

February 7, 2011

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

Also Present: Town Attorney McCarthy
Michael Handerhan, Supervisor of Buildings and Grounds
Myla Kramer, Director of Parks, Recreation and Community Affairs
Steven Myers, Director of Building and Development
Michael O'Brien, Collection System Manager
John Scavo, Director of Planning

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the January 10 and 18, 2011 meetings as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

None

PROPOSED LEGISLATION UPDATE

Director of Building and Development Myers, as an update to the proposed LED sign legislation, reviewed his recommendation, attached, as to areas where LED signs could be allowed. He noted the Town of Colonie has a Sign Review Board that looks at signs individually. Councilman Romano asked if the size of a sign would be a concern. Mr. Myers replied the same size restrictions that in the current legislation would be in effect. Mr. Myers said specific legislation could state length of time for message changes. Supervisor Barrett asked the Town Board to review the proposed additional legislation. He stated if another public hearing is necessary, this can be set at the next Board meeting.

Director of Planning Scavo said since the public hearing on amending the Corporate Commerce and Light Industrial zones, feedback has been received from the public and changes have been made to the proposed legislation. He reported Accessory Retail has been added. In both Corporate Commerce and Light Industrial zones proposed language is changed regarding building height up from to 35 feet to 50 feet. The applicant will be required to submit a line of sight profile for anything over 35 feet and, in addition, complete Addendum B of SEQRA. He gave as a height example the Comfort Inn and Suites on Route 146 which is 49 feet. Mr. Scavo said the most current version of the proposed legislation leaves the buffer at 100 feet from the property line. These proposed changes were discussed at the public hearing.

RECOGNITION

Supervisor Barrett recognized 1st Lt. T.J. McHugh as a Home Town Hero. Lt. McHugh has been serving in Afghanistan for the past year and is a candidate for the Bronze Star. Lt. McHugh reviewed his duties of searching for explosive devices while in Afghanistan. Supervisor Barrett read the names of the Home Town Heroes. The Town Board and all in attendance thanked 1st Lt. T.J. McHugh for his service.

PRESENTATION

Councilman Hughes gave a presentation on New York State Property Tax Cap, noting “common sense solutions for tax relief in our communities”, attached. He stated tax relief and mandate relief must go hand in hand.

Supervisor Barrett, speaking of the Governor’s proposal, said there is a provision on a year to year basis that the taxes could be raised higher than what the cap ends up being. Councilman Hughes reviewed the process of increasing the tax cap at the school level and town level. He reported if New York State adopts a property tax cap, it would be the 44th state to have a cap on local property taxes. Councilman Hughes said the resolution proposed by NYS Association of Towns did not go far enough and included inflation increase.

PUBLIC PRIVILEGE ON RESOLUTIONS

The Town Clerk acknowledged an email from Dr. Oliver Robinson dated February 6, 2011, commenting on the tax cap resolution, attached.

Resolution No. 31 of 2011, a resolution supporting Governor Cuomo’s call for a property tax cap.

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

WHEREAS, real property taxes are too high in New York State, and are harming job creation and retention at all levels of our economy, hurting families, seniors, recent graduates and communities across the state, and

WHEREAS, on Tuesday February 1, 2011, Governor Andrew Cuomo called on the New York State Legislature to enact measures capping the growth of real property taxes in New York, and

WHEREAS, the New York State Senate has passed such a “hard cap” through enactment of S2706, and

WHEREAS, the New York State Senate has also passed S2707, which supports comprehensive mandate relief for both municipalities and for our local school districts, and

WHEREAS, The Town Board recognizes that both comprehensive mandate relief, coupled with a meaningful cap on the growth of real property taxes are necessary to restore New York State’s fiscal health and economic competitiveness, and

WHEREAS, the border states of New Jersey and Massachusetts already have such hard cap real property tax measures in place; now, therefore, be it

RESOLVED, that the Town Board supports Governor Cuomo’s call for a Real Property Tax Cap such as that enacted by the New York State Senate, providing a real and defined cap in the growth in real property taxes in New York State; and be it further

RESOLVED, that the Town Board supports Governor Cuomo’s initiatives for comprehensive relief from unfunded and under funded mandates, which place unwarranted

burdens on virtually all of the counties, towns, cities, villages and school districts throughout New York State.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 32 of 2011, a resolution adopting Local Law No. 1 of 2011, a local law amending Chapter 103, Fees, Section 103-16, Building Permit Fees.

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

WHEREAS, the code enforcement office has recommended that Section 103-16 Building Permit Fees be amended in regard to storage structures, and

WHEREAS, on January 18, 2011, a public hearing was conducted to obtain comment from the public regarding amending Section 103-16, 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 2011, a local law amending Section 103-16, of the Town Code, Building Permit Fees, is hereby adopted; and be it further

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 33 of 2011, a resolution adopting Local Law No. 2 of 2011, a local law amending Chapter 73, Article II Fire Prevention, Section 19 of the Town Code, Accessibility to Premises.

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

WHEREAS, the code enforcement office has recommended that Section 73-19A be deleted from the code and replaced with reference to NYS Fire Code Section 511 et.seq., and

WHEREAS, a public hearing was conducted on January 18, 2011, to obtain comment from the public regarding deleting Section 73-19A of the Town Code, 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. 2 of 2011, a local law deleting Section 73-19A of the Town Code and replacing with reference to NYS Fire Code Section 511 et.seq. is hereby adopted; and be it further

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 34 of 2011, a resolution adopting Local Law No. 3 of 2011, a local law amending Chapter 73, Article II Fire Prevention, Section 13 Fire Safety Inspections.

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

WHEREAS, the code enforcement office recommended that a public hearing be conducted to consider amending Section 73-13 of the Town Code to extend the interval for nonresidential fire safety inspections, and

WHEREAS, a public hearing was conducted on January 18, 2011 to obtain comment from the public regarding amending Section 73-13, 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. 3 of 2011, a local law amending Chapter 73, Article II Section 13 of the Town Code is hereby adopted; and be it further

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 35 of 2011, a resolution adopting Local Law No. 4 of 2011, a local law amending Chapter 86-7C, of the Town Code reflecting changes to the General Permit for Stormwater Pollution Prevention Plans.

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

WHEREAS, the code enforcement office has recommended that Section 86-7C be amended to reflect state changes to the general permit for storm water pollution prevention plans, and

WHEREAS, a public hearing was conducted on January 18, 2011 to obtain comment from the public regarding amending Section 86-7C, 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. 4 of 2011, a local law amending Section 86-7C of the Town Code is hereby adopted; and be it further

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 36 of 2011, a resolution adopting Local Law No. 5 of 2011, a local law amending Chapter 86 Construction and Design Standards, Article II 86-6 Streets.

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

WHEREAS, the code enforcement office has suggested a proposal of Chapter 86, Article II, Section 86-6 of the Town Code for compatibility with State Code regarding adequate design capability of town streets, and

WHEREAS, a public hearing was conducted on January 18, 2011, to obtain comment from the public regarding changes to Chapter 86, 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. 5 of 2011, a local law amending Chapter 86, Article II, Section 86-6 is hereby adopted; and be it further

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 37 of 2011, a resolution adopting Local Law No. 6 of 2011, a local law amending Section 208-6B, Section 208-107 and Section 208-108 of the Town Code.

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

WHEREAS, the code enforcement office has suggested that consideration be given to changing Section 208-6B, Zoning, Additional Standards for Administration and Enforcement, Section 208-107, Building Permits, Powers and Duties of Building Inspector, and Section 208-108 F, Conditional Certificate of Residency of the Town Code, and

WHEREAS, a public hearing was conducted on January 18, 2011, to obtain comment from the public regarding changes to Section 208-6B, Section 208-107 and 208-108, and

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

RESOLVED, that Local Law No. 6 of 2011, a local law amending Section 208-6B, 208-107 and 208-108 of the Town Code is hereby adopted, and be it further

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 38 of 2011, a resolution authorizing the Town Supervisor to enter into an agreement with the Clifton Park & Halfmoon Emergency Corps for the provision of emergency medical services and emergency ambulance services.

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

WHEREAS, a need exists for the provision of emergency medical and ambulance services within the geographical boundaries of the Town of Clifton Park, and

WHEREAS, the Clifton Park & Halfmoon Emergency Corps are organized and operated for the purpose of the provision of health care and education services across a broad spectrum of the communities it serves; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to enter into an agreement with the Clifton Park & Halfmoon Emergency Corps for the continuation of emergency medical services and emergency ambulance services, term of the agreement from January 1, 2011 through December 31, 2011, as budgeted, subject to Town Attorney review.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 39 of 2011, a resolution appointing M. Monica Bartoszek as a member of the Historic Preservation Commission.

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

WHEREAS, an opening exists for a member to the Historic Preservation Commission, and

WHEREAS, M. Monica Bartoszek, 5 Crown Point, Ballston Lake, has been recommended to fill the position, and

WHEREAS, Ms. Bartoszek's background will confer a benefit to the Historic Preservation Commission and to the residents of the town; now, therefore, be it

RESOLVED, that M. Monica Bartoszek is hereby appointed as a member of the Historic Preservation Commission to serve at the pleasure of the Board.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 40 of 2011, a resolution awarding the bid for the Pump Station Repair Services Project.

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

WHEREAS, on January 20, 2011, bids were received for the above referenced contract, and

WHEREAS, the low bidder for the Pump Station Repair Services Project is Water Resource Technologies, LLC in the amount of \$92,250, and

WHEREAS, as per letter from McDonald Engineering, dated January 21, 2011, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that Water Resource Technologies, LLC be accepted as the lowest most responsible bidder; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid in the amount of \$92,250 to Water Resource Technologies, LLC; and be it further

RESOLVED, that the cost of \$92,250 for the Pump Station Repair Services Project is to be paid from G7-8111-034 (Clifton Park Sewer District No.1-Pump Repair).

Collection Systems Manager O'Brien reported this company has been doing the work for the town for the past few years. He said the Sewer Department takes care of 597 grinder pumps and as pumps fail new ones are installed so eventually all will be new.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 41 of 2011, a resolution approving updates to the uniform pool policy and regulations for the three Town-owned pools.

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

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs has recommended that the uniform pool regulations be updated for the three Town-owned pools located on Barney Road, Locust Lane and Burning Bush Boulevard, per Schedule "A"; now, therefore, be it

RESOLVED, that the Town Board hereby approves the updates to the uniform pool policy and regulations for the three Town-owned pools, per Schedule A.

Director of Parks, Recreation and Community Affairs Kramer reviewed the proposed changes to the policy.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 42 of 2011, a resolution adjusting the 2011 Parks, Recreation and Community Affairs budget to allow for a spring and fall Zumba class.

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

WHEREAS, a spring and fall Zumba class has been added to the 2011 program, and

WHEREAS, it is necessary to increase revenues and expenditures for 2011 to reflect the additional classes; now, therefore, be it

RESOLVED, that revenue line A-2060 (Adult Recreation Fees be) increased by \$8,400; and be it further

RESOLVED, that expense line A-7640-015 (Adult Recreation Programs-Other contractual) be increased by \$7,140.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 43 of 2011, a resolution authorizing changes to the Clifton Park Action Park fee schedule, per Schedule A and the Clifton Park Action Park hours of operation, per Schedule B.

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

WHEREAS, upon review of last year's season at the Clifton Park Action Park in regard to fees and park hours, Myla Kramer, Director of Parks, Recreation and Community Affairs has recommended that certain changes be made to the fee schedule and to the hours of operation per the attached Schedule A and Schedule B; now, therefore, be it

RESOLVED, that the Town Board hereby approves the updates to the Clifton Park Action Park fee schedule, per Schedule A and the Clifton Park Action Park hours of operation, per Schedule B.

Ms. Kramer explained it is hoped the new fee schedule will encourage new members.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 44 of 2011, a resolution authorizing the promotion of Timothy Groski and Daniel Welsh from Laborer to the position of MEO Light in the Buildings and Grounds Department.

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

WHEREAS, Buildings and Grounds Supervisor Michael Handerhan recommends that Timothy Groski and Daniel Welsh be promoted from Laborer to MEO Light in the Building and Grounds Department, and

WHEREAS, the above referenced employees have met the requirements for this position; now, therefore, be it

RESOLVED, that Timothy Groski and Daniel Welsh are hereby upgraded from Laborer Grade 3, Step 3 to MEO Light, Grade 4, Step 1 (\$33,821) additional \$2,061 for each, (total \$4,122) effective immediately; and be it further

RESOLVED, that the additional salary increase be paid with a transfer of \$2,061 from A-7110-E3100 (Building & Grounds-MEO Light) to A-7110-E0564 (Daniel Welsh) and with a transfer of \$2,061 from A-7110-E3100 (Building & Grounds-MEO Light) to A-7110-E0069 (Timothy Groski).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 45 of 2011, a resolution hiring summer help for the Dwaaskill Park District.

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

WHEREAS, a need has been identified for summer help at the Dwaaskill Park District to do light landscaping, and

WHEREAS, William Williams, 714 Bruno Road, Clifton Park has been recommended to be hired for this position; now, therefore, be it

RESOLVED, that the Town Board acting as Commissioners of the Dwaaskill Park District hereby authorizes the hiring of William Williams to do light landscaping for the Dwaaskill Park District at \$8.50 per hour, not to exceed \$1,000 for the season, effective immediately, to be paid from SP47135-24 (Dwaaskill Park District-Maintenance).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 46 of 2011, a resolution authorizing the Clifton Knolls Mill Creek Civic Association to serve alcoholic beverages at the annual association sponsored Wine and Cheese Party at the Locust Lane Clubhouse.

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

WHEREAS, Keri Horton, 24 Juniper Drive, Clifton Park has requested permission to serve alcoholic beverages on March 5, 2011 at a Wine and Cheese Party to be held at the Locust Lane Clubhouse, and

WHEREAS, it is the Town's policy to require the using group to monitor the consumption of alcohol and be responsible for the group's activities; now, therefore, be it

RESOLVED, that the Clifton Knolls Mill Creek Civic Association is authorized to serve alcoholic beverages on March 5, 2011, from 7:00-11:00 pm, at an adults only Civic Association event being held at the Locust Lane Clubhouse, contingent upon the execution of an indemnification and a hold harmless agreement in favor of the Town and the provision of a certificate of liability insurance naming the town as an additional insured and in a coverage amount acceptable to the town.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 47 of 2011, a resolution authorizing the hiring of summer staff for the Buildings and Grounds Department as per Schedule A.

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

WHEREAS, a need exists for summer workers in the Buildings and Grounds Department, and

WHEREAS, Michael Handerhan, Buildings and Grounds Supervisor, has recommended that the individuals listed in Schedule A be hired to fill these positions, and

WHEREAS, the wages to be paid to the hired individuals are listed in Schedule A, as budgeted; now, therefore, be it

RESOLVED, that the individuals listed in Schedule "A" attached hereto be hired as part of the summer Buildings and Grounds staff for the summer of 2011, effective immediately, to be paid from A7110-E4000 (Buildings & Grounds-PT Labor Season).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 48 of 2011, a resolution awarding the bid for lawn care services for Town wide parks and various Park Districts.

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

WHEREAS, sealed bids were received and opened on November 29, 2010 for Lawn Care Services for various areas throughout the Town, and

WHEREAS, TruGreen Lawn Services was the sole bidder for Lawn Care Services, and

WHEREAS, the Town Board acting as Commissioners of the park districts accepts the bid of TruGreen Lawn Services for the Park Districts per the attached Schedule A; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes Michael Handerhan to accept the bid of TruGreen Lawn Services for lawn care services for the various park districts and town wide parks to be budgeted as follows:

Clifton Common	A7112-24	\$8,870
Town Hall	A1620-24	\$ 405
Veterans Park	A7024-24	\$1,873
Parkside Trails-Soc Fields	A7026-24	\$3,793
Barney Road Pool	A7150-45	\$ 543
Locust Lane Pool	A7152-45	\$ 270
Country Knolls Pool	SP57151-45	\$1,000
Spirit Park	A7030-24	\$ 203
Wyncrest Development	SP117140-24	\$1,800
Addison	SP127148-24	\$ 200
Meadow Estates	SP127142-24	\$ 425
Parklane	SP07120-24	\$ 864
Longkill I	SP57123-24	\$6,597
(Includes Heidi's Path, Martin Jewitt Park, Burning Bush and Burning Bush Pool)		
Exit 8, 9 and 10 Signs	A8510-90	\$1,500
Sherwood Forest	SP87125-24	\$1,825

and be it further

RESOLVED, if all parties agree, the Contract can be extended for 2012 and 2013 at a cost not to exceed the 2011 cost.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 49 of 2011, a resolution awarding a contract for landscaping services for the Clifton Knolls Park District.

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

WHEREAS, quotes were received by the Town Board as Commissioners of the Clifton Knolls Park District for landscaping services for the district, and

WHEREAS, the lowest conforming quote for the work to be done for landscaping services which includes spading, edging, weeding, fertilizing and mulching in the Clifton Knolls Park District was submitted by Cliffside Services Inc., Clifton Park in an amount not to exceed \$2,980; now, therefore, be it

RESOLVED, that the Town Board as Commissioners of the Clifton Knolls Park District, hereby awards the contract to Cliffside Services, for landscaping services at the Clifton Knolls Park District, at a cost not to exceed \$ \$2,980 for 2011, to be paid from SP37131-24 (Clifton Knolls Park District-General Maintenance); and be it further

RESOLVED, that if all parties agree the contract may be extended for 2012 and 2013 at a cost of \$2,980 for each year.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 50 of 2011, a resolution authorizing the sale of equipment declared surplus by the Town Board.

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

WHEREAS, Michael Handerhan has recommended that the equipment listed on the enclosed attachment be declared as surplus property, and

WHEREAS, based upon the recommendation of the Buildings and Grounds Supervisor the Town Board declares as surplus the equipment listed on the attachment; now, therefore, be it

RESOLVED, that the Town Board determines that the listed equipment be advertised and sold by means of sealed bid, "as is", subject to New York State sales tax, with the Town of Clifton Park reserving the right to reject any bid and all bids; and be it further

RESOLVED, that the Town Clerk of the Town of Clifton Park is hereby authorized to advertise said equipment listed on the attached list determined to be surplus by the Town Board by sealed bid, with such sealed bids to be opened on February 22, 2011 at 2:00 p.m.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 51 of 2011, a resolution authorizing Myla Kramer and Robin Dutcher to attend the New York State Recreation and Park Society 71st Annual Conference and Business Expo.

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

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs has requested authorization to attend the New York State Recreation and Parks Society 71st Annual

Conference and Business Expo along with Robin Dutcher, Assistant Director, to be held at Turning Stone Resort, Verona, NY, March 27-29, 2011, and

WHEREAS, attendance at this conference will confer a benefit upon and be in the best interest of the Town of Clifton Park; now, therefore, be it

RESOLVED, that Myla Kramer and Robin Dutcher are hereby authorized to attend the New York State Recreation and Park Society Annual Conference and Business Expo, March 27-29, 2011, in Verona, NY, at a cost not to exceed \$1,161 for both attendees, to be paid from A-7021-001 (Parks and Recreation Administration-Training & Conference).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 52 of 2011, a resolution hiring Wild Goose Chase, New Lebanon, NY, to rid the Clifton Knolls ponds of Canada Geese.

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

WHEREAS, the Canada Geese continue to be a problem in the Clifton Knolls ponds, and

WHEREAS, the Town Board, as Commissioners of the Clifton Knolls/Mill Creek Park District, has received a request from the park district to authorize the hiring of Wild Goose Chase to chase the geese away before they lay their eggs, and

WHEREAS, the company utilizes border collies to herd and harass the birds until they leave, and

WHEREAS, the Clifton Knolls/Mill Creek Park District has been pleased with the service and commitment of Wild Goose Chase to Clifton Knolls and their results in keeping the ponds clear of Canada Geese; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Clifton Knolls Mill Creek Park District, hereby authorizes the hiring of Wild Goose Chase, New Lebanon, NY, to reduce the Canada Geese from taking root in the Clifton Knolls ponds at a cost not to exceed \$5,000 (\$60 per visit) for the season, to be paid from SP37131-24 (Clifton Knolls Park District-Maintenance); and be it further

RESOLVED, that if all parties agree the contract may be extended for 2012 and 2013 at a cost not to exceed \$5,000 (\$60 per visit) for each year.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 53 of 2011, a resolution authorizing the Supervisor to sign contracts with 2011 Summer Recreation Independent Contractors per Schedule "A".

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

WHEREAS, Myla Kramer, Director of Parks and Recreation has requested that the Town Board authorize certain updated contracts for certain summer recreation programs, and

WHEREAS, the Town Board supports continuation of the listed summer recreation programs with the subcontractors listed on the attached Schedule "A"; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign contracts with 2011 summer recreation independent contractors per Schedule "A".

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 54 of 2011, a resolution extending the contract with Mater's through 2011 for seasonal restroom cleaning during sports league play in Town Parks.

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

WHEREAS, Resolution No. 71 of 2009 awarded the contract for the seasonal cleaning of the restrooms at Clifton Common, Collins Park and Veteran's Park to Mater's for \$9,900, and

WHEREAS, the Town Board wishes at this time to extend the contract with Mater's for Seasonal Restroom cleaning during sports league play from April 1 through October 31, 2011, and

WHEREAS, the cost for the seasonal cleaning will remain the same as for the last two years; now, therefore, be it

RESOLVED, that the Town Board extends the contract with Mater's, 601 London Square Drive, Clifton Park to provide janitorial services at town parks through the completion of sports league play, at a cost not to exceed \$9,900 for the 2011 season; and be it further

RESOLVED, that the cost of \$9,900 is to be paid as budgeted, \$7,425 from A-7112-23 (Clifton Common Cleaning), \$1,980 from A-7113-23 (Collins Park Cleaning) and \$495 from A-7024-23 (Veteran's Park Cleaning) for the 2011 Season.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 55 of 2011, a resolution authorizing the hiring of a co-instructor for the Tiny Hands Summer Club.

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

WHEREAS, a need exists for a co-instructor for the Tiny Hands Summer Club preschool program, being presented as part of the Summer Recreation Program, and

WHEREAS, Myla Kramer has recommended that Theresa Trump, 7 Maple Line Road, Ballston Lake be appointed as a co-instructor for the Tiny Hands Summer Club; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Theresa Trump, Ballston Lake for the Tiny Hands Summer Club, effective immediately through August 17, 2011, to be paid from A7310-E4520 (Summer Recreation-Other Program Salary).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 56 of 2011, a resolution appointing Sheila Alvaro as a part-time Senior Express Dispatcher and substitute Van Driver.

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

WHEREAS, a need exists for a part-time Senior Express Dispatcher and substitute Van Driver, and

WHEREAS, Sheila Alvaro, 8 Esopus Drive, Clifton Park has been recommended to be hired to fill these positions; now, therefore, be it

RESOLVED, that Sheila Alvaro, 8 Esopus Drive, Clifton Park is hereby appointed to the position of part-time Senior Express Dispatcher, Grade 2, Step 1, effective February 7, 2011, to be paid from A-6772-E2250 (General Fund-Senior Support-Substitute Senior Van Driver/Dispatcher).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Dr. Oliver Robinson, Superintendent of Shenendehowa Schools, spoke with regard to the property tax cap resolution, stating mandate relief is an absolute necessity to this cap. He expressed concern that there could be significant reductions in state aid this year. Dr. Robinson stated to impose a permanent law that limits the abilities for voters to determine how they want to support their schools, without first having proven mandate relief in place to reduce the cost hence avoiding a reduction in service, is absolutely irresponsible.

Supervisor Barrett agreed mandate relief is a must.

Councilman Paolucci said mandate relief is the key and the resolution says the state needs to get the mandates under control, as well as the property tax cap. He further said he would have preferred the resolution be called “property tax cap and mandate relief”.

Councilman Hughes said he believes municipalities and school districts will create a grass roots movement who are insistent that tax cap and mandate relief go hand in hand.

Annie and Larry Friedman, 26A Leonardo Drive, distributed Town Board minutes of November 1, 2010 referencing Resolution No. 264 of 2010, and photographs of road and their driveway leading to the house. Mrs. Friedman expressed concern with soil erosion stating her driveway has cracks and “she is scared”. Mr. Friedman feels the town, not the homeowner, is liable. Town Attorney McCarthy responded the opinion he has gotten from both Highway Superintendent Kukuk and Town Engineer J.M. McDonald is that the work the Friedmans are asking for is farther into their private property than the drainage structure and this answer was given to them. Ms. Friedman stated she has emails from Mr. Kukuk stating this work will be done. Mr. McCarthy asked if any of the drainage work took place after Resolution No. 264 was passed. Mrs. Friedman responded no, that everything was prior to it. Mr. Friedman said the crew showed up, tamped it down and put cloth and little crushed stone down and didn’t come back. Mrs. Friedman asked why the town hasn’t done anything to fix the problem. Mr. McCarthy said his understanding is the extent of the work the Friedmans are asking to be done is on private property. Supervisor Barrett said he remembers Highway Superintendent Kukuk sending an email about this. Mrs. Friedman acknowledged receiving a letter from Mr. McCarthy the previous week. She asked for an answer and help with the situation.

Frank Berlin, Main Street, Jonesville, spoke of the planned Open Space walks, reporting he has milkweed seeds to be distributed at the Veteran’s Park walk that will bring the Monarch butterfly to the area. He reported a meeting will be held at the library on February 15th for people interested in having a community garden.

Beverly Czub, Miller Road, reported children are moving out of state due to lack of jobs. She asked about the progress of the traffic signal on Clifton Park Center Road. Ms. Czub expressed appreciation to Supervisor of Buildings and Grounds Handerhan for the snowplowing of the parking lot at the Senior Center.

In response to Ms. Czub, Director of Planning Scavo reported the insurance underwriter has to inspect the work of the electrician and then National Grid will make the wires live.

Brian Telesh, Torrey Pines, noting he is Chairman of the Clifton Park Republican Committee, but speaking as a town resident, said he is glad the Town Board is looking at LED legislation as LED technology is environmentally friendly, uses far less electricity and has to be replaced at far less intervals. He expressed appreciation to Councilman Hughes for his presentation, stating he is strongly in favor of a tax cap as well as mandate reform, however, spending won’t be controlled in New York State unless the “rules of the road” are written first. Mr. Telesh stated New York State mandates “kill” businesses, not just municipalities.

Jim Baisley, Barkwood Lane, said state government needs to pass a budget on time so the school district knows how much money they will be getting before their budget is put out for a vote. He asked where the money will be coming from to make up for the tax cap. Mr. Baisley stated a big part of the state aid for a school district depends on the wealth in the school district. He said income tax returns contain the school district code and he feels often could be in error.

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 9:30 p.m.

Patricia O’Donnell
Town Clerk