been received that the pension costs will be going up. Mr. Heggen reported the cost will go from the current 7 percent of salary to 11.7 percent for budget 2011, noting this will be a jump of \$160,000.

Town Administrator Shahan reported the Highway CSEA union negotiations are going well. He stated the 2010 budget will be a "bare bones" budget. The Town Clerk will present the tentative budget to the Town Board at the October 5th meeting. Supervisor Barrett noted the town relies on sales and mortgage taxes for revenue.

PUBLIC PRIVILEGE ON RESOLUTIONS

From the floor, question if printers will be accepted at the Hazardous Waste Day since printers were not listed on the form. Councilman Roth responded printers will be accepted at Hazardous Waste Day.

From the floor, question if individual apartment residents will receive notice of Bulk Pickup Day. Supervisor Barrett said dumpsters will be left at apartment complexes but not sure if individual mailings will be going out. He will check on this.

Resolution No. 261 of 2009, a resolution appointing John Scherer as Town Historian.

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

WHEREAS, in April of 2009, John Scherer retired from his position at the New York State Museum after forty-two (42) years of service, and

WHEREAS, Mr. Scherer has served as Town Historian for thirty years, having first been appointed in 1979, and

WHEREAS, due to a requirement of the New York State Retirement system, Mr. Scherer had to resign as Town Historian, and

WHEREAS, the Town recognizes the many contributions that John Scherer has made to the Town over the last thirty years that include his newspaper articles, his Annual Reports to the Town, the books that he has written about the Town, and the many presentations and historic tours that he has given over the years to the community; now, therefore, be it

RESOLVED, that the Town Board hereby appoints John Scherer as Town Historian for the Town of Clifton Park at a salary as budgeted.

Discussion ensued regarding Mr. Scherer documenting Clifton Park history by video, as well as scanning in his newspaper articles.

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ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 262 of 2009, a resolution scheduling a Public Hearing establishing sewer rents chargeable to Glenclyff Elementary School for proposed Rivercrest Sewer District Extension No. 1

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

WHEREAS, by Resolution No. 153 of 2009, the Town Board established Rivercrest Sewer District Extension No. 1 authorizing the acquisition and construction of improvements, pursuant to a Map, Plan and Report on file in the Town Clerk's Office, and

WHEREAS, the Map, Plan and Report filed with the Town Clerk referred at page 6 to assessments chargeable to Glenclyff Elementary School based on twenty (20) benefit units for annual maintenance and operation charges, and

WHEREAS, the Town Board, as Commissioners of Rivercrest Sewer District No. 1, wish to proceed under Article 14 F of the General Municipal Law to establish the maintenance and operation charges for Glenclyff Elementary School as sewer rents pursuant to the formula identified in the Map, Plan and Report dated March 23, 2009 for annual charges; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for October 5, 2009 at 7:10 P.M. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, pursuant to General Municipal Law §452 regarding sewer rents chargeable to Niskayuna Central School District on behalf of Glenclyff Elementary Schools, pursuant to the formula identified within the March 23, 2009 Map, Plan and Report.

Town Attorney McCarthy explained this is being done at the request of the State Comptroller's Office and does not make any changes in the dollar amount.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 263 of 2009, a resolution accepting a conveyance of land from Clifton Park Housing Development Fund Company, Inc. for a hiking trail and open space.

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

WHEREAS, as a condition of subdivision approval the Clifton Park Planning Board required that the developer convey to the Town of Clifton Park parcels of land along Waite Road and Route 146 for a hiking trail and related open space, and

WHEREAS, a Bond has been provided to the Planning Department as security for the developer to complete all remaining punch list items; now, therefore, be it

RESOLVED, that the Town Board hereby accepts the conveyance of the following parcels of land briefly described as follows:

<u>Street</u>	<u>Name of Owner</u>
• 15-Foot Wide Strip of Land along N.Y.S. Route 146	Clifton Park Housing Development Fund and Company, Inc.
• 10-Foot Wide Strip of Land along Waite Road-Parcel "A"	
• 10-Foot Wide Strip of Land along Waite Road-Parcel "B"	
• 10-Foot Wide Strip of Land along Waite Road	

and be it further

RESOLVED, that this conveyance is expressly conditioned upon receipt of an approval by the Town Attorney, Highway Superintendent and Town Engineer of all necessary documents and upon payment of all taxes and assessments, and be it further

RESOLVED, that there be appended to the within resolution a copy of the recorded conveyance after it has been returned from the Saratoga County Clerk.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 264 of 2009, a resolution extending the Transfer Station hours for fall cleanup.

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

WHEREAS, Jeff Vedder, Transfer Station Supervisor, has requested that the Transfer Station be open on Sundays, October 18, 25 and November 1, 8, 2009, between the hours of 10 AM and 4 PM, for fall cleanup of leaves and brush only, and

WHEREAS, the Transfer Station Supervisor has proposed the attached schedule to support the extended hours of operation; now, therefore, be it

RESOLVED, that the Transfer Station will be open for extended hours on Sundays October 18, 25 and November 1, 8, 2009 (weather permitting), for fall cleanup of leaves and brush only, and that the Comptroller is authorized to expend funds for the same per the attached schedule, overtime to be paid from budget line item A-8160-074(Transfer Station Overtime).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 265 of 2009, a resolution awarding the bid for the Town Hall HVAC Improvements.

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

WHEREAS, Resolution No. 215 of 2009 authorized the Supervisor to sign an agreement with the New York Power Authority (NYPA) to co-fund energy efficient projects, and

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WHEREAS, the State Legislature, by Chapter 84 of the Laws of 2002, has appropriated certain Petroleum Overcharge Restitution (POCR) funds to NYPA for the implementation of energy service projects at eligible facilities, and

WHEREAS, by NYPA Agreement No. 4500175926, \$115,000 was made available in appropriated POCR monies to the Town of Clifton Park, and

WHEREAS, on September 17, 2009, bids were received for the above referenced contract, and

WHEREAS, the low bidder for the Town Hall HVAC Improvements is Johnson Controls, Inc., Albany, New York, in the amount of \$110,111, and

WHEREAS, as per letter from McDonald Engineering, dated September 18, 2009, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that Johnson Controls Inc. be accepted as the lowest most responsible bidder; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid in the amount of \$110,111 to Johnson Controls, Inc.; and be it further

RESOLVED, that A-1620-200 (Town Hall-Equipment) expenditures be increased by \$115,000 and A-3089 (New York State Revenues) be increased by \$115,000.

Mr. Heggen explained the grant being received is \$115,000, part of which will be used for other costs such as engineering.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 266 of 2009, a resolution authorizing the appropriate disposal of Town-owned surplus computer equipment.

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

WHEREAS, the Town of Clifton Park has surplus computer equipment with no current resale value, per Exhibit "A", and

WHEREAS, Barbara McHugh, Director of Community Development, has requested authorization to dispose of the Town-owned surplus equipment at Household Hazardous Waste Collection Day; now, therefore, be it

RESOLVED, that authorization is hereby given to Barbara McHugh to appropriately dispose and recycle the Town-owned surplus equipment at Household Hazardous Waste Day on Saturday, September 26, 2009.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

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Resolution No. 267 of 2009, a resolution awarding the bid for a 2010 one ton crew cab dump truck from West Herr Ford of Hamburg, New York, in the amount of \$27,512.

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

WHEREAS, on September 8, 2009 a bid opening was held for a 2010 one ton crew cab dump truck for use by the Highway Department, and

WHEREAS, Highway Superintendent Richard Kukuk has reviewed the bids and has recommended that the lowest bid submitted by West Herr Ford in an amount of \$27,512 be accepted for a 2010 one ton crew cab dump truck; now, therefore, be it

RESOLVED, that the bid of West Herr Ford, Hamburg, New York, is hereby accepted in the amount of \$27,512, for a 2010 one ton crew cab dump truck, to be paid from DA05130-00219 (Highway Machine/Equipment-Truck).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 268 of 2009, a resolution authorizing the closing of Dyer Drive and a portion of Main Street, Jonesville for a Halloween Parade to be held on October 24, 2009.

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

WHEREAS, the Jonesville Fire Company has requested authorization to close Dyer Drive and a portion of Main Street on October 24, 2009 from 4:30 - 5:30 p.m. to hold a Halloween Parade for the children of the local community; now, therefore, be it

RESOLVED, that the Town Highway Superintendent is authorized to close Dyer Drive and a portion of Main Street to Jonesville's Station No.1 on October 24, 2009 from 4:30 - 5:30 p.m. to facilitate a local social event of the Jonesville Fire Company, and be it further

RESOLVED, that the Fire Company, with the approval and advice of the Highway Superintendent, shall block the roadway off but shall open it immediately in case of emergency service needs such as fire, police or ambulance protection, and be it further

RESOLVED, that the Jonesville Fire Company 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 Jonesville Fire Department, the Ballston Lake Ambulance Corps., 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. 269 of 2009, a resolution accepting a conveyance of a ten foot strip of land from David P. Triller for future road improvements.

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

WHEREAS, as a condition of subdivision approval, the Planning Board of the Town of Clifton Park required that the developer convey to the Town of Clifton Park a ten foot strip of land along Clifton Park Center Road for future road improvements, and

WHEREAS, a Bond has been provided to the Planning Department as security for the contractor to complete all remaining punch list items; now, therefore, be it

RESOLVED, that the Town Board hereby accepts the conveyance of the following easement briefly described as follows:

<u>Street</u>	<u>Name of Owner</u>
• 10-Foot Wide Strip of Land along Clifton Park Center Road	David P. Triller

and, be it further

RESOLVED, that this conveyance is expressly conditioned upon receipt of an approval by the Town Attorney, Highway Superintendent and Town Engineer of all necessary documents and upon payment of all taxes and assessments; and be it further

RESOLVED, that there be appended to the within resolution a copy of the recorded conveyance after it has been returned from the Saratoga County Clerk.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 270 of 2009, a resolution honoring Sean Michael Duffy for attaining the rank of Eagle Scout.

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

WHEREAS, Sean Michael Duffy, 81Rolling Brook Drive, Clifton Park, of Boy Scout Troop 45, has attained the rank of Eagle Scout and

WHEREAS, the Clifton Park Town Board wishes to acknowledge and honor Sean Michael's achievements, including his Eagle Scout Service Project which consisted of his coordinating the construction of a stage for the Light of the World Church in Latham, and

WHEREAS, in order to complete the project Sean Michael was responsible for lining up workers with tools and soliciting donations of materials; now, therefore, be it

RESOLVED, that Sean Michael Duffy, of Boy Scout Troop 45, is hereby recognized and honored for having attained the rank of Eagle Scout.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 271 of 2009, a resolution authorizing the Supervisor to sign an application for NYSERDA reimbursement for expenses associated with an energy audit and feasibility study of the Clifton Park Ice Arena.

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

WHEREAS, the Clifton Park Ice Arena is currently one of the largest users of energy in the Town, and

WHEREAS, the Town is exploring opportunities to reduce the Ice Arena's energy consumption by the implementation of energy efficient technologies, and

WHEREAS, the Town has proposed to undertake a project to have an energy audit and feasibility study conducted at the Clifton Park Ice Arena to determine the feasibility of installation of solar photo voltaic facilities on Clifton Park Ice Arena, and

WHEREAS, the Town is advised that NYSERDA has funding available for viable energy conservation projects, and

WHEREAS, the Town wishes to work with Energenics Systems, LLC to develop a detailed proposal to NYSERDA to support an application to NYSERDA for reimbursement of costs associated with the feasibility study under NYSERDA Pon 4 or other applicable funding source; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to apply for NYSERDA reimbursement for expenses associated with an Energy Audit and Feasibility Study of the Clifton Park Ice Arena.

Town Attorney McCarthy explained Energenics Systems will assist in putting the application to NYSERDA together. If NYSERDA approves the application, the town would commission the study with Energenics and get reimbursement from NYSERDA. This is for the town arena only. Mr. McCarthy stated if this is feasible and buildable, the idea would be to provide enough energy for the ice arena as well as the Adult Community Center.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Michael Frisone, Meadow Drive, spoke in favor of duck hunting in the Preserve. He recommended duck hunting information be included in the Parks & Recreation fall brochure. He further recommended the duck hunting application be placed online. Mr. Frisone reported for the past few years DEC has been holding youth waterfowl weekends and suggested the town may want to consider this as well. He asked the Board to continue to approve duck hunting in the Preserve.

Norman Goldman, London Square Drive, reported he pays extra on his monthly electric bills to get all of his power from wind power. He urged the town to do more about reducing its carbon footprints. He continued to express concern with the Senior Center name change to Shenendehowa Adult Community Center.

Jean Haug, Torrero Drive, said she is excited with the Eagle Scout staining project for the Kids Corner. She urged the Board to look into replacing the playground in kind, specifically by Leathers Associates since it is their structure at the Kids Corner and is very unique. She reported the answer to her FOIL request shows not an RFP but a "wish list" for the playground.

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Sarah Coons, Vischer Ferry Road, stated she does not have a personal agenda to consider Leather Associates solely, noting her motive is to rebuild the playground in kind.

Youssef Ballout, Torrero Drive, stated for 51 weeks no one hunts in the Preserve, and he finds it troubling that hunting is allowed for that one week. He said people attending Board meetings and speaking with regard to the playground do have an agenda which is their children.

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 8:50 p.m.

Patricia O'Donnell
Town Clerk