

December 13, 2010

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 Hughes
Councilman Romano
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Absent Councilman Paolucci

Also Present: Town Attorney McCarthy
Michael Shahan, Town Administrator
Richard Kukuk, Superintendent of Highways
Mark Heggen, Comptroller

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett received two letters from NYS Office of Parks, Recreation and Historic Preservation acknowledging the listing of the Cyrus Rexford House, 1643 Route 146, and Jonesville Store, 989 Main Street, Jonesville, on the NYS Register of Historic Places, attached.

Judge Robert Rybak said he would like to place a plaque in the Justice Court recognizing former Town Justices with names and dates served, as well as a display case for their photos. He asked that former Justices' names be listed on the website with a notation to the community "are you related" in the hopes of finding more information and photos. Judge Rybak said he will continue to seek grants. Judge Rybak expressed appreciation to Deputy Town Clerk Brobston and Town Historian Scherer for their time and assistance in researching the information. Judge Rybak distributed "The History of the Clifton Park Town Court".

Town Historian Scherer said justices' records show a daily life of the town and trials and tribulations people went through. He reported there are empty display cases in Grooms Tavern that could be used.

**PUBLIC HEARING, 7:10 PM
TO CONSIDER A LOCAL LAW AMENDING CHAPTER 92 DOG LAW**

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on December 2, 2010.

Town Clerk O'Donnell explained NYS Agriculture and Markets has turned over all responsibilities of dog licensing to municipalities. Supervisor Barrett noted fees will now be kept by the town to offset expenses incurred.

The public hearing was opened for comments from the audience at 7:13 p.m.

Jim Baisley, Barkwood Lane, recommended the county set up a computer database of all dogs registered in the county.

Councilman Hughes asked if there is the ability to send email receipts. Town Clerk O'Donnell said licenses do have a line for email addresses and this is being looked into. She noted vendors are looking into the statewide database.

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 7:24 p.m.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 289 of 2010, a resolution authorizing the Town of Clifton Park to sponsor a free spring 2011 CPR and AED class as part of the Citizen Corps Grant Public Safety Education Program.

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

WHEREAS, the Citizen Corps grant funding provides emergency training to residents as provided by the Clifton Park-Halfmoon Ambulance Corps certified instructors and provides participants with an American Heart Association Certificate, and

WHEREAS, the CPR and AED class is scheduled to coincide with the Spring 2011 CERT basic class and will be held on Saturday April 9, 2011 at 8:30 A.M. and will be conducted by the Clifton Park-Halfmoon Ambulance Corps, at a total cost not to exceed \$875, and

WHEREAS, this class is mandatory for new and current CERT volunteers needing re-certification and is also open to the residents of the Town at no charge; now, therefore, be it

RESOLVED, that authorization is hereby given to the Town of Clifton Park to sponsor a CPR and AED class provided by the Clifton Park-Halfmoon Ambulance Corps at a cost not to exceed \$875 for books, materials, refreshments and certifications, to be paid from A-8762-015 (Citizen Corps Grant Funding).

Location will be at the Ambulance Corps building.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 290 of 2010, a resolution accepting a conveyance of the following streets and easements.

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

WHEREAS, a condition of approval of the Southwick Meadows subdivision the Town of Clifton Park Planning Board required that the developer convey roads and easements to the Town of Clifton Park, and

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

RESOLVED, that the Town Board accepts the conveyance of the following streets and easements briefly described as follows:

<u>Street</u>	<u>Name of Owner</u>
Ashford Drive	Amedore Group, Inc. &
Brighton Drive	Amedore Homes, Inc. &
Chatsworth Way	Southwick Meadows
Kendra Drive	Homeowners' Association
Quince Court	
Drainage Easements #1, 2, 3, 4, 5, 6, 7, 8	
9, 10, 11, 12, 13, 14, & 15	
Open Space Parcels #1, 2, & 3	

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, and be it further

RESOLVED, that in accordance with the provision of Section 171 of the Highway Law of the State of New York, consent be and the same hereby is given to the Superintendent of Highways of the Town of Clifton Park to make an Order laying out the afore described Town Highways, said Town Highways to consist of the lands described in the aforesaid deed(s), and be it further

RESOLVED, that the Town Superintendent of Highways is hereby authorized to post a thirty (30) miles per hour speed limit for the herein described highway(s), together with all necessary regulatory signs for proper traffic control; and be it further

RESOLVED, that the Town Board hereby authorizes the installation of a stop sign on Ashford Drive at its northerly intersection of Chatsworth Way, on Ashford Drive at its southerly intersection of Van Vranken Road, on Brighton Drive at its northerly intersection of Crescent Road, on Brighton Drive at its southerly intersection of Chatsworth Way, on Chatsworth Way at its northerly intersection of Brighton Drive, on Kendra Drive at its westerly intersection of Brighton Drive, on Quince Court at its northerly intersection of Kendra Drive, and on Quince Court at its southerly intersection of Chatsworth Way as required by the Planning Board and Town Highway Superintendent for proper traffic control.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Steve Cosgrove, Michelle Drive, asked the Town Board to repeal Resolution No. 269 of 2010 regarding the swapping of 8700 square feet of town land where a rebar concrete slab was built partially on town land which was open space. He stated his property abuts the property in question. He said about two-thirds of his property abuts town owned land and one-third abuts 39 Addison Way. Mr. Cosgrove expressed his concerns with the resolution, noting it removes 8700 square feet of open space that was behind his property and gives it to another private landowner. He feels this is a lot of land to give to rectify a 400-800 square foot building code violation, stating this land conveyed to the landowner expands their backyard usable space whereas the land given to the town in the swap is a narrow swath of land adjacent to the property driveway that is essentially unusable. He referred to the equal value statute that is required whenever land is bought, sold or swapped by a town entity. Mr. Cosgrove said abutting landowners and other

interested parties were never made aware of the swap and if they were, they would have requested that the land given to the town come from the land abutting the Michelle Drive properties to create a “forever wild” open space between the two properties which would exclude any future issues, encroachments or property usage. He said with limited remedies available, the 30-day referendum period to get a petition filled out by 500 voters isn’t practical. He asked the Town Board to look into this further. Mr. Cosgrove said the neighbors are fine with potentially renegotiating a different arrangement but the current swap needs to be changed.

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 7:35 p.m.

Patricia O’Donnell
Town Clerk