

October 14, 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 Hughes
Councilman Roth
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Absent: Councilman Paolucci

Also Present: Deputy Town Attorney Peller
Michael Shahen, Town Administrator
Mark Heggen, Comptroller
Michael O'Brien, Facilities Supervisor Clifton Park Sewer District No. 1
John Scavo, Director of Planning
Jude Hazard, Information Specialist

ANNOUNCEMENTS AND COMMUNICATIONS

Councilman Roth announced the Not So Common Players' production of "Spitfire Grill" will be presented the last weekend of October and first weekend in November.

Councilman Hughes announced ground was broken on the new Riverview Park. He noted a \$180,000 grant was received from the State Canal Corp and town surplus dollars will also be used. The park, which directly overlooks the Mohawk River, will have walking trails, picnic areas and a river access to launch canoes and kayaks. He reported the park will be finished in 2009. He noted other new parks coming in 2009 are Route 146 Park and the Dwaaskill Nature Preserve. Supervisor Barrett thanked Isabel Prescott for her partnership in helping to make the new park happen. He noted development rights have been purchased from Riverview Orchard.

Supervisor Barrett said a grant of just under \$2 million has been received for the Mohawk Towpath Trail, a joint effort between the Towns of Halfmoon and Clifton Park.

Supervisor Barrett asked the Board for their thoughts in pulling the Maxwell Drive PUD resolutions since Councilman Paolucci is not in attendance. The Board agreed to postpone the resolutions.

Supervisor Barrett presented the following resolution to members of Friends of the Library in recognition of National Friends of the Library Week.

Resolution No. 281 of 2008, a resolution recognizing October 19-25, 2008, as National Friends of the Library Week and honoring the Friends of the Clifton Park-Halfmoon Public Library for their contributions to the Library and the greater Clifton Park-Halfmoon Community.

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

WHEREAS, the State of New York takes great pride in participating in nationally declared weeks of recognition of important groups, and

WHEREAS, October 19-25, 2008 has been declared National Friends of the Library Week, and

10/14/2008

WHEREAS, Friends of the Library groups help to raise money that provides resources for additional programming, much needed equipment, support for children's summer reading, and special events throughout the year, and

WHEREAS, libraries are the cornerstone of the community, providing opportunities for all to engage in the joy of lifelong learning and connect with others, and

WHEREAS, Friends of the Library groups understand the importance of well funded libraries and advocate to ensure that libraries get the resources they need to provide a wide variety of services to all ages, including access to print and electronic materials, expert assistance in research, readers advisory, and children's services, and

WHEREAS, the extraordinarily dedicated members of these groups are shining examples of how volunteerism can lead to positive, civic engagement and the betterment of local communities, and

WHEREAS, the Friends of the Clifton Park-Halfmoon Library is a not-for-profit organization comprised of volunteers who are engaged in a wide variety of services and programs that include: providing informational, educational, cultural and recreational reading resources, services and programs for the people who live in the Clifton Park-Halfmoon Library District, and fundraising to support certain library activities, and

WHEREAS, the Town Board wishes to recognize the Friends of the Clifton Park-Halfmoon Public Library who take pride in their contributions to the Library and the greater Clifton Park-Halfmoon community; now, therefore, be it

RESOLVED, that the Town Board, on behalf of the greater Clifton Park-Halfmoon Library District, expresses their appreciation to the Friends of the Clifton Park-Halfmoon Library for their contributions to the Library District; and be it further

RESOLVED, that the Town Board of the Town of Clifton Park pauses in its deliberations to recognize National Friends of the Library Week October 19-25, 2008.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

PRESENTATION ON INTERMUNICIPAL STORMWATER MANAGEMENT PROGRAM

Blue Neils, Stormwater Management Coordinator, Saratoga County Cornell Cooperative Extension, asked town support for the funding proposed for the Intermunicipal Stormwater Program, attached. It was noted this is an unfunded state mandate. Councilman Roth asked if this is a one year program and will it have to be extended every year. Mr. Neils stated it will depend on how the initial agreement is set up. The proposal presented this evening is for 2009. It was suggested this could be a line item in the budget. Councilman Roth said there is currently a substantial budget for stormwater management for 2009. Town Administrator Shahan said Patrick Jarosz will be the Code Enforcement/Stormwater Management Officer. Councilman Roth asked what the proposed individual MS4 contribution will do to help the Town of Clifton Park. Mr. Neils reviewed the program services and benefits to participating communities. Councilman Hughes stated if there are genuine cost savings involved, then the \$5000 investment is a good deal. Councilwoman Walowit asked how formulae were calculated. Mr. Neils responded basically through population ranges. Supervisor Barrett asked if the town signs on, what is left for the town to do. Mr. Neils said the town is responsible for all the regular construction activities, review of stormwater pollution prevention plans, site inspections, outfall inspections,

pollution prevention measures through the Highway Department, and will still have the responsibility for the track down and enforcement of illicit discharges. Supervisor Barrett noted some items are paid for by the applicant and this will not change. Mr. Neils' office would prepare the DEC Annual Report. Deputy Town Attorney Peller asked about the program time frame and what will happen if the state grant is renewed – does the agreement terminate and funds returned to the town. Mr. Neils said he believes the length of agreement is would be up to the County Board of Supervisors.

PRESENTATION ON OLDE NOTT FARM/REXFORD LONG TERM SEWER PLAN

Supervisor Barrett said after looking at various options, it was decided the best option would be a connection with the Town of Glenville. He explained the Olde Nott Farm Sewer System serves 64 homes and three businesses including the Edison Club. Each unit pays, on average, over \$1100 and DEC is mandating upgrades be made to the plant. Supervisor Barrett explained this is an aging plant and will need significant improvements, anywhere between \$200,000 to \$500,000, which will be an exorbitant cost to residents and businesses. Supervisor Barrett said plans have been looked at to “mothball” the sewer plant and at the same time help residents in the Rexford area that don't have public sewer service. He reported informational meetings regarding sewer upgrades have been held over the past year and there is a lot of support from residents of Olde Nott Farm and in the general Rexford area. He reported after lengthy negotiations with the Town of Glenville, plans are ready to present to the residents of the area. A joint intermunicipal grant with the Town of Glenville has been received in the amount of \$579,000. Supervisor Barrett said there is also a possibility of a \$50,000 grant from Assemblyman Reilly.

Jack McDonald, McDonald Engineering, reviewed the history of the Olde Nott Farm Sewer Plant and noted there are sewer problems in the hamlet of Rexford and Riverview Road. He reviewed the Plan and Map, as well as the Excess Capacity Proposal, attached. He explained Excess Capacity allows general fund money to be loaned and repaid by future users. Mr. McDonald reviewed the process if this proposal with the Town of Glenville becomes a reality.

Councilman Hughes stated he is in support of the plan with the Town of Glenville.

Supervisor Barrett explained there will be a cost for anyone who is not along the line to join in, however, the more people interested the better the probability that a project can be put together to get them connected.

Mr. McDonald reviewed the situation regarding the residents of the Bluff Road/Main Street area of Rexford, noting this will be an expensive subarea to do and would need to be paid for by property owners benefiting from the sewer. He reviewed costs that would be associated with the Olde Nott Farm units. Mr. McDonald reviewed the timeframe; noting construction could start in 2009 and be completed by the end of the August 2009. He stated the town cannot go out to bid until approval is received from the State Comptroller's office.

Question from the floor asked how billing will be done.

Supervisor Barrett responded the Board can look at quarterly billing.

Question from the floor asked if there is a timetable for residents on Riverview Road.

Supervisor Barrett said if the sewer proposal receives Town Board approval, he would like residents to notify the Supervisor's office as soon as possible if they want to hook into the system. Regarding money being loaned from the general fund for the excess capacity, Supervisor Barrett said possibly the town may look at pay backs to be made over two years.

Mr. McDonald said an extension could be formed for Riverview Road and Meadow Drive which could pick up all the houses in Clifton Park in the Rexford area.

Mr. McDonald noted residents of Rivercrest are currently paying the debt for their upgrade. He explained when the Rivercrest rates were increased the principal and interest for the upgrade were included.

10/14/2008

Supervisor Barrett explained this plan is the most cost effective way to serve as many people as possible.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 282 of 2008, a resolution scheduling a public hearing to consider the 2009 Preliminary Budget.

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

WHEREAS, the Town Board wishes to obtain comments regarding the 2009 Preliminary Budget; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for Thursday, November 6, 2008 at 7:00 p.m. in the Wood Memorial Room at Town Hall, One Town Hall Plaza, Clifton Park, to consider the 2009 Preliminary Budget; and be it further

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

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 283 of 2008, a resolution in connection with a Halloween Parade to be held on October 26, 2008.

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

WHEREAS, the Clifton Knolls/Mill Creek Civic Association has requested authorization to have a Halloween Parade on Sunday, October 26, 2008 beginning at 1:00 pm 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 Sunday, October 26, 2008, 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, Jonesville Fire Department, Vischer Ferry Fire Department, Clifton Park-Halfmoon Ambulance Corp., Sheriff's Department and the State Police.

10/14/2008

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 284 of 2008, a resolution authorizing John Scherer, Town Historian, to attend the Association of Public Historians of NYS 2008 Fall Conference.

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

WHEREAS, the Director of Parks, Recreation and Community Affairs, has recommended that John Scherer, Town Historian, be authorized to attend the Association of Public Historians Conference in Lake Placid, New York, November 1 - 4, 2008, at a cost not to exceed \$457, and

WHEREAS, John Scherer's attendance at the Association of Public Historians Conference would confer a benefit to the Town; now, therefore, be it

RESOLVED, that authorization is hereby given to John Scherer to attend the Association of Public Historians Conference at the High Peaks Hotel, Lake Placid, New York, November 1 - 4, 2008, at a cost not to exceed \$457, \$329 to be paid from budget line item A-7510-001 (Town Historian-Travel & Conferences) and \$128 from A-7510-015 (Town Historian-Other Contractual)

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 285 of 2008, a resolution authorizing a Budget transfer for the Clifton Park Sewer District No. 1.

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

WHEREAS, due to an increase in the cost of fuel, Michael O'Brien, Facility Supervisor of the Clifton Park Sewer District No. 1, has requested that \$8000 be transferred from Contingency to G7-8111-12 (Clifton Park Sewer District No.1-Fuel); now, therefore, be it

RESOLVED, that authorization is hereby given to the Comptroller to transfer \$8000 from G7-1990-00015 (Clifton Park Sewer District No. 1-Contingency) to G7-8111-12 (Clifton Park Sewer District No.1-Fuel)

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

PUBLIC PRIVILEGE

Norman Goldman, London Square Drive, asked that the town adopt a local law stating everything printed or published shall bear a date indicating the item is current. He referred to Article II Running at Large Section 92-2. He said dogs are allowed off leash at the Kinns Road Park and, therefore, the new law shows a lack respect for the safety and welfare of the residents of the town. Mr. Goldman urged residents to report any infractions to the town. He reviewed various concerns noted at past Town Board meetings.

Youseff Ballout, Torrero Drive, stated he believes some political signs are in violation of town law due to size and asked that the law be enforced.

Supervisor Barrett said Director of Building Myers is looking into it.

Town Administrator Shahan reported the signs are on private property.

Mr. Ballout stated town law does not allow for political sign beyond a certain maximum size anywhere.

Deputy Town Attorney Peller said there is nothing in the town code that would prevent someone from putting a sign on private property as large as they wanted. It was noted if signs are over the maximum size and are in the town right of way, they are in violation.

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 9:03 p.m.

Patricia O'Donnell
Town Clerk