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April 16, 2007

The regular meeting of the Town Board of the Town of Clifton Park was held in Historic Grooms Tavern at 7:00 p.m., Supervisor Barrett presiding. This meeting was held in Grooms Tavern in celebration of the Grand Re-opening.

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
Mark Heggen, Comptroller
Myla Kramer, Director of Parks, Recreation and Community Affairs
Michael Shahen, Town Administrator
Janis Dean, Assistant Director of Planning
Elaine Sausville, Deputy Highway Superintendent
Roy Speckhard, Deputy Supervisor

MOTION by Councilman Roth, seconded by Councilwoman Walowit, to approve the minutes of the April 2, 2007 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett thanked all involved with the Historic Grooms Tavern Grand Re-Opening Celebration on April 14th. He specifically expressed appreciation to the Buildings and Grounds Department for their work in the refurbishing of the Tavern. He further thanked Chairman of Historic Preservation Commission, Mark Kazmierczak, for the design of brochures and marketing work. He acknowledged the private donations of the VanVranken and D'Ambra families. The Supervisor further thanked Assemblyman Bob Reilly for the \$75,000 grant for the Tavern.

Councilman Roth distributed information regarding the leashing of dogs in the parks which will be sent to all park districts. There will be a survey on cliftonpark.org regarding dogs in the Kinns Road Park. He asked that Collins Park be incorporated into the leash law for the Clifton Common.

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PRESENTATION OF THE KEY TO CLIFTON PARK TO ROY SPECKHARD

Supervisor Barrett presented the Key to Clifton Park to former Councilman Roy Speckhard in recognition of his dedication and service to the town. He announced Mr. Speckhard will stay on as Deputy Supervisor.

Deputy Supervisor Speckhard said it has been a blessing to have been part of the town.

REPORTS TO THE BOARD

Town Comptroller Heggen reviewed the March Financial Report, stating the majority of revenues received will now go to 2007. He has been working on closing out the year 2006 for filing with NYS. An RFP is out for auditing services and due back May 2nd.

Town Administrator Shahan commended the members of the Buildings and Grounds Department for their outstanding work on Grooms Tavern - Supervisor Mike Handerman, Dan Clemens – woodwork, barn board, floors, Matt Franklin – wainscoting, restored cabinets and wood counter in store area, Mike McGuire, Patrick Gibbons who in some cases volunteered his time after hours, John Dworak – masonry work on fireplace. Mr. Shahan thanked the Town Board for their financial assistance in restoring the Tavern. He said the downstairs is completely ADA compliant.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 119 of 2007, a resolution requiring training for Planning Board and Zoning Board members pursuant to Town Law Sections 267 and 271 which provides that effective January 1, 2007, Planning Board and Zoning Board of Appeals members in New York State, as well as alternate members of those boards, must complete a minimum of four hours of training each year.

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

WHEREAS, the above sections of state law provides that a Planning Board or Zoning Board of Appeals member shall not be eligible for reappointment to such board if they have not completed the training by law, and

WHEREAS, the above sections of state law provide that the legislative body of the town specifies which activities qualify as training to satisfy the state requirements; now, therefore, be it

RESOLVED, that the following list of agencies, commissions, associations, universities, and other organizations are approved to provide training to meet the state requirements when the training they provide pertains to municipal planning, zoning, community design, environmental issues, economic development, and local government functions and practices:

1) the NYS Department of State; Department of Agriculture and Markets; Office of the State Comptroller; Department of Health; Department of Transportation; Department of Environmental Conservation; Office of Parks, Recreation, and Historic Preservation; Hudson River Valley Greenway, and

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Tier East Regional Planning Development Board; Southern Tier West Regional Planning and Development Board; Genesee-Finger Lakes Regional Planning Council; Hudson Valley Regional Council; Tug Hill commission; Adirondack Park Agency, and

4) the Saratoga County Planning Department; Saratoga County Soil and Water Conservation District, and

5) the Albany Law School Governmental Law Center and Institute for Legal Studies; Pace Law School; Cornell University and its cooperative extension, and

6) on-line planning and zoning training programs offered by the New York Municipal Insurance Reciprocal, Pace University and Land Use Law Center, and the Lincoln Institute of Land Use Policy, and

7) the Board recognizes that such training may be offered by any of the agencies, commissions, associations, universities, and organizations enumerated above in a variety of formats, including but not limited to electronic media, video, and distance learning, in addition to traditional classroom training, and be it further

RESOLVED, that other training activities may be approved on a case-by-case basis by the Town Board upon the request of a Planning Board or Zoning Board of Appeals member, and be it further

RESOLVED, that any new member appointed to fill the last six months of a term shall not be required to have attended training to be reappointed to a first full term, but must thereafter comply with the municipal training policy as provided elsewhere herein, and be it further

RESOLVED, that training received by a Planning Board member or Zoning Board of Appeals member in excess of four hours in any one year may be carried over by the member into succeeding years; and be it further

RESOLVED, that the Chair of each respective board shall create and maintain a system of tracking the training individual members complete annually and such information shall be presented to the appointing authority prior to considering a member for reappointment.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 120 of 2007, a resolution authorizing the Supervisor to sign Change Order No. 1 for the Grooms Tavern, Contract No. 5, Restroom Construction.

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

WHEREAS, Resolution No. 50 of 2007 authorized the Town's contract with Bast

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WHEREAS, John M. McDonald Engineering has recommended that the change order be accepted for the lead abatement work and subsequent reconstruction of the restroom facilities, and

WHEREAS, the Change Order results in an increase of \$5,396 for the Grooms Tavern, Contract No. 5-Restroom Construction, from the current amount of \$27,879 to arrive at a new contract amount of \$33,275; now, therefore, be it

RESOLVED, that the amount of \$5,396 is hereby appropriated from the funds previously designated by Resolution No. 418 of 2006 to A-1627-200 (Grooms Tavern-Equipment) to come to an adjusted contract of \$33,275.

Town Administrator Shahen reported the original estimate for this project was \$45,000.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No.121 of 2007, a resolution authorizing the Cystic Fibrosis Foundation to hold a 5k run/walk in the Town of Clifton Park.

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

WHEREAS, the Cystic Fibrosis Foundation has requested the use of the Town roadways as specified in the attachment hereto, as well as a county road for the purpose of holding a 5k run/walk, and

WHEREAS, the event has the approval of the Town's Highway Superintendent, and permission has been granted by Joseph Ritchey, the Saratoga County Commissioner of Public Works, to use Main Street in Jonesville which is a county road; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park hereby authorizes the Cystic Fibrosis Foundation to use Town roadways as specified in the attachment hereto, on May 20, 2007, for the purpose of holding a 5k run/walk, and be it further

RESOLVED, that this approval is expressly conditioned upon receipt prior to May 20, 2007, in the office of the Town Clerk, of an insurance certificate in the amount of \$1,000,000 naming the Town of Clifton Park as an additional insured; and it is further

RESOLVED, that this approval is expressly conditioned upon the roads not being closed, but members of the Foundation are permitted to temporarily stop traffic at each end of the course in the event both a vehicle and walker/runner arrive at the same time.

ROLL CALL VOTE

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Resolution No. 122 of 2007, a resolution authorizing the hiring of returning summer recreation camp staff for the 2007 season.

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

WHEREAS, Myla Kramer, the Director of Parks, Recreation and Community Affairs, has identified a need for Summer Recreation Camp Staff for the full and half-day camps, and

WHEREAS, staff needs to be in place for the 2007 summer recreation programs so that the Site Directors can plan accordingly for the upcoming season; now, therefore, be it

RESOLVED, that the Director of Parks, Recreation and Community Affairs is hereby authorized to hire returning summer recreation camp staff for the 2007 season, as per attached Schedule A, effective June 1st through August 17, 2007.

Ms. Kramer reported there are a good number of returnees but there are openings for 18 new hires.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 123 of 2007, a resolution authorizing the hiring of returning lifeguards and water safety instructors for the 2007 season.

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

WHEREAS, Myla Kramer, the Director of Parks, Recreation and Community Affairs, has identified a need for lifeguards and water safety instructors for the pools for the upcoming summer season, and

WHEREAS, staff needs to be in place so the pool managers can plan accordingly for the upcoming season; now, therefore, be it

RESOLVED, that the Director of Parks, Recreation and Community Affairs is hereby authorized to hire returning lifeguards and water safety instructors for the 2007 season, as per attached Schedule A, effective immediately through September 9, 2007.

Ms. Kramer reported there are eight openings for lifeguards and 20 Water Safety Instructors are returning. She credited the return of Water Safety Instructors to an increase in pay.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes, Councilman Roth,

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Resolution No. 124 of 2007, a resolution authorizing the hiring of summer staff for the Parks, Recreation and Community Affairs Office.

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

WHEREAS, an additional staff member is required to staff the Office of Parks, Recreation and Community Affairs during the summer months, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that Mary Jo Kukuk, 6 Bradbury Street, Clifton Park, be hired as a summer office staff member; now, therefore, be it

RESOLVED, that Myla Kramer, Director of Parks, Recreation and Community Affairs, is hereby authorized to hire Mary Jo Kukuk, 6 Bradbury Street, Clifton Park, as a summer office staff member, effective May 14 through August 17, 2007, to be paid at grade 1, step 1 (\$11.28 per hour) from A-7021-E4000 (Parks & Recreation Administration-Part-time Staff).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 125 of 2007, a resolution authorizing the Safety Officer to attend an OSHA conference in Rochester, NY.

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

WHEREAS, Louis Pasquarell, Safety Officer, has requested authorization to attend an Occupational Health and Safety Standards for General Industry course in Rochester, NY, from May 1 - 4, 2007, and

WHEREAS, this course covers permissible exposure limits, OSHA health standards, regulation procedures, respiratory protection, workplace health program elements and other workshops in health hazard recognition, and Louis Pasquarell's attendance at the conference would provide a benefit to the Town; now, therefore, be it

RESOLVED, that Louis Pasquarell, Safety Officer, is hereby authorized to attend the Occupational Health and Safety Standards for General Industry course in Rochester, NY, May 1 - 4, 2007, at a cost not to exceed \$1750 to be paid from A03010-001 (Travel & Conference)

ROLL CALL VOTE

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

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WHEREAS, the Kiwanis Club of Wilton has requested that the Town issue a Mass Gathering Permit for the purpose of sponsoring a carnival at the Clifton Park Center in back of the Center across from Boscov's, from Tuesday, May 1 through Sunday, May 6, 2007, and

WHEREAS, the Town has been provided with information concerning this activity, and

WHEREAS, the Town has been named as an additional insured on the required insurance policy; now, therefore, be it

RESOLVED, that the Town Board is satisfied with the information provided that the potential effect of the proposed public assemblage will have minimal effect upon the public, health, safety and welfare of the people and property of the Town of Clifton Park; and be it further

RESOLVED, that the Town Board hereby directs that a permit be issued to the Kiwanis Club of Wilton for a public assemblage to be held in the back of the Clifton Park Center, across from Boscov's, May 1 - 6, 2007, for the sole purpose of sponsoring a carnival.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 127 of 2007, a resolution providing for a stipend for former Councilman Roy Speckhard for services as advisor to the Town on Historic, Cultural and Community Affairs issues.

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

WHEREAS, the Town Board of the Town of Clifton Park recognizes the knowledge, skills and leadership that former Councilman Roy Speckhard brings to the Town in the areas of Historic Preservation, Community and Cultural Affairs and Riverfront access issues, and

WHEREAS, the Town Board appreciates the continued availability of former Councilman Speckhard to the Departments in the Town responsible for Parks, Recreation, Historic Preservation, Riverfront Access, and for staff and Departments responsible for developing and promoting the Town's Arts and Cultural Affairs, and

WHEREAS, the Town Board has asked former Councilman Speckhard to continue his leadership in these areas, and wishes to compensate former Councilman Speckhard for his time and expertise in these areas, and

WHEREAS, former Councilman Speckhard will continue to assist the Town in developing initiatives and in completing special projects in these areas; now, therefore, be it

RESOLVED that the Town Board of the Town of Clifton Park hereby provides a stipend

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ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 128 of 2007, a resolution accepting a conveyance of the following parcel of land.

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

WHEREAS, as a condition of approval for the Subdivision of the lands of LeHuong Hockford, the Town of Clifton Park Planning Board required that the applicant convey a 1,197 SF parcel of land to the Town of Clifton Park for future roadway improvements, and

WHEREAS, the applicant has provided a Quitclaim Deed for said land to be dedicated to the Town of Clifton Park; now, therefore, be it

RESOLVED, that the Town Board accepts the conveyance of that parcel of land, lying along NYS Route 146A, as shown on a map entitled "Subdivision of the Lands of LeHuong Hockford", dated November 5, 2004, last revised February 27, 2006, prepared by Gilbert VanGuilder, Land Surveyor, PLLC, and be it further

RESOLVED, that this conveyance is expressly conditioned upon receipt of an approval by the Town Attorney of all necessary documents, provision of title report, provisions for payment of all taxes, recording fees, and assessments which are acceptable to the Town Attorney, 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.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 129 of 2007, a resolution recognizing Blue Star Mothers of America, Capital Region Chapter 2.

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

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WHEREAS, the Blue Star Mothers of America, Inc. are a non-profit organization supporting each other and their children while promoting patriotism, and

WHEREAS, the Blue Star Mothers of America, Inc. are a non-partisan, non-political organization who support active duty service personnel, assist Veterans organizations and assist in homeland volunteer efforts, and

WHEREAS, the Blue Star Mothers, Capital Region Chapter 2, will receive their charter from Blue Star Mothers of America's National organization and be installed as an official local chapter of the organization on Sunday, April 29, 2007 at 2:00 pm, at the American Legion Je Zaloga Post on Everett Road, Albany, NY; now, therefore, be it

RESOLVED, that the Town Board proclaims Sunday, April 29, 2007, Blue Star Mothers Day in the Town of Clifton Park, and asks residents of Clifton Park to display the flag of the United States of America on that day in recognition of the Blue Star Mothers Capital Region Chapter 2.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett asked for a moment of silence for the tragedy today at Virginia Tech.

Supervisor Barrett read By Laws adopted at the first Clifton Park Town Board meeting held in Grooms Tavern on April 1, 1828.

PUBLIC PRIVILEGE

Gary DeNovio, Grooms Road – adjacent to Grooms Tavern, asked what additional lighting is planned for the Grooms Tavern parking lot. Mr. Shahen responded one pole with lighting directed towards the Tavern. Mr. DeNovio asked if the arborvitae the town planted between his house and the Tavern can be extended for privacy purposes. Mr. Shahen responded there is money in the budget for landscaping. Supervisor Barrett said extending the arborvitae will be looked into but he can't guarantee it will be done. Mr. DeNovio asked the Town Board to encourage Saratoga County to put a traffic light at Miller/Sugar Hill and Grooms Roads.

Norman Goldman, London Square Drive, asked that a Public Forum be held at a Town Board meeting with regard to the dog leash issue. In response to Mr. Goldman's question, Supervisor Barrett explained the town formed a Grooms Tavern Committee and at some point later the group wanted to become a private organization and another town committee was never reappointed. Mr. Goldman said he believes The Friends of Grooms Tavern was formed before the town committee. He recommended a Town Board meeting be held in Grooms Tavern during the anniversary month every year and, in recognition of The Friends of Grooms Tavern foresight and dedication, that a room be officially designated as "The Friends' Room".

John Scherer, Town Historian, commented on how wonderful Grooms Tavern looks and congratulated the Town on getting the building open.