

February 4, 2008

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 left at 8:30 p.m.
Councilman Hughes
Councilman Roth
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy
Mark Heggen, Comptroller
Kathleen Maynard, Director of Planning
Steven Myers, Director of Building and Development
Michael Shahan, Town Administrator
Walter Smead, Assessor

MOTION BY Councilwoman Walowit, seconded by Councilman Paolucci, to approve the minutes of the January 7 and 14, 2008 meetings as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Councilman Paolucci announced he would be leaving at 8:30 p.m. due to a family commitment.

Councilman Hughes announced the video streaming of Town Board meetings will be available soon. He reported meetings will be archived and this will allow residents to watch Town Board meetings at their convenience.

REPORT TO THE BOARD

County Supervisor Anita Daly gave an update on County projects.

**PUBLIC HEARING, 7:10 PM
TO CONSIDER A LOCAL LAW REGARDING THE CREATION OF THE
CONIFER VILLAGE SENIOR HOUSING PLANNED DEVELOPMENT DISTRICT**

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on January 25, 2008.

Andrew Sciocchetti, developer of the property, stated he is partnering with Conifer Realty LLC to bring the Conifer Village project forward. He noted this has been reduced from 80 to 70 unit affordable senior housing project which conforms with DHCR requirements of income levels and age requirements. Mr. Sciocchetti said Conifer Development owns, manages, develops and operates senior housing throughout the United States, mostly concentrating in the northeast. The project site is on the southeast corner of Route 146 and Waite Road. Plans call for a 3-story project.

Gavin Vuillaume, Environmental Design Partnership, reported a positive recommendation from the Planning Board has been received and stated the applicants have been working with the Emergency Services Advisory Board and Fire Department and, at this point, are pretty close to the final layout. Mr. Vuillaume displayed plans and described the site and surrounding zoning, noting due to extensive wetlands on the property approximately three to four acres are developable, which, under current zoning, would allow an office building. He said a small traffic study has been done which the Planning Board has reviewed. Plans are for two access points along Waite Road, 84 parking spaces, an access road around entire building, hydrant in front of the building, onsite stormwater management, substantial landscaping in the rear of the site. Conversations are being held with the County Sewer District and Clifton Park Water Authority. Mr. Vuillaume reported if any new trails are expected, the applicants would like to connect to them.

Andrew Bodewes, Project Manager for Conifer Realty, LLC, said the applicants are in the midst of applying for financing for the project and actively working on the application to go into the state, the deadline of which is the end of February. He said the program is designed to serve individuals who are at 50-60 percent of the area median income which for this area is \$66,000 household income. The area consists of Albany County Metropolitan Statistical Area, which includes Albany and Saratoga counties. He reported the rents will range from \$521 to \$645 for a one bedroom, with a two bedroom apartment ranging from \$615 to \$760. The building model consists of 64 one-bedroom and 6 two-bedroom apartments. Mr. Bodewes review amenities and reported management and maintenance people will be on site, however, not 24 hours.

Councilman Roth asked for a letter from the fire and ambulance people stating they have reviewed the building plans, recognize what is there and know that they can get to patients within a reasonable amount of time. Mr. Bodewes stated he has the letter. He reported one of the accesses will be a service entrance that will be a two-way ingress and egress. Councilman Roth thinks a turning lane coming south on Waite Road will be necessary. He stated he is very much in favor of this project. He reported he has stopped looking for low income housing as it is not available. He stated middle income housing is needed in Clifton Park. Councilman Roth said the current zoning of Corporate Commerce could allow a 2 or 3 story building with traffic at high peak times, whereas the proposed project would not have that volume of traffic.

Councilman Paolucci asked if the traffic study addressed the impact on Route 146. Mr. Vuillaume responded a lot of traffic is not anticipated from this project so a traffic count was not done. He believes the traffic reports that were recently done for other projects on Waite Road, as well as Miller Road were reviewed. He said these reports can be given to the Planning Board if necessary.

Councilman Paolucci questioned the agreement between the Shenendehowa Senior Citizens, Inc. and Conifer Realty, asking if the agreement is necessary for the application to go through or does it add points to the application. Mr. Bodewes responded yes, Conifer has sought a relationship with the Senior Center and Conifer would like to provide the same services that the Senior Center provides to Clifton Park residents to the residents at the facility. He said though not a specific requirement, a scoring system is in place and preference is shown to applicants that have not-for-profits involved.

Councilman Paolucci asked if the project does not get selected for the tax breaks, is it still economically viable to go forward. Mr. Bodewes noted it is tax credits, not breaks, which allow bringing investment into the project and it would not be economically viable to go forward without the tax credit. He stated there is no way to provide housing in Clifton Park that actually is affordable to seniors at 50-60 percent of the area median income without a vehicle such as the tax credit. Mr. Bodewes said Conifer Realty is confident they can put together a very solid application to the state, noting their track record is "second to none" in New York State. A market study shows there is an exceptional need for this type of product in Clifton Park, noting folks have had to move away since there is no affordable housing.

Councilman Paolucci asked Town Attorney McCarthy what will happen if the zoning change is allowed and the tax credits don't go through, stating zoning will be in effect that will never be built and the Corporate Commerce zone will be gone. Mr. McCarthy said he is proposing a sunset provision that the zoning will automatically revert back to the original zoning if the tax credits are not obtain or if within 36 months from the effective date of the local law commencement of the

construction of dwelling units has not begun or, if after construction has begun, unless substantial progress continues without undue interruption. However, for proper cause shown, the Town Board could waive the requirement that substantial progress continue without undue interruption.

Mr. Bodewes stated it is absolutely acceptable that the site revert back to current zoning if tax credits are not received, but acknowledged sometimes this takes more than one application.

Supervisor Barrett said specific language must reflect rent rates and the fact that only a project similar to the proposed project could go there and not turn into regular apartments. Mr. Bodewes reported rental information is included in the legislation and once construction starts Conifer Realty will be obligated under a regulatory agreement for 51 years to keep it at affordable rent. Supervisor Barrett, noting one of the concerns with the project was the increase on demand of services; e.g. fire, ambulance, senior van service, asked what funds would be available to the town to offset some of these costs by partnering with the senior center. He reported the development agreement states \$10,000 shall be paid to "the non-profit" and the balance of the development fee approved by the regulating agency shall be paid to Conifer. Mr. Bodewes said the \$70,000 impact fee would be payable to the town. Mr. McCarthy said it is his understanding the \$70,000 would come directly to the town and go into a dedicated account for senior transportation services. Councilman Roth stated it would definitely be placed in a dedicated interest bearing account called Conifer Park Senior Services, not specifically denoting transportation. Councilman Roth said it was his understanding the entire \$80,000 would go to the Senior Center and then they would forward the \$70,000 to the town, however, he noted, this may have been changed. Mr. Bodewes explained typically transportation and senior services are one in the same and when Conifer partners with a non-profit, they are the ones providing the services and receive the one impact fee, however, since the Town of Clifton Park has taken over the transportation services, this needs to be reviewed and clarified.

Councilman Hughes questioned if age 55 is too low and perhaps it should be restricted to a higher age level in order to reach those who are less affluent. Mr. Bodewes explained the taxpayer program is regulated at age 55 and Conifer is very much confined to the regulations in the program and compliance with the income and age levels. He noted, however, generally the building population is significantly older than 55. Mr. Bodewes explained the income level would be the 50-60 percent of the area median income and adjusted based on household family size, therefore, at \$65,000 to \$66,000 thousand the income level of building residents would be in the mid \$20,000 to low \$30,000 range. If these income levels are exceeded, an individual would not qualify. Councilman Hughes asked, assuming this application is approved and if allowed legally, that discretion be given to individuals, and maybe skewed towards those who are older.

Mr. Bodewes reported 15 percent of the units will target the frail and elderly and there is a very thorough policy in terms, background checks and screening process that applies across the board.

Councilman Roth asked that the applicant take Councilmen Paolucci and Hughes comments into consideration. He doesn't think there will be many aged 55 individuals applying, noting the average age in Coburg Village is 76.

In response to Councilwoman Walowit regarding transportation, Mr. McCarthy replied it needs to be worked out as to whether or not it will be a direct contribution. Mr. Bodewes said it is his understanding it will be direct contribution to the town. He stated Conifer cannot directly provide transportation. He explained the more the cost to develop the project goes up, the harder it is to keep affordable rents.

Mr. McCarthy reviewed changes to the proposed legislation, as well as the sunset provision noted above.

Councilman Paolucci commended the Conifer representatives on their presentation, stating the facility appears to be something that the town would be proud to have and is included in the Comprehensive Plan. However, his concerns surround the impacts of the Corporate Commerce zone as this is the second project that has come up in this area where the Board has been asked to convert Corporate Commerce zoned land to a residential use. The area has not been studied as residential; an EIS was done on Corporate Commerce zoning and the area was excluded from further study in the Western Clifton Park GEIS. Councilman Paolucci said he would like to see this

project closer to Exit 9 but understands the economics of the situation. He said he has heard that Corporate Commerce zoning in that area is not economically viable but this should be studied to see if other zoning is more appropriate. He thinks traffic on Route 146 should be incorporated when looking at this project, as well as look at the cumulative impacts in this area.

Mr. Bodewes said the project will connect to the Corporate Commerce Water District line and acknowledged there is a fee to be paid. Councilman Paolucci said because there was no study for senior housing, there is no way of knowing what the impact will be on water. He said he would like to see a supplemental EIS. Councilman Paolucci said the senior housing is an appropriate step down zone for the residential housing further out. He said Corporate Commerce zoning needs to be studied, either in the current location or elsewhere, particularly with AMD coming to the area as it is important to have that type of zoning available. Councilman Paolucci stated he can't speak against the project because it is needed. He commended the applicants on their efforts and their existing projects and said the town would be proud to have them build a facility in Clifton Park. He noted perhaps different decisions would have been made if there had been no time constraint on this project.

Councilman Roth said senior housing is in the Comprehensive Plan. He said Director of Planning Maynard has identified a few areas off Route 9 which may qualify as a Corporate Commerce zone. He stated in the 17 years he has been on the Town Board, no one has asked about Corporate Commerce in the current area. The zoning should be changed for senior housing.

Supervisor Barrett reported the town has identified other areas where there is business zoning; e.g. Pierce and Woods Roads, as well as Route 9. He asked Ms. Maynard if senior housing would be a less intensive use than business. Ms. Maynard replied the applicant was asked to supply water and sewer usage. It was noted the proposed senior housing would be nine feet higher than what is currently allowed. Ms. Maynard stated generally there would be more of a traffic impact in the morning and evening with Corporate Commerce zoning. She asked that the traffic study done for the senior town homes be taken into account. Councilman Paolucci said more pressure will be put on services and this has not been studied.

The public hearing was opened for comments from the audience at 8:00 p.m.

Pam Marshall, Fairlawn Court, recommended trails be put through the site.

Councilman Roth responded this has been discussed with the Planning Board and trails are on the agenda.

Norman Goldman agreed with much of what Councilmen Paolucci and Roth have said. He wishes that there had been as much concern when the senior town homes were approved in the western part of town. He doesn't believe 55 should be considered "senior". He doesn't agree the applicant should be asked to pay extra to provide services to their tenants. Mr. Goldman said he has long advocated affordable senior housing, as well as affordable housing for workers in our town who would like to live close to workplaces. He said from what he has heard this proposal is the right kind of proposal but has a couple of problems, one being it is not in the right location. He stated the van is not convenient as times are limited and people have to apply weeks in advance.

Sharon Battaglia, Waite Road, stated this is not right place for senior housing, as it is a rural area and is getting congested due to many new developments. She stated there is no place for a 3-story building on rural Waite Road.

Al Czerpak, Via da Vinci, said a bike path would be a positive draw. He asked that there be trees and berms.

Mr. Vuillaume said existing trees will remain. It was noted the project is 250 feet from the road.

Youseff Ballout, Torrero Drive, agreed with Councilmen Roth and Paolucci, stating the town needs affordable senior housing for senior citizens. He said the Town Board needs to take a hard look to see if this fits in the western part of town. He feels the location is totally wrong and before approving this, the Board should take a look at all projects coming into the area.

2/04/2008

Councilman Paolucci left the meeting at 8:30 p.m.

Supervisor Barrett responded the land in the Exit 9 area is valuable and scarce and it would be difficult to make the numbers work to offer affordable senior housing at that location.

Councilwoman Walowit agreed noting the cost of land in the Exit 9 area prohibits low income housing.

Councilman Hughes said though this site may not be the perfect location, this keeps individuals close to family.

Supervisor Barrett said it is important to have a diversity of housing within the community and senior housing is lacking.

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 8:37 p.m.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 22 of 2008, a resolution authorizing the Supervisor to sign Change Order No. 1 with Stephen Miller, General Contractors, Inc. for Algonquin Road Drainage Repairs.

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

WHEREAS, Resolution No. 298 of 2007 authorized a contract with Stephen Miller, General Contractors, Inc., for Algonquin Road Drainage Repairs, in an amount of \$34,904, and

WHEREAS, a Change Order was prepared by McDonald Engineering which provides the breakdown of individual item costs, and

WHEREAS, the Change Order results in a decrease of \$967 for the Algonquin Road Drainage Repairs from the awarded amount of \$34,904 to arrive at a new contract amount of \$33,937; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign Change Order No. 1, dated November 6, 2007, to Stephen Miller, General Contractors, Inc.; and be it further

RESOLVED, that the amount of \$967 be released from year end encumbrances, from A-8540-200, (Drainage Repairs-Equipment).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 23 of 2008, a resolution authorizing the appointment of a part-time Court Clerk in the Town Justice Court.

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

2/04/2008

WHEREAS, Town Justice Rybak and Town Justice Hughes recommend that Judith Lamb, 22 Pine Hill Bend, Ballston Lake, be appointed as a part-time Court Clerk, Grade 5, Step 4, on the part-time matrix; now, therefore, be it

RESOLVED, that Judith Lamb is hereby appointed to the position of part-time Court Clerk, Grade 5, Step 4 on the part-time matrix, effective February 4, 2008, to be paid from A-1110-EXXX (Justice Court-Employee).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 24 of 2008, a resolution rescinding Resolution No. 287 of 2007 accepting a conveyance from Jill M. Custer and Clyde Custer of a 1411 foot parcel from their lot for the purpose of a utility easement.

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

WHEREAS, Resolution No. 287 of 2007, accepted the conveyance of a portion of Lot 1, Callaway Court, SBL-258.20-1-4, as a condition of approval of the Fairway Wood's Phase I Subdivision of the Town of Clifton Park Planning Board required the developer Masullo Brothers Builders, Inc. to convey to the Town of Clifton Park a portion of Lot 1, Callaway Court for the purpose of a utility easement and correction of a gabion wall encroachment, and

WHEREAS, the developer, Masullo Brothers Builders, Inc., did convey the same to the Town of Clifton Park as an easement, however, the homeowners, Jill M. and Clyde Custer, wished to outright convey the land to the Town of Clifton Park, and

WHEREAS, the homeowners had taken out a mortgage to purchase the property known as 1 Callaway Court with HFA Mortgage Services on October 19, 2006, a portion of which contains the utility easement, and

WHEREAS, the homeowners could not secure a release of the mortgaged premises as to the portion to be conveyed to the Town of Clifton Park and the Town has a policy not to accept land encumbered by mortgage liens; now, therefore, be it

RESOLVED, that the Town Board hereby rescinds Resolution No. 287 of 2007 as it will not accept the 1411 foot parcel from Jill M. Custer and Clyde Custer with a mortgage lien encumbering it; and be it further

RESOLVED, that the Town Clerk is hereby directed to file the within resolution with Resolution No. 287 of 2007 to properly denote the same was rescinded.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

2/04/2008

Resolution No. 25 of 2008, a resolution authorizing two employees from the Building Department to attend the Northern Adirondack Code Enforcement Educational Conference.

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

WHEREAS, Code Enforcement Officers are required by New York State Statute to undergo 24 hours of in-service training on an annual basis, and

WHEREAS, the Northern Adirondack Code Enforcement Educational Conference is designed to give their members the needed hours to complete the 24 hour statutory requirement for in service education for all Code Enforcement Officers to maintain their certification, and attendance at this seminar would provide a public benefit to the Town; now, therefore, be it

RESOLVED, that the Building Department is authorized to send Sam Chase and Robert Adams to the Northern Adirondack Code Enforcement Conference in Lake Placid, New York, March 2-6, 2008 at a cost not to exceed \$1400 for both attendees, as budgeted in item A-3620-001 (Building Dept.-Travel & Conferences).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 26 of 2008, a resolution authorizing Robert A. Rybak, Constance Brown and Susan Nielsen to attend the Association of Town's Meeting.

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

WHEREAS, the New York State Association of Towns will be holding its annual meeting from February 17 - 20, 2008 in New York City, consisting of seminars and other educational meetings, and attendance at those seminars and meetings would provide a public benefit to the Town; now, therefore, be it

RESOLVED, that the Comptroller is authorized to reimburse Robert A. Rybak, Constance Brown and Susan Nielsen for reasonable transportation and lodging after attending the New York State Association of Town's meeting in New York City from February 17 - 20, 2008, to be vouchered appropriately.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

2/04/2008

Resolution No. 27 of 2008, a resolution authorizing the installation of two street lights at entrances to the Southwick Meadows Subdivision.

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

WHEREAS, the Southwick Meadows Subdivision was previously approved by the Town of Clifton Park Planning Board and the installation of two street lights are depicted on the approved subdivision plan, and the street light are warranted at this time; now, therefore, be it

RESOLVED, that authorization is hereby granted for the installation of a street light at the east side of the intersection of Crescent Road and Brighton Drive street light to be located at the west side of the intersection of Van Vranken and Ashford Drive; and be it further

RESOLVED, that said street lights shall be charged to the Town of Clifton Park Lighting District No. 1 and a copy of this authorization shall be forwarded to National Grid utility company.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 28 of 2008, a resolution authorizing an Intermunicipal Agreement between the Town of Hadley and the Town of Clifton Park for the bus transportation to the 2008 Association of Town's Meeting.

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

WHEREAS, a proposal has been made that the Town of Hadley and the Town of Clifton Park enter into an Intermunicipal agreement providing for bus transportation to the 2008 Association of Towns Meeting, which is being held in New York City; now therefore be it

RESOLVED, that the Town of Hadley and the Town of Clifton Park enter into an Intermunicipal Agreement which provides that:

1. The Town of Hadley will provide bus seats to the 2008 Association of Town's Meeting for \$46.84 per reservation, with the understanding that the seats are a non-refundable purchase. The bus will depart and return to pre-designated areas.
2. The Town of Hadley will provide receipts for paid reservations for bus transportation to the Association of Town's Meeting.
3. The Town of Hadley will pay no other cost or amount or consideration.
4. The term of the Agreement shall be from February 17 - 21, 2008.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 29 of 2008, a resolution authorizing the Supervisor to sign an arrangement letter with Cusack & Co. for auditing services on 2007 Financials.

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

WHEREAS, the Town Board desires that an outside audit of the Town's financial activities for the fiscal year 2007 be conducted, and

WHEREAS, an acceptable proposal for the audit of the 2007 fiscal year activities of the Town of Clifton Park has been submitted by Cusack & Company, Latham, NY; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park hereby authorizes the Supervisor to sign an arrangement letter with Cusack & Co. for auditing services on 2007 financial statements, at a total cost of \$15,350, to be paid from A-1320-19 (Auditor –Auditing Expense).

Town Comptroller Heggen reported Cusack & Co. audited the 2006 financials. This is a three percent increase the 2006 price.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 30 of 2008, a resolution authorizing the Town Supervisor to sign an agreement with the Saratoga County Sheriff's Department for Specialized Law Enforcement Services.

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

WHEREAS, the Town of Clifton Park has found it to be effective and efficient to obtain law enforcement services within the Town through the Saratoga County Sheriff's Department, and

WHEREAS, the Town of Clifton Park wishes to contract for Specialized Law Enforcement Services per the attached agreement; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign a contract with the Saratoga County Sheriff's Department whereby the Sheriff's Department shall provide Specialized Law Enforcement Services within the Town of Clifton Park for a two (2) year period from January 1, 2008 through December 31, 2009, for an amount sum not to exceed \$206,830 for 2008, amount to be paid from A-3120-15 (General Fund-Security-Other Contractual) and for an amount not to exceed \$216,970 for 2009, amount to be budgeted in 2009.

Supervisor Barrett explained these agreements are a continuation of the current contracts.

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ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 31 of 2008, a resolution authorizing the Town Supervisor to sign an agreement with the Saratoga County Sheriff's Department for additional Specialized Law Enforcement Services.

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

WHEREAS, the Town of Clifton Park has found it to be effective and efficient to obtain law enforcement services within the Town through the Saratoga County Sheriff's Department, and

WHEREAS, the Town of Clifton Park wishes to contract for additional Specialized Law Enforcement Services per the attached agreement; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign a contract with the Saratoga County Sheriff's Department whereby the Sheriff's Department shall provide additional Specialized Law Enforcement Services within the Town of Clifton Park for a two (2) year period from January 1, 2008 through December 31, 2009, for an amount not to exceed \$191,238 for 2008, to be paid from A-3120-15 (General Fund-Security-Other Contractual), and in an amount not to exceed \$201,378 for 2009, to be budgeted in 2009.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 32 of 2008, a resolution authorizing the Town Supervisor to sign an agreement, along with the Town of Halfmoon, for additional Police Services with the Saratoga County Sheriff's Department.

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

WHEREAS, the Town of Clifton Park along with the Town of Halfmoon has found it to be effective and efficient to obtain law enforcement services within the Towns through the Saratoga County Sheriff's Department, and

WHEREAS, the Town of Clifton Park wishes to contract for additional law enforcement within the two Towns, per the attached agreement; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign a contract with the Saratoga County Sheriff's Department whereby the Sheriff's Department shall provide additional law enforcement services for the Towns of Clifton Park and Halfmoon for a two (2) year period from January 1, 2008 through December 31, 2009, for an amount not to exceed \$95,619 each for

2/04/2008

2008, to be paid from A-3120-15 (General Fund-Security-Other Contractual) and for 2009, an amount not to exceed \$100, 689 each, amount to be budgeted in 2009.

Supervisor Barrett this additional agreement is shared with the Town of Halfmoon and generally covers the Exit 9 area and Route 9.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 33 of 2008, a resolution scheduling a public hearing to consider adoption of Local Law No. _____ of 2008, a local law adding Article VII to the Town Code, authorizing a Partial Exemption from Real Property Taxes on Residential Property Owned and Occupied by Veterans of the Cold War.

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

WHEREAS, Assessor Walter Smead has recommended that Article VII authorizing a Partial Exemption from Real property Taxes on Residential Property Owned and Occupied by Veterans of the Cold War, be added to the Town Code, and

WHEREAS, the new law, codified as Section 458-b of the Real Property Tax Law, defines "Cold War Veteran" to be a person, male or female, who served on active duty for a period of more than three hundred sixty-five days in the United States armed forces, during the time period from September second, nineteen hundred forty five to December twenty-sixth, nineteen hundred ninety one and who was discharged or released therefrom under honorable conditions and has been awarded the Cold War recognition certificate as authorized under Public Law 105-85, the 1998 National Defense Authorization Act, and

WHEREAS, the Town Board wishes to solicit the comments of the Town's citizens regarding the proposed addition to the Town Code; now, therefore, be it

RESOLVED, that a public hearing be scheduled for Monday, February 11, 2008, at 7:10 pm, in the Wood Memorial Room, Town Hall, Clifton Park, to consider adoption of Local Law No. ____ of 2008, a local law adding Article VII to the Town Code, authorizing a Partial Exemption from Real Property Taxes on Residential Property Owned and Occupied by Veteran's of the Cold War; and be it further

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

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

2/04/2008

Resolution No. 34 of 2008, a resolution authorizing an employee from the Assessor's Office to attend a one day seminar on Ethics for Assessors.

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

WHEREAS, an Ethics course is now required for all Assessment Clerks for their certification, and

WHEREAS, Assessor Walter Smead has requested authorization for Kelly Miller to attend the Ethics for Assessors seminar, at the Clarion Hotel in Albany, on February 8, 2008; now, therefore, be it

RESOLVED, that authorization is given for Kelly Miller to attend the Ethics for Assessors seminar on February 8, 2008 in Albany, at a cost not to exceed \$110, to be budgeted from A-1355-001 (Training-Conference).

Assessor Smead reported this course is mandatory for assessors and future assessors.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 35 of 2008, a resolution authorizing the Supervisor to sign a Lease Agreement with DCG Development Company granting the Town the use of one (1) interior parking space for use by the Clifton Park Sewer District No. 1.

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

WHEREAS, a need has been identified by Michael O'Brien, Supervisor of Clifton Park Sewer District No. 1, for an interior parking space for a Dyna Vac during cold weather, and

WHEREAS, DCG Development Company has granted the Town of Clifton Park a nonexclusive right to use one (1) interior parking space in the parking garage located on the lower level of Executive Woods, Building 1, 855 Route 146, Clifton Park, commencing December 20, 2007 and ending December 31, 2008, at a rental fee of \$1.00 for the year; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign a Lease Agreement with DCG Development Company granting the Town the use of one (1) interior parking space for use by the Clifton Park Sewer District No. 1, from December 20, 2007 and ending December 31, 2008, at a rental fee of \$1.00 for the year, to be paid from G7-8111-24 (Clifton Park Sewer District No. 1-General Maintenance).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

2/04/2008

Resolution No. 36 of 2008, a resolution authorizing the Town Supervisor to sign an application for a Grant through the NYS Archives-Local Government Records Management Improvement Fund for 2008-2009 for the Building Department.

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

WHEREAS, the Town wishes to continue an effort that began in 2005, to update, upgrade and convert years of Building, Zoning and Fire Prevention records to digital format, to be computerized for improved search ability and accessibility, and

WHEREAS, the grant includes back file conversion expenses and consultant support and training, and requires the authorization by the municipality for the Town Supervisor to sign legal documents on behalf of the Town; now, therefore, be it

RESOLVED, that authorization is hereby granted to the Town Supervisor to sign any legal documents on behalf of the Town for a NYS Archives Local Government Records Management Improvement Fund Grant for 2008-2009, in an amount of \$75,000 with no cash match required.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

PUBLIC PRIVILEGE

Norman Goldman read a prepared statement on various subjects, one of which recommended using a portion of the town surplus to “clean up” the Section 8 waiting list.

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

Motion carried at 9:15 p.m.

Patricia O'Donnell
Town Clerk