

February 1, 2010

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

Absent: Town Attorney McCarthy

Also Present: Deputy Town Attorney Peller
Michael Shahen, Town Administrator
Mark Heggen, Comptroller
Barbara McHugh, Director of Community Development

ANNOUNCEMENTS AND COMMUNICATIONS

Councilman Hughes thanked the community for their support of the "To Love A Child" fundraiser to benefit an orphanage in Haiti.

Supervisor Barrett also thanked the community for their support of the Hannah's Hope fundraiser to benefit research into Giant Axonal Neuropathy (GANS), a rare genetic disorder.

Supervisor Barrett presented the following resolution to Meredith Cohn, representing the American Heart Association.

Resolution No. 22 of 2010, a resolution recognizing American Heart Association Wear Red Day to raise awareness of heart disease.

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

WHEREAS, diseases of the heart are the nation's leading cause of death and stroke and is the third leading cause of death, and

WHEREAS, cardiovascular disease claims the lives of nearly 460,000 American females each year, approximately one death per minute, and

WHEREAS, each year 53% of all deaths are due to cardiovascular disease and 61% of stroke deaths occur in females, and

WHEREAS, too many women die each year because they are unaware that heart disease is their No. 1 killer, and

WHEREAS, in 2010 the direct and indirect cost of cardiovascular diseases in the U.S., including stroke, is estimated to be \$503.2 billion, and

WHEREAS, more women die of heart disease, stroke and all other cardiovascular diseases than the next five leading causes of death combined, including all cancers, and

WHEREAS, only 21% of women consider cardiovascular disease their greatest health risk, and

WHEREAS, February is designated as American Heart Month, and

WHEREAS, “Go Red for Women” is the American Heart Association’s national call to increase awareness about heart disease, the leading cause of death for women, and to inspire women to take charge of their heart health, and

WHEREAS, all women should learn their own personal risk for heart disease using tools such as the American Heart Association’s Go Red for Women Heart Check-up, Go Red For Women Better U and by talking to their health care provider, and

WHEREAS, making the right choices relating to proper nutrition, physical activity, doctor visits and other lifestyle choices are essential to living a heart healthy life, and

WHEREAS, by choosing to speak up about heart disease we can save lives using the power of our very own voices; now, therefore, be it

RESOLVED, that the Clifton Park Town Board in recognition of the importance of the ongoing fight against heart disease and stroke, do hereby proclaim Friday, February 5, 2010 to be WEAR RED DAY in the Town of Clifton Park and urge all citizens to show their support for women and the fight against heart disease by commemorating this day by wearing the color red; and be it further

RESOLVED, that by increasing awareness and empowering women to reduce their risk for cardiovascular disease we can save thousands of lives each year.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

REPORT FROM IDA AND SEDC

Supervisor Barrett said this study will look at the future of economic development in town and the effects it will have financially, not only on the town but other public entities within the town.

Peter Fort, Chairman of the Clifton Park IDA, briefly reviewed the history of the IDA, noting the primary goal is to expand the commercial and industrial tax base within the town, to create job opportunities and to retain existing employment in the town. The IDA has offered incentives to commercial/industrial projects that have resulted in excess of 1410 jobs and an assessed property value of approximately \$42 million. He continued additionally the IDA has enabled civic facility projects, such as YMCA and the Clifton Park Halfmoon Emergency Squad building. Mr. Fort reported through these projects over the years, the Clifton Park IDA has received fees from the projects which become substantial if not reinvested in opportunities to further economic development in the town. He announced a Clifton Park Economic Development Fund has been established that will allow the use of the accumulated funds “outside the box” through the Saratoga Economic Development Corporation. He reported \$350,000 has been transferred from the IDA funds to the Economic Development Fund to be administered by SEDC. A joint committee has been set up with 3 members of the SEDC and two members of the IDA. The study by Camoin Associates will get a snapshot of where Clifton Park is now in terms of economic development and possibilities of future growth. Mr. Fort said they have met with Superintendent of School Robinson and Shenendehowa staff.

Jim Angus, Vice President of SEDC, reported the Economic Development Committee, in consultation with Supervisor Barrett, thought it would be helpful to the town, the IDA, the fund and to the business of SEDC to commission a “fiscal and tax base analysis” that might identify ways to limit the burden of real property taxes on taxpayers. The Economic Development Committee engaged Camoin Associates of Malta to conduct the study. The analysis will consider the current revenues and expenses of the town, current and project revenues and

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expenses of other taxing jurisdictions; e.g. the Shenendehowa School District, current zoning and land uses to see how they impact the revenue and expenses of the taxing jurisdictions. Pending development will also be reviewed, as well as the impact of potential benefits of commercial, industrial and manufacturing type development in the existing approved zones. Mr. Angus said the study will look at what the town has and how to best use it and what the benefits might be. He noted the final report will provide the town with one more tool to evaluate future development and predict their true economic impact. It is estimated the report will be ready in four months and at no cost to the town.

County Supervisor Anita Daly, Chair of the County Economic Development Committee, said the communities in the county are filling out worksheets to zero in on what their needs and assets are. She said this study will result in creating a vision for the county. Supervisor Daly reported a large marketing plan has been put together in conjunction with SEDC and will be working throughout the year to implement a new message across the county based on input received from each community.

Dennis Brobston, President of the Saratoga Economic Development Corporation, said this study is very important and commended the IDA for thinking ahead and Town Board for being supportive.

Councilman Romano asked if utility infrastructure is part of the study. Mr. Angus responded said it not part of the analysis but SEDC is looking at it and that information is ready for clients.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 23 of 2010, a resolution honoring Christopher R. Getman for attaining the rank of Eagle Scout.

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

WHEREAS, Christopher R. Getman, 15 Swan Drive, Rexford, of Boy Scout Troop 45, has attained the rank of Eagle Scout, and

WHEREAS, the Clifton Park Town Board wishes to acknowledge and honor Christopher's achievements, including his Eagle Scout service project which originated with an idea from a YMCA employee to design and build a sensory walk at the Saratoga Springs branch of the YMCA, and

WHEREAS, with the help of Troop 45 Scouts and their families, as well as YMCA patrons, employees and their families, a paved path was constructed that allows handicap access as well as access for persons of all ages to the signs, picnic tables, planter boxes and sitting benches that Christopher had built, and

WHEREAS, in order to learn more about the surrounding area, users can view interpretative signs that guide them to stop, look, listen, touch and smell along various points on the walk; now, therefore, be it

RESOLVED, that the Clifton Park Town Board recognizes and honors Christopher R. Getman of Boy Scout Troop 45 for having attained the rank of Eagle Scout.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

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Resolution No. 24 of 2010, a resolution reappointing Howard Vipler to the Clifton Park Citizen Corps Council.

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

WHEREAS, it is desirable to reappoint Howard Vipler as a member of the Clifton Park Citizen Corps Council; now, therefore, be it

RESOLVED, that Howard Vipler, 6 Birch Hill Court, Ballston Lake, is re-appointed as a member of the Clifton Park Citizen Corps Council, for a one year term to expire December 31, 2010.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 25 of 2010, a resolution authorizing the retention of Steven G. Leventhal to conduct ethics training 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 successfully conducted ethics training sessions for the Town of Clifton Park in June of 2009, and

WHEREAS, Town Attorney Thomas McCarthy has recommended that Steven G. Leventhal be retained to conduct an additional ethics training session on February 3, 2010 at 6:00 P.M. 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 an ethics training session on February 3, 2010, at a cost of \$850, plus lodging, to be paid from A-1620-1 (Town Hall-Travel & Conference).

Councilman Paolucci stated the Town Board comes under this training requirement as well. Councilman Hughes said NYS Bar Association has listed the town as having a model ethics law.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

2/01/2010

Resolution No. 26 of 2010, a resolution authorizing the Supervisor to sign a lease agreement for forty-eight months with de lage landen, for a Lanier LD 433 copier for use by the Justice Court.

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

WHEREAS, the Justice Court has requested that a new copier be leased for use by the Court; and

WHEREAS, the proposed cost for leasing the copier is \$115 per month; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to enter into a lease agreement with de lage landen for a Lanier LD 433 copier for forty-eight (48) months at a cost of \$115 per month, to be paid from A-1110-3 (Justice Court-Copier).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 27 of 2010, a resolution authorizing the filing of an application for state assistance from the Household Hazardous Waste (HMW) State Assistance Program and signing of the associated state contract under the appropriate laws of New York State.

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

WHEREAS, the State of New York provides financial aid for household hazardous waste programs, and

WHEREAS, the Town deems it to be in the public interest and benefit to file an application for state funding for the annual Household Hazardous Waste Day for 2010, and

WHEREAS, it is necessary that a contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the Town of Clifton Park, herein called the TOWN, be executed for such STATE aid; now, therefore, be it

RESOLVED by the Clifton Park Town Board, that the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized; and be it further

RESOLVED, that Michael Montague, Environmental Specialist, is directed and authorized as the official representative of the Town to act in connection with the application and to provide such additional information as may be required, but that the Supervisor is authorized to sign the resulting contract if said application is approved by the STATE, and be it further

RESOLVED, that the Town agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs, and be it further

RESOLVED, that five (5) certified copies of this resolution be prepared and sent to the NYSDEC together with a complete application; and be it further

RESOLVED, that this resolution shall take effect immediately.

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ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 28 of 2010, a resolution adopting Local Law No. 1 of 2010, a local law amending Local Law No. 2 of 1998, Chapter 13, Environmental Conservation Commission, Section 13-3, Membership and eliminating Section 13-5-I.

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

WHEREAS, in order for the Environmental Conservation Commission to meet quorum requirements Chairman Ferraro and Town Attorney Thomas McCarthy recommend amending Chapter 13 by eliminating Section 13-5-I regarding responsibility for accepting donations of real property, and Section 13-3, Membership, to reduce the number of members from nine to seven, and

WHEREAS, a public hearing was conducted on January 11, 2010 at 7:10 P.M. to consider the proposed change to the local law, and

WHEREAS, the public was given the opportunity to speak in favor of or against the proposed change to the local law; now, therefore, be it

RESOLVED, that Local Law No. 1 of 2010, a local law amending Local Law No. 2 of 1998, Chapter 13, Environmental Conservation Commission, Section 13-3, Membership and eliminating Section 13-5-I of the Town Code, is hereby adopted; and be it further

RESOLVED, that the Town Clerk publish notice of same.

Supervisor Barrett explained this change was recommended by the ECC Board to give them more flexibility to move recommendations to the Planning Board.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Trevor Gensch, Sandpiper Lane, spoke on the drainage situation on Sandpiper Lane. He reported receiving an email two months ago from Superintendent of Highways Kukuk stating due to safety concerns a drainage pipe had been moved from 15 Tintangle Way onto his property. He asked what the safety concerns are. Town Administrator Shahren stated he was aware of this and will speak with Superintendent Kukuk respond to Mr. Gensch. Mr. Shahren will also speak with the town engineer regarding the pond, noting a part had to be special ordered. Mr. Gensch said over the winter, as the water keeps coming down, a frozen pond, approximately 600 by 300 feet in size, has been created on his lot. He is worried that when it melts, it will raise the water table. He said the water is coming from the drainage pipe and there was no problem until the pipe was put in. Supervisor Barrett asked Mr. Shahren to get an update from Superintendent Kukuk. Mr. Gensch asked that he be kept updated.

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Sandy Roth, Sweet Brier Drive, praised the Not So Common Players on their outstanding production celebrating their 10th Anniversary.

MOTION by Councilman Paolucci, 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