

October 17, 2011

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 Romano
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy
Mark Heggen, Comptroller
Michael Montague, Environmental Specialist
John Scavo, Director of Planning

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the October 3, 2011 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Councilman Romano announced \$10 Tuesdays at the Barney Road Golf Course for the remainder of the season.

Mark Kazmierczak, Historic Preservation Commission Chairman, spoke on the beautification work done on the Grooms Tavern grounds and thanked the Clifton Park Garden Club for their work in planting flowers at the Tavern. It was decided a patio and benches would complement the area and Seasons Supply Company donated all materials and Eco Quality Landscaping volunteered to install the patio. Supervisor Barrett thanked both local companies and displayed the plaque that will be hung at Grooms Tavern, acknowledging the donations and services of Seasons Supply Company and Eco Quality Landscaping.

Dave Croteau of Troop 45, Eagle Scout mentor, announced Life Scout Ben Pennell of Troop 45, as his Eagle Scout project, will collect returnables left at the Transfer Station Recycling Center. He will work with the town to construct a shed to collect the bottles and cans and proceeds will be donated to various organizations over a period of time. No glass will be accepted.

Eric Williams, representative from MJ Engineering displayed a design for the Clifton Park Halfmoon Crescent Road trail showing a path from Okte Elementary school to Dunsbach Ferry Road. It was noted 18 parcels in Clifton Park are affected and the town is in discussion with those individuals. Mr. Williams said a letter stating no impact has been received from NYS Parks, Recreation and Historic Preservation. Mr. Williams reported they are waiting for state comments on the draft design report; corrections will be made and resubmitted for final approval. Supervisor Barrett said the county will be doing work on Crescent Road over the next couple of years.

Councilman Hughes reviewed "Fall Family Fun" activities at various locations throughout town. This information will also be posted on cliftonpark.org.

PUBLIC PRIVILEGE ON RESOLUTIONS

Question from the floor if the Clifton Country Road “Green Street” work will be on any private property. Board responded no.

Resolution No. 261 of 2011, a resolution scheduling a public hearing to consider the 2012 Preliminary Budget.

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

WHEREAS, the Town Board wishes to obtain comment regarding the 2012 Preliminary Budget; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for Thursday, November 10, 2011 at 7:00 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider the 2012 Preliminary Budget; and be it further

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

Supervisor Barrett noted the Tentative Budget was \$15,186 million and Preliminary is \$15,219 which is below the 2011 adopted budget. He reviewed changes as follows: two vehicles added – one for town hall which will be used on occasion in place of the senior van; new vehicle for the Building Department and the replaced truck will go to Buildings and Grounds Department; added additional swimming to the full day camp. Town Administrator’s line of \$90,000 was zeroed out and the \$90,000 was put in the Town Supervisor’s line. The Supervisor said three options were reviewed in this regard: hiring a Town Administrator, have department heads take on additional responsibilities or transfer salary to Town Supervisor line. He thanked all who have worked on the budget process. Councilman Hughes agreed with keeping options open regarding the money in the Supervisor budget line and board discussions will continue.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 262 of 2011, a resolution in connection with a Halloween Parade to be held on October 30, 2011 in the Clifton Knolls/Mill Creek community.

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

WHEREAS, the Clifton Knolls/Mill Creek Civic Association has requested authorization to have a Halloween Parade on Saturday, October 30, 2011 beginning at 1:00 P. M. at the Barney Road Clubhouse, utilizing Barney Road, Secada Drive, Par Del Rio, Madrid Court, Locust Lane, and ending at the Locust Lane Clubhouse, and

WHEREAS, members are being encouraged to construct small floats on utility trailers, no larger than 5ft. wide by 10 ft. long, to enhance the parade festivities; now, therefore, be it

RESOLVED, that authorization is given to the Clifton Knolls/Mill Creek Civic Association to conduct a Halloween Parade on Saturday, October 30, 2011, beginning at the Barney Road Clubhouse, utilizing Barney Road, Secada Drive, Par Del Rio, Madrid Court, Locust Lane, and ending at the Locust Lane Clubhouse, and be it further

RESOLVED, that the Clifton Knolls/Mill Creek Civic Association shall be responsible for all clean-up activities on town property or on the street right-of-way resulting from the parade activity; and be it further

RESOLVED, that a copy of this resolution be sent to the Clifton Park Fire Department, the Jonesville Fire Department, the Vischer Ferry Fire Department, the Clifton Park-Halfmoon Ambulance Corp., Sheriff’s Department and the State Police.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 263 of 2011, 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 Councilwoman Walowit, who moved its adoption, seconded by Councilman Paolucci.

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.

Supervisor Barrett said this is strictly a suggestion.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 264 of 2011, a resolution reducing the speed on East Side Drive from thirty (30) miles per hour to twenty-five (25) miles per hour.

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

WHEREAS, the Town Board has received a petition regarding the applicable speed limits for travel upon East Side Drive from its residents, and

WHEREAS, East Side Drive is a town road which is uniquely situated on the eastern and southern shore of Ballston Lake, formerly serving summer camps and cottages, and

WHEREAS, the Town Board has authority pursuant to New York State Vehicle and Traffic Law (NYSVTL), Section 1662 (a), to establish the speed limit on town roads which are not state or county highways where conditions warrant, and

WHEREAS, the Town Board recognizes that East Side Drive is a particularly narrow town road that does not connect county or state thoroughfares and is primarily used by its residents, and

WHEREAS, the petition from residents of East Side Drive represents a significant number of the residents that departure from the town's thirty (30) mile per hour speed limit is warranted due to the limitations of East Side Drive, and

WHEREAS, the town's Highway Safety Committee has reviewed the petition and concurs that conditions warrant the imposition of a twenty-five (25) mile per hour speed limit on East Side Drive, pursuant to NYSVTL 1662 (a); now, therefore, be it

RESOLVED, that the speed limit along all of East Side Drive is hereby established at twenty-five (25) miles per hour, and be it further

RESOLVED, that the Highway Department is authorized to post twenty-five (25) mile per hour speed limit signs along East Side Drive consistent with the recommendations of the Highway Safety Committee.

Councilman Hughes reported residents of East Side Drive have requested reducing the speed limit from 30 miles per hour. A petition was presented to the Town Board, noting dangerous conditions, speeding and the fact that some front doors are less than 10 feet from the road. Town Attorney McCarthy, Highway Safety Committee and Superintendent of Highways Kukuk have all reviewed the situation and agree that the circumstances and condition warrant a reduction to 20 miles per hour. Councilman Hughes explained the town is only allowed to reduce the speed to 20 miles per hour. Supervisor Barrett said the area is very unique and the speed sign has been used in that area. Councilman Paolucci said in the early 2000 the town was not allowed to set speed limits lower than 30 miles per hour and asked what has changed. Mr. McCarthy responded the last amendment to Section 1662A of Vehicle and Traffic law specifically gives the town authorization to reduce to 20 miles per hour but no further.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 265 of 2011, a resolution scheduling a public hearing to consider an application for the Conservation Easement (Historic Preservation) program.

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

WHEREAS, the Town's Conservation Easement (Historic Preservation) program requires public comment on properties proposed to be included in the program, and

WHEREAS, J. Stanley and Barbara L. Yake, 10 Ferry Drive, Rexford, New York, (SBL 287.16-1-25), have requested inclusion in the program; now, therefore, be it

RESOLVED, that a public hearing is scheduled for November 7, 2011 at 7:10 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider the property owned by J. Stanley and Barbara L. Yake, (SBL 287.16-1-25), for inclusion in the Conservation Easement (Historic Preservation) program, and be it further

RESOLVED, that the property owner give notice to all adjacent property owners and other entities as provided in the town's Conservation Easement (Historic Preservation) legislation in advance of the public hearing and submit receipts of mailing to the Town Clerk's office prior to the date of the public hearing; and be it further

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 266 of 2011, a resolution authorizing the Supervisor to sign a lease agreement with De Lage Landen Financial Services, Inc. (through Electronic Business Products), for a digital copying system for the Assessor's Office.

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

WHEREAS, Walter Smead has requested that a new digital copier/printer be leased for use by the Assessor's Office, and

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

WHEREAS, the Board finds that the use of an installment purchase contract to finance the digital copying system is a cost-effective method of acquisition of such equipment and is consistent with General Municipal Law Section 109 (B); now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to enter into a lease agreement with De Lage Landen Financial Services, Inc.(through Electronic Business Products), for a Lanier, LD645C, digital copier/printer, off NYS Contract, for thirty-six (36) months, at a cost not to exceed \$239 per month, plus \$.0085 for black and white copies and \$.0765 for color copies, to be paid from A-1355-003 (Assessor-Copier)

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution 267 of 2011, a resolution authorizing the Supervisor to submit an application for a state grant for Clifton Country Road "Green Street" Corridor Improvement Project.

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

WHEREAS, the New York State Environmental Facilities Corporation has announced it is accepting applications for its 2011 Green Innovation Grant Program (GIGP) with the opportunity for up to a 90% project grant/10% match, through the New York State Consolidated Funding Application process, due on October 31, 2011, and,

WHEREAS, the Town Center Plan Study in progress in 2011 has identified the need for improving stormwater management in the town center area of Clifton Park, including south of New York State Route 146, and

WHEREAS, there has been flooding of Clifton Country Road in 2010 and 2011 following significant storm events, and

WHEREAS, the Town's commercial focus includes the area south of NYS Route 146 and along Clifton Country Road and north of Clifton Park Center Road, and this area is

continuing to grow in its economic importance with the continued investments in this commercial area by private entities, and

WHEREAS, the Town of Clifton Park would support the installation of “green” infrastructure improvements in the Clifton Country Road corridor, including a landscaped median and other facilities to improve and redirect stormwater flow, facilitate infiltration processes to reuse and recycle water runoff and utilize “rain garden” approaches and landscaping improvements with sufficient state funding and support, and

WHEREAS, the program goals include reduced flood events impacting transportation infrastructure, improved stormwater management within the commercial centers of the town, and supporting economic vitality of the town center area; now, therefore, be it

RESOLVED, that the Town Board authorizes the Town Supervisor submit an application for Green Innovation Grant Program Grant for stormwater along Clifton Country Road; and be it further

RESOLVED, that the Town Board directs the Director of Community Development to assist in the preparation of the state grant application and all materials necessary for the submittal.

Supervisor Barrett stated Clifton Country Road has become an important thoroughfare in the business district of town.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 268 of 2011, a resolution authorizing the closing of Dyer Drive and a portion of Main Street, Jonesville, for a Halloween Parade to be held on October 29, 2011.

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

WHEREAS, the Jonesville Fire Company has requested authorization to close Dyer Drive and a portion of Main Street on October 29, 2011 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 Fire Station No.1 on October 29, 2011 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 Romano,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 269 of 2011, a resolution honoring Christopher Andrew L'Amoureux for attaining the rank of Eagle Scout.

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

WHEREAS, Christopher Andrew L'Amoureux, 15 Partridge Glen, Rexford, of Boy Scout Troop 6, has attained the rank of Eagle Scout, and

WHEREAS, for his Eagle Scout Project Christopher marked, signed and constructed a trail at Garnsey Park, and

WHEREAS, the sign Christopher created at the trailhead informs visitors about ticks, poison ivy and asks anyone using the trail not to litter, and

WHEREAS, Christopher also placed trail markers every 75 feet and benches for visitors to stop and rest, and

WHEREAS, Christopher's project helps raise awareness about Garnsey Park and the many other natural areas in Clifton Park; now, therefore, be it

RESOLVED, that the Clifton Park Town Board recognizes and honors Christopher Andrew L'Amoureux of Boy Scout Troop 6, Jonesville, New York, for attaining the rank of Eagle Scout.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Robert Benson, East Side Drive, thanked the Town Board for lowering the speed limit on East Side Drive.

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 8:10 p.m.

Patricia O'Donnell
Town Clerk