

October 19, 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 Shahan, Town Administrator  
Mark Heggen, Comptroller

MOTION BY Councilman Roth, seconded by Councilwoman Walowit, to approve the minutes of the October 5, 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 announced the NSCP production of "Clue the Musical" will be presented for seven performances October 16-25.

Councilwoman Walowit reported the Mary Jane Row Dog Park now has an area for smaller dogs.

Councilman Hughes announced a Shredding Day is planned for October 25, 2009 from 1:00 to 3:00 p.m. at the Clifton Park Center parking lot.

Supervisor Barrett asked the Board to consider going into an Executive Session at the end of the meeting to discuss a potential property purchase and RFP submission.

Speaking with regarding to the proposed 2010 budget, Supervisor Barrett reported some reductions and additions have been made. The three major reductions as follows: employee benefits reduced from \$2.404 to \$2.388 million; general liability insurance reduced from \$170,000 to \$145,000; and Community Development bulk pick up line from \$186,606 to \$161,606. He reviewed the additions that include \$10,000 for the Senior Center for the Carelinks program; \$40,000 in the town hall line for property improvements – the Burning Bush Clubhouse pool area parking lot and fixing the roof of the Grange. Supervisor Barrett said he received a letter from the Babe Ruth World Series Committee requesting funds and nothing has been appropriated at this point. He recommended members of the Committee come to the Budget Public Hearing and state their case at that time. He reported the Tentative Budget was \$14,963,367; Preliminary Budget will be slightly higher at \$14,979,523. The 2009 adopted budget was \$15.4 million and projected spending is about \$15.3 million. Supervisor Barrett said using \$900,000 from the "rainy day fund" for the 2010 budget ensures the town remains without a property tax, that the highway tax remains at 15.5 cents per thousand of assessed value and also preserves all services, programs and jobs.

PRESENTATIONS

The Supervisor presented the following resolution to Shenendehowa Varsity Soccer Coach Mike Campisi in recognition of his 500<sup>th</sup> win.

Resolution No. 289 of 2009, a resolution recognizing Coach Mike Campisi for his 500<sup>th</sup> victory with the Shenendehowa boys varsity soccer team.

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

WHEREAS, Mike Campisi won his 500<sup>th</sup> game as head coach of the Shenendehowa boys varsity soccer team on Friday, October 2, 2009 with a 2-0 victory over Bethlehem, and

WHEREAS, Coach Campisi has coached soccer at Shenendehowa since 1980, winning a national championship in 1988 and 1991 and capturing the state championship in 1988, 1990, 1991, 1993 and 2005, and

WHEREAS, under Coach Campisi's leadership, the boys varsity soccer team has won 12 regional championships and 15 sectional championships, with six consecutive sectional titles from 1990 to 1995, and

WHEREAS, the team has recorded five undefeated seasons, including 69 consecutive victories from 1990 to 1992, and

WHEREAS, the Town Board is supportive of the Shenendehowa boys varsity soccer team and all local youth sports teams and organizations which enhance the health and fitness of area youth and also recognizes the benefits of team sports and competition at all levels; now, therefore, be it

RESOLVED, that the Town Board pauses its deliberations to recognize Coach Mike Campisi for his many accomplishments and contributions to the community.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

John Bain, JV Soccer Coach, reviewed Coach Campisi's accomplishments, noting they are a manifestation of his teaching abilities. He said Coach Campisi is the only coach in Section II history to record 500 wins. Coach Campisi acknowledged Peter Clinton and the strong youth soccer program and Coach Brent Steuerwald who hired him in 1980.

Supervisor Barrett presented the following resolution to Shenendehowa Varsity Football Coach Brent Steuerwald in recognition of his 300<sup>th</sup> win.

Resolution No. 290 of 2009, a resolution recognizing Coach Brent Steuerwald for his 300<sup>th</sup> victory with the Shenendehowa varsity football team.

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

WHEREAS, Brent Steuerwald won his 300<sup>th</sup> game as head coach of the Shenendehowa varsity football team on Friday, October 9, 2009 with a 34-0 victory over Christian Brothers Academy, and

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WHEREAS, Coach Steuerwald has coached varsity football at the school since the program's inception in 1968 to a record of 300-84-4, and

WHEREAS, the Shenendehowa football team has won 25 league championships, 10 Section II championships and three state championships in Coach Steuerwald's 41 years with the team, and

WHEREAS, Coach Steuerwald was recently named an Inaugural Shenendehowa Hall of Fame Inductee, and

WHEREAS, Coach Steuerwald has been honored as area or league Coach of the Year 19 times and was honored as National Coach of the Year by the National High School Athletic Coaches' Association in 1995, and

WHEREAS, the Town Board recognizes that Coach Steuerwald has been a role model to countless members of the Clifton Park community over the last 41 years, and

WHEREAS, the Town Board is supportive of the Shenendehowa varsity football team and all local youth sports teams and organizations which enhance the health and fitness of area youth and also recognizes the benefits of team sports and competition at all levels; now, therefore, be it

RESOLVED, that the Town Board pauses its deliberations to thank Coach Brent Steuerwald for his service to three generations of Clifton Park residents and congratulates him for his 300<sup>th</sup> win.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Coach McQuade praised Coach Steuerwald for his vision of the program when he arrived at Shenendehowa 43 years ago. Coach Steuerwald acknowledged and expressed appreciation the efforts of the players and community over the years.

Resolution No. 272 of 2009, adopted on October 5, 2009, was read recognizing Christopher Carroll's project in attaining the rank of Eagle Scout. Christopher explained and displayed his project of memory boxes for parents of stillborn babies and noted fifty boxes were donated to St. Peter's Hospital.

Supervisor Barrett presented the following resolution to Troop 45 Scout Master Wayne Burdge.

Resolution No. 291 of 2009, a resolution honoring Boy Scout Troop 45 as they celebrate their 50<sup>th</sup> Anniversary supporting the youth of our community.

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

WHEREAS, Boy Scout Troop 45, Clifton Park, sponsored by Shenendehowa United Methodist Church, is celebrating its 50<sup>th</sup> Anniversary, and

WHEREAS, since 1959 when the Troop was founded, Troop 45 has had troops as small as six boys to troops as large as sixty boys, and

WHEREAS, over ninety scouts have gone on to earn Scouting's highest honor, Eagle Scout, while many more have reached other ranks, and

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WHEREAS, each member has brought their enthusiasm and dreams of adventure and taken with him heightened self-confidence, leadership skills and a respect and love for the natural world, and

WHEREAS, the guiding principles of Scouting can be summed up by the Scout Oath and the Scout Law which provide a moral code for life that is as applicable to adulthood as it is to the world's largest youth organization, duty to God, duty to Country, to help others and to keep himself physically strong, mentally awake, and morally straight, and

WHEREAS, the Town Board has been privileged to have recognized and honored many Eagle Scouts from Boy Scout Troop 45; now, therefore, be it

RESOLVED, that the Town Board pauses in its deliberations to honor Boy Scout Troop 45 as they celebrate their 50<sup>th</sup> Anniversary supporting the youth of our community.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Mr. Burdge reported there are four Boy Scout Troops in town, noting Troop 6 sponsored by the Jonesville Methodist Church is coming up on 90 years, Troop 45 with 50 years sponsored by Shenendehowa Methodist Church, Troop 30 sponsored by Amity Reformed Church and Troop 246 sponsored by the Elks Lodge. He expressed appreciation to the all chartering organizations throughout the town, as well as all the adult leadership. Mr. Burdge reported Troop 45 has had about 90 Eagle Scouts.

Historic Preservation Commission Chair Kazmierczak announced the Jonesville United Methodist Church has been chosen to receive the Commission's annual award for the preservation and restoration of the church bell tower. Town Historian Scherer reported the original church, built in 1825, was moved across the road to make room for the existing church, and became the dormitory for the Jonesville Academy and is still standing. The existing church, built in 1855, has a gothic revival bell tower that, after some repairs to the church in the 1950s, began to lean. Mr. Scherer said the tower has been stabilized and strengthened at a cost of \$145,000, and now supports a Meneally bell. Pastor David Lockwood and representatives of the church accepted the Historic Preservation Commission's award. Pastor Lockwood stated the bell tower is a wonderful historic symbol of a great village church.

PUBLIC HEARING, 7:10 PM  
TO CONSIDER WITHDRAWING FUNDS FROM THE  
OPEN SPACE CAPITAL RESERVE FUND

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on October 12, 2009.

Supervisor Barrett explained the public hearing is necessary to hear comments regarding withdrawing up to \$325,000 from the Open Space Capital Reserve Fund for the purchase of Development Rights on 59+ acres of the lands of Baillargeon.

Town Attorney McCarthy explained the reason for the public hearing is due to the funds being in a dedicated capital reserve account, established pursuant to General Municipal Law Section 6A(c) which requires a public hearing as well as a 30-day permissive referendum period. He stated, in his opinion, this purchase matches the general purpose for which the dedicated account was established.

The public hearing was opened for comments from the audience at 8:00 p.m.

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Jim Romano, Wishing Well Lane, Chair of Open Space, Trails and Riverfront Committee, said this purchase will create a corridor that will connect proposed subdivision Rolling Meadows, Veterans Park and hopefully the Carrese property in the future.

Beverly Czub, Rexford, said she is still an active farmer in town and is happy to see this program established.

Pam Marshall, Fairlawn Court, stated she is happy this land is being preserved.

Emad Andarawis, Hubbs Road, expressed support for expending open space funds for this purpose, stating this parcel fits a lot of the priorities of the Open Space Plan. He praised to the town's open space program and acknowledged the work of Planning Department, Town Board and owners of the farm.

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one else wished to be heard. Supervisor Barrett declared the public hearing closed at 8:08 p.m.

### REPORTS TO THE BOARD

Town Comptroller Heggen said he has received the final auditor's report. He reviewed the September Financial Report, noting he will be bringing a resolution forward to adjust budget lines.

Town Administrator Shahen reported NYS Archives said there is no requirement that documents be stored in an environmentally regulated building, however, it is recommended. He asked Director of Building Myers to get three quotes from environmentally regulated buildings and three from buildings without.

### PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 292 of 2009, a resolution adding the Alton B. Warner House to the Clifton Park Town Register of Historic Places.

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

WHEREAS, the Historic Preservation Commission has recommended that the Alton B. Warner House located at 341 Riverview Road, Rexford and owned by David Monk and Anna Fisher be added to the Town Register of Historic Places, and

WHEREAS, structures placed on this Register will be given historic status for purposes of Town-wide recognition and as such shall be provided with appropriate marker and inclusion in a Town brochure identifying all sites so designated; now, therefore, be it

RESOLVED, that the Town Board hereby adds the Alton B. Warner House on Riverview Road to the Town Register of Historic Places.

Town Historian Scherer said this is a Queen Anne Victorian house built in 1901.

### ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

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Resolution No. 293 of 2009, a resolution scheduling a public hearing to consider the 2010 Preliminary Budget.

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

WHEREAS, the Town Board wishes to obtain comment regarding the 2010 Preliminary Budget; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for Thursday, November 5, 2009 at 7:00 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider the 2010 Preliminary Budget; and be it further

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 294 of 2009, a resolution expressing the intent of the Town of Clifton Park Town Board to encourage parents to limit the times that children will be trick or treating on Halloween to between the hours of 4:00 P.M. and 8:00 P.M.

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

WHEREAS, the Town Board of the Town of Clifton Park wishes to encourage parents to limit the hours that their children will trick or treat for safety reasons; now, therefore, be it

RESOLVED, that the Town Board encourages families residing within the Town of Clifton Park to limit trick or treating to between the hours of 4:00 P.M. and 8:00 P.M. on Halloween.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 295 of 2009, a resolution authorizing the withdrawal of \$325,000 from the Open Space Capital Reserve Fund for the purchase of development rights on 59+ acres of the Lands of Baillargeon and reasonable, necessary closing, survey and title expenses.

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

WHEREAS, the Town Board has authorized the Supervisor to sign a Purchase Contract with Sandra Baillargeon for a Conservation Easement on 59+ acres of agricultural land and open space on Hubbs Road in the Town of Clifton Park for a total purchase price of \$325,000, and

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WHEREAS, the County of Saratoga has committed \$100,000 to the open space purchase of the Lands of Baillargeon through a matching grant for development rights and has forwarded that amount to the Town for application of these funds toward the purchase price indicated above, and

WHEREAS, the Town Board wishes to provide the Town's share of the purchase price through withdrawal from the Town's Open Space Capital Reserve Fund, established pursuant to Resolution No. 49 of 2003, and

WHEREAS, pursuant to General Municipal Law 6(c), withdrawals of such funds are pursuant to permissive referendum after a public hearing, and

WHEREAS, on October 19, 2009, at 7:10 P.M. a public hearing was conducted regarding withdrawal of \$325,000, plus reasonable and necessary survey, title and closing costs, from the Open Space Capital Reserve Fund for the purchase of development rights on 59+ acres of the Lands of Baillargeon through a Conservation Easement, less Open Space Grant Funds received from Saratoga County, and

WHEREAS, all who wished to be heard were; now, therefore, be it

RESOLVED, that the Comptroller is hereby authorized to withdraw up to \$230,000 from the Open Space Capital Reserve Fund for the purchase of development rights on 59+ acres of the Lands of Baillargeon through a Conservation Easement to include reasonable and necessary closing, survey and title expenses, less Open Space Grant Funds received from Saratoga County, subject to thirty (30) day permissive referendum, per General Municipal Law 6 et seq.

Town Attorney McCarthy said the County check has been received; therefore, only \$230,000 needs to be withdrawn. The town is also paying closing costs which is the reason for the additional \$5000. Councilman Hughes explained the purchase of development rights, even if the property were to be sold by the current owners, ensures it will never be developed. Mr. McCarthy stated there is language in the easement that will protect the barn on the property.

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

#### PUBLIC PRIVILEGE

Jim Baisley, Barkwood Lane, spoke in favor of the new black top at the leaf and brush area of the Transfer Station.

Paul Amedore, Addison Way, distributed photos of the trail behind his home and a map suggesting proposed changes, stating there are issues that are untenable, and asked if the town can resolve them. He stated this section of trail has no signs or posted rules. Mr. Amedore said dog owners are not picking up after their dogs and there have been two occasions of motorized vehicles on the trails. He said he would work with the Town Board to relocate the trail. Supervisor Barrett, noting he has previously spoken with Mr. Amedore, responded there are wetland issues in the area. He said Mr. Amedore's family developed the subdivision and asked if they could put some money towards resurrecting the trail if it was to go in a different direction. Both Mr. Amedore and the Supervisor stated it would be an expensive project. Supervisor Barrett said maintenance of the trail is the town's responsibility and not the park district.

MOTION BY Councilman Hughes, seconded by Councilwoman Walowit, to move into Executive Session for the purpose of discussing a potential property purchase and RFP submission. Motion carried at 8:32 p.m.

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No action was taken

MOTION BY Councilman Paolucci, seconded by Councilwoman Walowit to return to the regular meeting. Motion carried at 8:57

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

Motion carried at 8:58 p.m.

Patricia O'Donnell  
Town Clerk