

July 19, 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 Hughes  
                  Councilman Romano  
                  Councilwoman Walowit  
                  Supervisor Barrett  
                  Town Clerk O'Donnell

Absent:        Councilman Paolucci

Also Present: Town Attorney McCarthy  
                  Michael Shahan, Town Administrator  
                  Mark Heggen, Comptroller  
                  Myla Kramer, Director of Parks, Recreation and Community Affairs  
                  Barbara McHugh, Director of Community Development  
                  John Scavo, Director of Planning

MOTION BY Councilwoman Walowit, seconded by Councilman Romano, to approve the minutes of the July 6, 2010 meeting as presented.

**ROLL CALL VOTE**

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

Noes:         None

**MOTION CARRIED**

**ANNOUNCEMENTS AND COMMUNICATIONS**

Supervisor Barrett reported on a meeting with Ms. McHugh, Scott Bobrow, and consultants, regarding the ice arena. He said things are going well operationally, however, the facility is approaching 25 years old and there are big expenses within the next couple of year; e.g. chiller, flooring and pipe replacement. The Supervisor reported consultants have given a cost between \$750,000 and \$1.1 million. After additional research there will be more clarity to the numbers. It may be possible to get three more years but there is no guarantee. He said the arena is important to the town's summer programs as well and has turned into a multi-use facility. He further stated it is time to begin the planning process and the timing of the work. Supervisor Barrett noted that any profits gained from the arena have been put back for maintenance and capital projects.

Councilman Hughes asked if it is possible to look at grant funding.

Supervisor Barrett said a study is being done in hopes of proving an increase in efficiency with a new system in obtaining grants, however, with a brand new system there will not be a large increase in efficiency. He explained the refrigerant currently used is now outlawed. The Supervisor said there are grants available and will be pursued but not enough to help with the bill the town will be facing.

Councilman Hughes said the impact of state and federal regulations will basically negate any cost savings the town would hope to yield through a more efficient system.

Former Councilman Sanford Roth thanked the Board for their support of the Household Hazardous Waste Day and gave an update on the progress. He noted this is the 17<sup>th</sup> year for this event, scheduled for September 25<sup>th</sup> from 8 a.m. to 4 p.m. and over 1000 people have come

through the last two years. Mr. Roth reported forms are available on line, Town Hall and the Clifton Park Halfmoon Library.

PRESENTATION TO THE BOARD

Eric Hamilton, town representative to the Mohawk Towpath Byway Project, gave an update of the Byway and the town's partnership with the Byway, attached. The Mohawk Towpath Byway has been recognized by the Erie Canal Heritage Corridor Commission with a Heritage Award of Excellence honorable mention.

REPORTS TO THE BOARD

Town Comptroller Heggen reviewed the June 2010 financial report, noting it includes water, sewer, and park district funds. Highway tax stabilization will be paid by the end of July. He reported NYS has extended the early retirement incentive to local municipalities. He reviewed the options, explaining the town will have to pass a local law if interested in offering the incentive. Town employees have been notified of the incentive and there is some interest. Calculations will be done to see if it is financially feasible.

Supervisor Barrett said since this program has to be adopted by the end of August, a public hearing could be held on August 16th at which time the local law could be considered.

Town Administrator Shahan reviewed the budget process.

Supervisor Barrett said he would like to go into Executive Session at the end of Public Privilege.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 185 of 2010, a resolution honoring Conor Murphy for attaining the rank of Eagle Scout.

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

WHEREAS, Conor Murphy, 1 Cedar Lane, Clifton Park, of Boy Scout Troop 45 has attained the rank of Eagle Scout; and

WHEREAS, to accomplish his Eagle Scout project, Conor organized a large group of volunteers to complete a footpath at Mohawk Landing; and

WHEREAS, Conor's project also entailed clearing the land, creating a new nature trail and building a kiosk at Mohawk Landing; now, therefore, be it

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

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 186 of 2010, a resolution approving an outside user connection to the Rexford Water District No. 2 for new construction proposed for 49 Garnsey Road, Rexford.

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

WHEREAS, the Rexford Water District No. 2 has been approved by the New York State Comptroller's Department of Audit and Control, and

WHEREAS, a request has been received by the Town Board, acting as Commissioners of Rexford Water District No. 2, from Rolando DiCocco to approve an outside user connection for property at 49 Garnsey Road (SBL 269.-2-53.1) per the attached agreement, and

WHEREAS, said property is located outside the legal boundaries of the Water District; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Rexford Water District No. 2, hereby approves an outside user connection to the District's facilities for a parcel of land at 49 Garnsey Road, per the attached agreement.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 187 of 2010, a resolution approving an outside user connection to the Rexford Water District No. 2 for an existing home at 833 Riverview Road, Rexford.

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

WHEREAS, Rexford Water District Water District No. 2 has been approved by the New York State Comptroller's Department of Audit and Control, and

WHEREAS, a request has been received by the Town Board, acting as Commissioners of the Rexford Water District No. 2, to approve an outside user connection for an existing home located at 833 Riverview Road, (SBL 275.-1-25), owned by Rafael Flores, per the attached agreement, and

WHEREAS, said property is located outside the legal boundaries of the Water District and currently has private water; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Rexford Water District No. 2, hereby approves an outside user connection to the District's facilities for an existing home at 833 Riverview Road, subject to the attached agreement.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 188 2010, a resolution accepting an application for a conservation easement designation.

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

WHEREAS, a public hearing was held on July 6, 2010 in order to receive public comment regarding a conservation easement application for a parcel of land located on Route 146, Rexford, (SBL 270-1-57), and owned by Ann W. Caldwell, in accordance with Chapter 125 of the Town Code as amended, and

WHEREAS, the Town Board has considered the application and the comments received; now, therefore, be it

RESOLVED, that the application for a parcel located on Route 146, owned by Ann W. Caldwell, (SBL 270-1-57), is hereby accepted and is granted a conservation easement in accordance with the provisions of Article XIII of Chapter 208-78 of the Town Code; and be it further

RESOLVED, that said applicant whose parcel has been granted a conservation easement shall execute an agreement provided by the Town of Clifton Park.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 189 of 2010, a resolution proclaiming August 3, 2010 as “Basketball Shoot Out on the Common Night”.

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

WHEREAS, Annual “National Night Out” provides a unique opportunity for Clifton Park to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts and emergency preparedness, and

WHEREAS, the Town Citizen Corps and CERT volunteers play a vital role in assisting the State Police and Sheriff’s Department through joint crime, drug, violence prevention, and emergency preparedness efforts in the Town of Clifton Park and is supporting “National Night Out 2010” locally, and

WHEREAS, the Town Board, together with the Citizen Corps, and CERT, encourages all citizens of Clifton Park to be aware of the importance of their support of crime prevention and emergency preparedness programs and the impact that their participation can have on reducing crime, drugs and violence in Clifton Park, and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the “National Night Out” program, and

WHEREAS, through our commitment to a healthy police-community partnership, fostered by interaction and sharing, the Town of Clifton Park’s Citizen Corps and CERT will be organizing a Youth Free Throw Contest on The Clifton Common, at 6:00 PM on August 3, 2010, to bring our Community out in support of National Night Out; now, therefore, be it

RESOLVED, that we, the Clifton Park Town Board, do hereby call upon all citizens to join us, the Citizen Corp and CERT and the National Association of Town Watch, in supporting the Annual “National Night Out” on August 3, 2010; and be it further

RESOLVED, that \$1,950 is to be budgeted from A-8762-015 (Citizen Corps Grant) to cover the cost of prizes and publicity; and be it further

RESOLVED, that the Clifton Park Town Board hereby proclaims August 3, 2010 as “Basketball Shoot Out on the Common Night”.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 190 of 2010, a resolution adopting the budget for the installation of a photovoltaic/solar panel on the Highway Department mechanical garage.

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

WHEREAS, the Town of Clifton Park has received Federal ARRA Funds- US Department of Energy-EECBG (Energy Efficiency Community Block Grant), totaling \$181,640 for an energy efficient project at the Highway Department mechanical garage, and

WHEREAS, it is necessary to establish a budget reflecting revenues and expenditures totaling \$181,640; now, therefore, be it

RESOLVED, that the budget is increased by \$181,640 in revenues of A-4090 (General Fund-Federal Funds) and expenditures are increased by \$181,640 in A-5132-200 (General Fund-Town Highway Garage-Equipment).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 191 of 2010, a resolution authorizing the Supervisor to sign an engineering consultant agreement with C.T. Male Associates for a solar project at the Highway Department.

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

WHEREAS, the Town has received an USDOE-EECBG, (Energy Efficiency Community Block Grant), to install a photovoltaic system on the Town Highway Department mechanical garage, and

WHEREAS, installation of a photovoltaic system on the roof of the garage will enable the Town to utilize renewable energy and reduce the Town's reliance on fossil fuel generated electric power, and

WHEREAS, the Town Board wishes to enter into an engineering consultant agreement with C.T. Male Associates to provide engineering and administrative inspection services for the installation of a photovoltaic system at the Highway Department mechanical garage; now, therefore, be it

RESOLVED, that authorization is hereby given to the Supervisor to enter into an engineering agreement with C. T. Male Associates for the installation of a photovoltaic system on the Town Highway Department mechanical garage at a cost of \$22,500, to be budgeted from A-5132-200 (Town Highway Garage-Equipment).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 192 of 2010, a resolution authorizing the hiring of an athletic specialist for the Jonesville Half-day Summer Camp.

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

WHEREAS, an opening exists for an athletic specialist for the Jonesville Half-day Summer Camp, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that Jessica Morelock, 76 Gloucester Street, Clifton Park, be hired to fill the position; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the hiring of Jessica Morelock as an Athletic Specialist for the Jonesville Half-day Summer Camp, effective July 6, 2010 through August 13, 2010, at a salary of \$233 a week, to be paid from A-7310-E9000-4550 (Jonesville summer camp-athletic specialist).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

PUBLIC PRIVILEGE

Norman Goldman, London Square Drive, asked what criminal law was cited regarding the destruction of the historic building. Mr. McCarthy said he believes it is authorized by Section 135 or 268 of Town Law. Mr. Goldman reiterated his concerns with the Adult LI-A Overlay Zoning Law.

7/19/2010

MOTION BY Councilwoman Walowit, seconded by Councilman Hughes, to move into Executive Session. Motion unanimously carried at 8:07 p.m.

No action was taken.

MOTION BY Councilwoman Walowit, seconded by Councilman Hughes, to return to the regular meeting. Motion unanimously carried at 8:20 p.m.

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

Motion carried at 8:21 p.m.

Patricia O'Donnell  
Town Clerk