

November 14, 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
John Scavo, Director of Planning

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett congratulated Shenendehowa Boys' Soccer on winning the Regionals.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 273 of 2011, a resolution donating two slots of ice time for the 2011 Clifton Park Youth Hockey Association (CPYHA) "Between the Pipes Bantam "A" Tournament".

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

WHEREAS, the CPYHA is hosting the annual "Between the Pipes Bantam "A" Tournament" November 25-27, 2011 at the Clifton Park Ice Arena, and

WHEREAS, the Clifton Park Youth Hockey Association is a non-profit organization dedicated to providing the best experience for our community's youth playing the sport of ice hockey; emphasizing leadership, teamwork and good sportsmanship, and

WHEREAS, CPYHA has requested that the Town of Clifton Park donate two sheets of ice time to help offset the costs of hosting the tournament and allow CPYHA to offer a tremendous tournament experience as well as showcase the CPYHA program and the Clifton Park community, and

WHEREAS, the out-of-town teams will be staying in Clifton Park hotels, eating in Clifton Park restaurants, conferring a benefit to local businesses as well as to the community as a whole; now, therefore, be it

RESOLVED, that the Town of Clifton Park is authorized to donate two slots of ice time for the 2011 CPYHA "Between the Pipes Bantam "A" Tournament" to be held at the Clifton Park Ice Arena November 25-27, 2011.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 274 of 2011, a resolution adopting the Saratoga County Multi-Jurisdictional All-Hazard Mitigation Plan.

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

WHEREAS, the Town of Clifton Park, with the assistance from Tetra Tech EM Inc., has gathered information and prepared the Saratoga County Multi Jurisdictional All-Hazard Mitigation Plan, and

WHEREAS, the Saratoga County Multi Jurisdictional All-Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000, and

WHEREAS, the Town of Clifton Park is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the plan and the actions in the plan, and

WHEREAS, the Town of Clifton Park has reviewed the plan and affirms that the plan will be updated no less than every five years; now, therefore, be it

RESOLVED, that the Clifton Park Town Board adopts the Saratoga County Multi Jurisdictional All-Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan and resolves to execute the actions in the plan.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

MOTION BY Councilwoman Walowit, seconded by Councilman Paolucci, to remove Resolution No. 271 from the table.

Resolution No. 271 of 2011, a resolution accepting a quote from Shed Man for the purchase of two sheds for use by the Highway Department.

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

WHEREAS, Highway Superintendent Kukuk has identified a need for additional storage space to accommodate miscellaneous items, freeing up space for highway trucks and plows, and

WHEREAS, three quotes were obtained for two sheds to be delivered and set up at the Highway complex, and

WHEREAS, Superintendent Kukuk has reviewed the quotes and has recommended that the quote of Shed Man be accepted for the two sheds for a total of \$7,300; now, therefore, be it

RESOLVED, that the Highway Department is authorized to accept the quote of Shed Man, New Lebanon, New York, for two storage sheds for a total of \$7,300 including delivery and set up, to be paid from AO 5132-024 (Highway-Garage).

Town Attorney McCarthy said he reviewed the town's procurement policy to see if there was a basis for going with local Halfmoon company, however, since the policy reads "in town" the recommendation is to go with the low bidder. Supervisor Barrett suggested reviewing the Procurement Policy to include Saratoga County businesses.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 275 of 2011, a resolution authorizing the Town Board to accept a donation of twenty-six (26) ± acres of open space from Marini Homes LLC.

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

WHEREAS, Marini Homes LLC, formerly known as Landmark Development Group LLC, has agreed to dedicate twenty-six (26) ± acres of open space, north of Route 146 in the vicinity of Sterling Heights as described, and

WHEREAS, by Resolution No. 301 of 2004, the Town Board accepted the roadway dedication of Sterling Heights Drive as well as related infrastructure, and

WHEREAS, Planning Director John Scavo has reviewed the planning file for the Sterling Heights Development by Landmark Development Group LLC and recommends acceptance of the offer of dedication; now, therefore, be it

RESOLVED, that the Town Board accepts dedication of twenty-six (26) ± acres (Parcels A, B, C, and D) of open space and transportation right of way, from Marini Homes, LLC, as described:

<u>Section, Lot, Block</u>	<u>Commonly known address</u>
270.8- 1-55	North of Route 146 in the Sterling Heights Subdivision <u>Consisting of</u> Parcel "A" 7.55 ± Acres Parcel "B" 1.16 ± Acres Parcel "C" 6.69 ± Acres Parcel "D" 10.63± Acres

and be it further

RESOLVED; that this conveyance is subject to review by the Town Attorney of title search and title insurance provided by Marini Homes LLC; 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.

Director of Planning Scavo reported the open space will have a trail improvement that will connect the Parkland Development town house community with Sterling Heights and will also have a utility easement.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 276 of 2011, a resolution authorizing the retention of Steven G. Leventhal to conduct two ethics training sessions, pursuant to Chapter 17, of the Code of Ethics.

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

WHEREAS, pursuant to Chapter 17 of the Code of Ethics, town employees and all agents authorized to approve procurements under the Town's Procurement Policy and Procedures, as well as the members of the Planning Board and Zoning Board of Appeals, shall complete a training seminar designed to review the standards contained in Chapter 17 as well as the standards and requirements contained in General Municipal Law, and

WHEREAS, Steven G. Leventhal has been recommended to conduct ethics training on November 21, 2011 in the Wood Room at a cost of \$850, plus lodging; now, therefore, be it

RESOLVED, that authorization is hereby given to retain Steven G. Leventhal to conduct ethics training sessions on November 21, 2011 at a cost of \$850 plus lodging, to be paid from A-1620-1 (Town Hall); and be it further

RESOLVED, that the Town Board authorizes credit to the Zoning Board and Planning Board members for this training pursuant to New York State Town Law 267-7 (a) and 277-7 (A).

Councilman Hughes reviewed background of the Ethics Code revision and noted Municipal Ethics has said it is a model for New York State and the town Ethics Code is on the NYS Bar Association website.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 277 of 2011, a resolution authorizing the Town Supervisor to file commitment documents with Saratoga County for collection of the Town's share of the 2012 Sales Tax Revenues.

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

WHEREAS, the Town of Clifton Park is required to file commitment papers regarding the collection of sales tax revenue for 2012; now, therefore, be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the collection of sales tax revenue, to be paid in cash for 2012, from Saratoga County, and be it further

RESOLVED, that the Town Supervisor is hereby authorized to file the appropriate documents of commitment with Saratoga County.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 278 of 2011, a resolution accepting a twenty-five foot wide easement as a result of the Ellis Hospital Urgent Care site plan approval.

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

WHEREAS, as a condition of approval of the 2010-043 Ellis Hospital Urgent Care Site Plan, the Town of Clifton Park Planning Board required that the owner grant a twenty- five foot wide easement to the Town of Clifton Park; now, therefore, be it

RESOLVED, that the Town Board accepts the easement briefly described as follows:

Name of Owner

Twenty-five-foot easement	Ellis Hospital, 103 Sitterly Road
	Tax map ID 272.-1-40.1

and be it further

RESOLVED, that this easement is expressly conditioned upon receipt of an approval by the Town Attorney 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 easement after it has been returned from the Saratoga County Clerk.

Mr. Scavo explained the grade along Sitterly Road did not provide the opportunity to install a sidewalk within the public right of way so Ellis has granted an easement across their property that will allow for the installation of a sidewalk from the Urgent Care facility to Clifton Park Center Road. A crosswalk will be installed across Clifton Park Center Road to the mall facilities.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 279 of 2011, a resolution adopting the 2012 Budget for the Town of Clifton Park.

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

WHEREAS, a public hearing was held on the Preliminary Budget on November 10, 2011 to obtain comment from the public regarding the proposed budget for 2012, and

WHEREAS, the comments of the public have been incorporated into the proposed budget; now, therefore, be it

RESOLVED, that the 2012 Town of Clifton Park Budget is hereby adopted per Schedule A.

Supervisor Barrett noted the one change in the budget due to the public hearing, that being an increase from \$5000 to \$11,500 for Carelinks. He said representatives of Carelinks made a very strong case for the increase. He said the combination of the Town Supervisor and Town Administrator line made for a \$32,000 decrease in straight salary costs, as well as additional savings in benefits. The Supervisor thanked the Town Board for their efforts in preparation of the budget and their comments and strong support at the public hearing for maintaining the combined position. Supervisor Barrett stated he has decided to take on the position of Supervisor fulltime as it relates the day to day operations at town hall. He said taking the two positions and combining into one is saving taxpayers money.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Bill Casey, Par Del Rio, stated he fully supports having a fulltime administrator and supports it being an elected official particularly given the complexities of the town and service and issues coming out of Albany. Mr. Casey said he thinks there should be a public works department that combines transportation and buildings and grounds with an appointed position. He expressed appreciation for the passage of the budget and the support given to Captain. He also thanked the Board for the “no tax policy” and for continuing to consider a town center.

Supervisor Barrett reported meeting with DOT regarding getting pavement fixes on Route 146.

Sanford Roth, Sweet Brier Drive, reminded residents of the First Friday musical series being presented at the Grooms Tavern sponsored by the town Arts and Culture Commission. He congratulated Supervisor Barrett on his election and decision to become a fulltime supervisor.

Anthony LaFleche, Wheeler Drive, stated the Supervisor has made the right decision and has always believed that the town supervisor should be a fulltime position. He wants the fulltime supervisor position to remain permanent and never go back to part time and asks if this can be codified. He further asked the Town Board to give serious consideration to changing the town supervisor term from two to four years.

Beverly Czub, Miller Road, congratulated elected officials.

Peggy Sherman, Acorn Ave, spoke on “geocaching” and asked permission to use Grooms Tavern site as part of the search area. The Town Board approved.

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 7:55 p.m.

Patricia O’Donnell
Town Clerk