

October 6, 2014

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 Whalen  
Councilwoman Standaert  
Councilman Romano  
Councilwoman Walowit  
Supervisor Barrett  
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy  
Richard Kukuk, Superintendent of Highways  
Mark Heggen, Comptroller  
Steven Myers, Director of Building and Development  
Michael O'Brien, Collection Systems Manager

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the September 8 and 15, 2014 meetings as presented.

**ROLL CALL VOTE**

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano  
Councilwoman Walowit, Supervisor Barrett

Noes: None

**MOTION CARRIED**

**ANNOUNCEMENTS AND COMMUNICATIONS**

Supervisor Barrett announced the Not So Common Players production of "Chess The Musical" will be presented October 17 – 26 at Shenendehowa High School Little Theater.

The Supervisor thanked all involved, particularly the Neville family and 3N Document Destruction for providing this free service with the very successful Shredding Day. He noted approximately 270 cars came through. Another Shredding Day will be held in the spring.

Supervisor Barrett reviewed the 2015 Tentative Budget noting three fulltime positions to be eliminated, in the Assessor's office, Building & Development and Parks & Recreation. Health care costs are lower and noted the annual retirement payment to NYS, which has increased exponentially over the last few years, is only increasing by \$1000 for 2015. Union employees are receiving a three percent increase, non-union two percent. After eight years, bulk pick up is out of the 2015 budget, noting a decrease in interest and the cost of which was \$104,000 in 2014. He noted the budget figure is well below the state tax cap. Expenditures will include new vehicles, improvements to the Public Safety building. No town property tax. Highway tax will increase from \$19.87 to \$21.75 per \$1000 assessed value. Supervisor Barrett reported there will be additional revenue from the naming rights of the arena and for the single stream recycling at the recycling station to be instituted on January 1, 2015. Supervisor Barrett said Budget Workshops are scheduled for October 8 and 9.

The Supervisor announced the town's grant application for the installation of a solar field on the capped landfill has been accepted. He noted the project will result in significant savings, and there will be no capital or maintenance costs to the town, therefore, no fiscal responsibility. The town will partner with GroSolar. The Supervisor reviewed steps to commence the construction phase.

Town Clerk presented the 2015 Tentative Budget to the Town Board.

REPORT TO THE BOARD – HAZARDOUS HOUSEHOLD WASTE DAY

Supervisor Barrett said the numbers are down from previous years so it may be time to review how often these “one shot services” are offered.

Scott Reese, Storm Water Management Technician, distributed the report (attached) and reviewed the activities of the day noting this was the 20<sup>th</sup> annual Special Collection Day. The town partnered with the Towns of Halfmoon, Mata and Ballston. He noted there were over 19 volunteers helping out. Mr. Reese reported Tech Valley Recycling accepted seven tons electronics at no cost. He further reported Environmental Products and Services of Vermont took pesticides, herbicides and automobile fluids as well as paint. The town will receive up to 50% reimbursement from NYS. He said there is a need to strengthen education as to what is accepted since a lot of latex paint was brought in.

Supervisor Barrett reported as of November 1<sup>st</sup>, the town will be charged for disposal of all tvs and crts due to state reimbursement rates, therefore, the town will no longer accept items that the town has to pay to get rid of.

Co-Chair of Hazardous Waste Day, Sanford Roth, thanked everyone who volunteered at the event. He noted it is important to have a way to check that latex paints are not coming in. He recommended making hours from 8:00 a.m. to 2:00 p.m.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 242 of 2014, a resolution authorizing the purchase of five E-One Sentry Advisor Sewer Monitoring Devices for use at the Clifton Common.

Introduced by Councilman Whalen, who moved its adoption, seconded by Councilwoman Standaert.

WHEREAS, Michael O’Brien, Collection System Manager for Clifton Park Sewer District No. 1, has recommended that E-One Sentry Advisor Sewer Monitoring Devices be installed in town owned grinder pump stations at the Clifton Common, and

WHEREAS, the equipment will monitor pump performance and alarm conditions and transmit information to the Clifton Park Sewer Department, and

WHEREAS, data received can be used for innovative maintenance work to reduce failures during town events and off hours, and

WHEREAS, Water Resource Technologies, LLC, Clifton Park, New York, is the sole vendor of sewer telemetry devices and submitted a quote for five E-One Sentry Advisor Sewer Monitoring Devices including installation and one year’s service, for an amount not to exceed \$2383.70; now, therefore, be it

RESOLVED, that the quote of Water Resource Technologies, LLC for the purchase of five E-One Sentry Advisor Sewer Monitoring Devices to be installed in town owned grinder pump stations at the Clifton Common be accepted for an amount not to exceed \$2383.70, to be paid from A7-112-200 (Clifton Common).

Mr. O’Brien explained this equipment will give a warning if a grinder pump is not working properly, thereby allowing repair before a major incident occurs.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,  
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 243 of 2014, a resolution authorizing the Assessor to re-levy the expense of repairs or maintenance against the land on which such building is located, as provided for in Section 77-12 of the Town Code.

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

WHEREAS, in February of 2012, the Town Board adopted Resolution No. 40 to respond to isolated incidents where the abandonment of properties or extended foreclosure process results in neglect to real property, and

WHEREAS, Section 77-12 of the Town Code, as amended, requires that records of costs and expenses incurred in providing such maintenance be reported to the Town Board no later than November 1<sup>st</sup> of each year, and

WHEREAS, the Code Enforcement Officer has reported the identification of twenty-eight vacant, abandoned, or foreclosure properties meeting criteria outlined in Section 77-10, as amended, and

WHEREAS, maintenance performed by the Buildings and Grounds Department pursuant to Section 77 of the Town Code has been completed by the Department of Buildings and Grounds on all twenty-eight properties at a cost of \$10,792.58, per the attached exhibit, and

WHEREAS, the Code requires that the Town Board authorize the assessor to re-levy the unpaid bills on affected properties for the 2015 tax roll to ensure re-payment to the town consistent with Resolution No. 40 of 2012; now, therefore, be it

RESOLVED, that the Town Board authorizes the Assessor to re-levy the unpaid bills on the respective properties as delineated on Attachment 1 to this resolution for the 2015 town and county tax bills; and be it further

RESOLVED, that all proceeds be returned in February to the Town of Clifton Park.

Supervisor Barrett reported there are 28 properties that the Building Department has investigated and commended the Buildings and Grounds Department for their work in taking care of the properties.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,  
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 244 of 2014, a resolution authorizing the Town Supervisor to sign a Grant Application on behalf of the Justice Court for a Justice Court Assistance Program Grant.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, Judge Robert A. Rybak and Judge James F. Hughes wish to file an application seeking a grant for approximately \$17,830 from the Justice Court Assistance Program to purchase an air conditioning and heating system, as well as new windows and a label printer, and

WHEREAS, the Clifton Park Town Board supports the submission of a grant application on behalf of the Justice Court, seeking a grant of approximately \$17,830 from the Justice Court Assistance Program to purchase equipment for the Justice Court; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to sign a grant application totaling approximately \$17,830 on behalf of the Justice Court for the purchase of equipment for the Justice Court.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 245 of 2014, a resolution accepting the proposal of Wiring Concepts LLC for six 250 watt lights to be installed at the Mary Jane Row Dog Park.

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

WHEREAS, a need exists for additional lights at the Mary Jane Row Dog Park, and

WHEREAS, quotes were solicited and Wiring Concepts LLC, 137 Hopcity Road, Ballston Spa, submitted the lowest quote of \$4,575 for the installation of six 250 watt MH lights to be installed on poles at the Mary Jane Row Dog Park, and

WHEREAS, Michael Handerhan, Supervisor of Buildings and Grounds, has recommended that the quote of Wiring Concepts LLC. be accepted for an amount not to exceed \$4,575 for six 250 watt lights to be installed at the dog park; now, therefore, be it

RESOLVED, that the Comptroller is authorized to transfer \$4,575 from A7112-200 (Clifton Common-Equipment) to A7027-200 (Mary Jane Row Dog Park-Capital Improvement), and be it further

RESOLVED, that the quote of Wiring Concepts LLC for an amount not to exceed \$4,575 is hereby accepted for the installation of six lights at the Mary Jane Row Dog Park, to be budgeted from A7027-200 (Mary Jane Row Dog Park-Capital Improvement).

Supervisor Barrett said the cost is covered by the membership fees.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 246 of 2014, a resolution to schedule a public hearing to consider an application for inclusion of a parcel of land at 38 Droms Road in the Conservation Easement Historic Preservation program.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilwoman Standaert.

WHEREAS, the town's Conservation Easement program requires public comment on properties proposed to be included in the program; and

WHEREAS, Nancy DeKorp and Walter Szwetkowski have requested inclusion in the program for property at 38 Droms Road (SBL 276.-1-37.1); now, therefore, be it

RESOLVED, that a public hearing is scheduled for October 20, 2014 at 7:00 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider the property owned by Nancy DeKorp and Walter Szwetkowski (SBL 276.-1-37.1) 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 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 Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 247 of 2014, a resolution scheduling a public hearing to consider adoption of a local law amending Section 103-16 of the Town Code, Building Permit Fees, as amended.

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

WHEREAS, Steven Myers, Director of Building and Zoning, has recommended that Section 103-16 of the Town Code, Building Permit Fees, be amended, and

WHEREAS, the Town Board wishes to schedule a public hearing to obtain input regarding the proposed changes to the Town Code; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for October 20, 2014 at 7:05 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider a local law amending Section 103-16 of the Town Code, Building Permit Fees, as amended, and be it further

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

Director of Building and Zoning Myers said it was found after comparison with other communities, the town of Clifton Park is significantly lower.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,  
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 248 of 2014, a resolution authorizing the donation of the use of softball fields at Veterans Park to the East Coast Women's State Police for a charity softball event.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, the Town Board wishes to support the women of the New York State Police through the East Coast Women's State Police charity softball tournament, held September 20-21, 2014 at Veterans Park, and

WHEREAS, the softball tournament included teams from states up and down the east coast, with proceeds supporting New York State Troopers PBA Signal 30 Fund and the Double H Ranch, and

WHEREAS, the New York State Troopers PBA Signal 30 Fund supports members of the NYS Troopers in extraordinary circumstances such as illness, injury, loss of life or loss of residence due to fires or flood, and

WHEREAS, the Double H Ranch provides specialized programs and year round support for children and families faced with life-threatening illnesses, and

WHEREAS, the Town Board wishes to donate field time toward the event to enhance the charitable purposes of the tournament; now, therefore, be it

RESOLVED, that the Town Board hereby donates the field time necessary for hosting the event, and be it further

RESOLVED, that the Comptroller is authorized to reimburse the New York State Police any funds paid to rent or reserve the fields for the September 20-21, 2014 tournament.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,  
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 249 of 2014, a resolution accepting the bids for equipment declared surplus by the Town Board and sold at public auction.

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

WHEREAS, the Clifton Park Town Board adopted Resolution No. 86 of 2014 authorizing the sale of equipment declared surplus by the Town Board and authorizing the Highway Department to sell the surplus equipment through Auctions International, an online public auction site, and

WHEREAS, the public auction closed on Friday, October 3, 2014, with proceeds from the auction totaling \$31,400.50; now, therefore, be it

RESOLVED, that the Clifton Park Town Board accepts the bids for the equipment declared surplus in the Highway Department, per the attached; and be it further

RESOLVED, that the proceeds of \$31,400.50 from the live auction be deposited in the Highway fund.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,  
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Supervisor Barrett announced the Board will be moving into Executive Session following Public Privilege.

PUBLIC PRIVILEGE

No one wished to be heard.

MOTION BY Councilwoman Walowit, seconded by Councilman Whalen, to move into Executive Session to discuss pending contract negotiations. Motion unanimously carried at 8:03 p.m.

Returned to regular meeting at 8:30 p.m. No further business.

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

Motion carried at 8:30 p.m.

Patricia O'Donnell  
Town Clerk