

May 2, 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  
Myla Kramer, Director of Parks, Recreation and Community Affairs  
Richard Kukuk, Superintendent of Highways  
Michael Handerman, Supervisor of Buildings and Grounds  
Mark Heggen, Comptroller

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the April 11 and 18, 2011 meetings as presented.

Town Clerk O'Donnell noted the first page of the April 18, 2011 minutes should show Councilman Paolucci as absent.

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 the Grand Opening of Hayes Nature Park, with accesses off Moe Road, Thoroughbred Way and Liberty Way. He thanked Paul Bylenock, Brian Easton and Jim Baisley for their work in bringing this park to fruition.

Reporting on the Shredding Day, Councilman Hughes said 235 cars came through leaving 11,300 pounds of paper and 1213 pounds of food for the Jonesville Food Pantry. Another shredding day will be held in the fall.

Councilman Hughes announced a camp for children with Autism will be held again this year but will be expanded from 10 to 30 children. Two one-week sessions will be held July 18 and August 15 from 9:00 a.m. to noon at a fee of \$50 per session. Ratio will be three children to one staff. He said children's aides are welcome.

PRESENTATIONS

Supervisor Barrett presented awards to the winners of the Arbor Day Post contest

Supervisor Barrett presented plaques to the co-winners of the Soup Contest held at Winterfest, Ravenswood Restaurant and the Vista.

Todd Shimkus, President of the Saratoga Chamber of Commerce, distributed the Chamber's Strategic Plan for 2011-2014. He noted the Chamber is working in various aspects with the Southern Saratoga Chamber of Commerce.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 140 of 2011, a resolution awarding the contract for the installation of lights at the Mary Jane Row Dog Park.

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

WHEREAS, currently the Mary Jane Row Dog Park has solar lights at the park which are expensive to purchase and replacement parts are equally as expensive, and

WHEREAS, price quotes were solicited and received for the installation of lights at the Mary Jane Row Dog Park, and

WHEREAS, Wiring Concepts, Ballston Spa, New York, submitted the lowest quote for the installation of lights at the dog park in an amount of \$4,950, and

WHEREAS, Michael Handerhan, Supervisor of Buildings and Grounds, has recommended that the quote of Wiring Concepts be accepted for an amount not to exceed \$4,950; now, therefore, be it

RESOLVED, that the Town Board hereby accepts the price quote of Wiring Concepts for an amount not to exceed \$4,950 for the installation of lights at the Mary Jane Row Dog Park, \$2,000 to be paid from A-7027-200 (Mary Jane Row Dog Park-Equipment), and the balance of \$2,950 to be paid with a transfer of \$2,950 from Contingency to A-7027-200 (Mary Jane Row Dog Park-Equipment).

Director of Buildings and Grounds Handerhan said solar lights have been at the Park for a number of years but have not been very reliable. He said it is feasible to do this now as National Grid has come onto Ray Road. He noted the lights will be on a timer.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 141 of 2011, a resolution hiring summer help for the Clifton Gardens Park District.

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

WHEREAS, a need has been identified for summer help at the Clifton Gardens Park District to do light maintenance, and

WHEREAS, Brian Stanley, 42 Esopus Drive, 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 Clifton Gardens Park District, hereby authorizes the summer hiring of Brian Stanley, 42 Esopus Dr., Clifton Park, to do light maintenance for the Clifton Gardens Park District at \$7.50 per hour, effective immediately, not to exceed \$2,000 for the season, to be paid from SP2-7121-24 (Clifton Gardens Park District-Maintenance).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 142 of 2011, a resolution honoring Karl Anderson for attaining the rank of Eagle Scout.

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

WHEREAS, Karl Anderson, 1 Secada Drive, Clifton Park, of Boy Scout Troop 6 has attained the rank of Eagle Scout, and

WHEREAS, for his Eagle Scout Project, Karl took on the task of removing and replacing the storage shed within the Shenendehowa United Methodist pre-school playground since it had been infested with bees that could not be successfully exterminated, and

WHEREAS, to accomplish his Eagle Scout Project Karl worked with the school on its current needs and subsequently a design for a shed; now, therefore, be it

RESOLVED, that the Clifton Park Town Board recognizes and honors Karl Anderson of Boy Scout Troop 6, Jonesville, New York, 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

Resolution No. 143 of 2011, a resolution authorizing the Receiver of Taxes and Assessments to attend the New York State Association of Towns Tax Collector's Seminar.

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

WHEREAS, Lorraine Varley, Receiver of Taxes & Assessments, has requested permission to attend the New York State Association of Town's Tax Collector's Seminar to be held in Lake Placid, New York, June 12-15, 2011 at a cost of \$635, and

WHEREAS, the amount has been budgeted for 2011 in budget line item A-1330-1 (Tax Collector Travel & Conferences), and

WHEREAS, attendance at the Seminar would provide a benefit to residents of the Town; now, therefore, be it

RESOLVED, that Lorraine Varley is hereby authorized to attend the Tax Collector's Seminar in Lake Placid, New York, from June 12-15, 2011, at a cost not to exceed \$635 to be vouchered appropriately, to be paid from budget line item A-1330-1 (Tax Collector Travel & Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 144 of 2011, a resolution consenting to amendment of an agreement between Clifton Park Water Authority and Malta Water Supply District No. 1 and permitting the expansion of the District.

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

WHEREAS, the Clifton Park Water Authority (“CPWA”) wishes to enter into a water supply agreement with The Saratoga Hospital to supply water to lands of The Saratoga Hospital and surrounding properties within the Town of Malta, and

WHEREAS, the CPWA is a public authority authorized and existing pursuant to Public Authorities Law Section 1120 et seq, having a principal office for the transaction of business at 661 Clifton Park Center Road, Clifton Park, New York 12065, and

WHEREAS, the CPWA entered into a Water Supply Agreement dated October 4, 1993 (“Agreement”) with the Malta Water Supply District No. 1 (hereinafter “District” to supply water and ancillary services to lands in the Town of Malta, and

WHEREAS, the District boundary has previously been amended, and

WHEREAS, The Saratoga Hospital has asked the District to provide water to certain lands which it owns and to lands owned by Ted Willette and Shelley Willette, all of which are located within the Town of Malta on Route 67, and

WHEREAS, the parcels of land owned by the Hospital and the Willettes are not currently located within the District boundaries covered in the Agreement, and

WHEREAS, pursuant to Section 6 of the Agreement, the consent of the District, the CPWA, the Town of Malta and the Town of Clifton Park is required in order to expand the geographical area of the District, and

WHEREAS, the Clifton Park Town Board desires to facilitate the development of the health related services to be provided on the lands owned by The Saratoga Hospital, and

WHEREAS, on April 4, 2011, the Malta Town Board, acting as lead agency under the New York SEQRA, passed a negative declaration with regard to the proposed action, and

WHEREAS, on April 4, 2011, the Town of Malta and the District passed resolutions consenting the expansion of the District, now, therefore, be it

RESOLVED, pursuant to section 6 of the October 4, 1993 Water Supply Agreement between The Towns of Clifton Park and Malta, the Town Board hereby does consent and agree, that The District may expand its geographic area by amending the description of the lands set forth in the Agreement to include the lands owned by the Hospital, as designated on the Town of Malta’s Tax Map as parcel I.D. 229-2-75.111, as well as lands of the Willettes, as parcel I.D. 229.-2-32.1 and 229.-2-32.2, which parcels are more specifically described on Exhibit “A” annexed hereto.

It was noted that the Towns of Malta and Clifton Park are not parties to this agreement; however, consent by both towns is required in order to take action.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 145 of 2011, a resolution authorizing a License and Permit for the provision of affordable snacks at the Barney Road and Locust Lane pools for the 2011 Season.

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

WHEREAS, the Parks & Recreation Department has considered ways to provide basic refreshments and/or snack service to town pools during pool season, and

WHEREAS, "Smoothies 4 Life" provides healthy and affordable snacks, including smoothies, pretzels, fruit and yogurt parfaits at the Southern Saratoga YMCA, and

WHEREAS, the Town Board wishes to provide basic snack service to the Locust Lane and Barney Road pools through an exclusive License and Permit to "Smoothies 4 Life" for the 2011 Season as a pilot program; now, therefore, be it

RESOLVED, that Myla Kramer, Director of Parks, Recreation and Community Affairs, is authorized to issue a License and Permit for the Barney Road and Locust Lane pools for the 2011 Season consistent with the attached Agreement.

Supervisor Barrett stated he doesn't want this vendor investing in additional equipment and wants it made clear this is only for one year. The Supervisor reviewed the agreement.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 146 of 2011, a resolution adopting Local Law No. 11 of 2011, a local law amending Chapter 208-7 & 8, Chapter 208-16 and Chapter 208-79 regarding modification of Conservation Residential Zoning and R-3 to allow farm labor housing by Special Use Permit with certain minimum acreage.

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

WHEREAS, the Town of Clifton Park has a Right-to-Farm Law, known as Chapter 102 Farming, adopted in 1996 which provides that the Town Board finds that farming is an essential activity within Clifton Park, and

WHEREAS, The Town Board has supported the preservation of farms and conditions for the continuation of operational farms by enacting measures to establish Agricultural Districts, Conservation Easements to help farmers retain land in agricultural use, has adopted town-wide Open Space Preservation plans and a Western Clifton Park GEIS, all of which supported operational farms within the Town, and

WHEREAS, the State of New York, through the New York State Department of Agriculture and Markets, finds that on-farm housing is beneficial to both the farm worker and farmer to accommodate scarcity of rental housing and long farm workdays, and

WHEREAS, the Town Board held a public hearing on March 14, 2011, to hear public comment on a proposal to provide for permanent farm labor housing on active commercial farms with at least ten (10) acres of agricultural land in production in the Town Zoning Code, and

WHEREAS, the public was given an opportunity to speak for or opposed to the proposal, and

WHEREAS, the Town Board finds and determines that the provision of permanent housing for farm labor, which is integral to farm operations on commercial farms, is in the best interest of the farm community and is consistent with the town's comprehensive planning documents, now, therefore, be it

RESOLVED, the proposal is intended to apply to active working commercial farms in town and is not intended to impact the residential neighborhoods throughout the Conservation Residential District which do not have need for farm labor housing which is integral to agricultural operations, and be it further

RESOLVED, that Local Law No. 11 of 2011, a local law amending Chapter 208-7 & 8, Chapter 208-16 and Chapter 208-79 regarding modification of Conservation Residential and R-3 Zoning to allow farm labor housing by Special Use Permit with certain minimum acreage is hereby adopted; and be it further

RESOLVED, that the Town Clerk publish notice of same; and be it further

RESOLVED, that the Building Department is directed to develop procedures to ensure that farm labor housing constructed under this resolution are being used for the purpose of the enactment on an annual or bi-annual basis.

Town Attorney McCarthy said the language has been tightened up since the public hearing. He stated this applies only to large commercial operational farms. The 10-acre figure was arrived at in discussion with Open Space Coordinator Viggiani. He reviewed the mechanism in place should the house cease to be used as permitted for a period of two and a half years. Supervisor Barrett stated this is a way to further assist the farming community, noting New York State has a revolving fund for improving worker housing.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

ANNOUNCEMENTS AND COMMUNICATIONS CON'T.

Councilman Hughes reported on the Science Discovery Night, noting the Town of Clifton Park gave 600 tree seedlings away. He thanked Frank Berlin, Margot Kinn, Bill Connor, Jim Ruhl and town hall staff for their assistance.

Councilman Hughes noted May is National Historic Preservation month. Historic Preservation Awards will be presented at the May 16<sup>th</sup> Town Board meeting.

Councilman Hughes announced Town Historian Scherer will be presenting a three part series on death and cemeteries in Clifton Park beginning May 19<sup>th</sup> at Grooms Tavern.

Supervisor Barrett attended the CERT graduation on April 23<sup>rd</sup> and expressed appreciation to all CERT volunteers for dedication.

Supervisor Barrett announced an Electronic Recycling Day is scheduled for May 22<sup>nd</sup> at Clifton Park Center. He said many volunteers are needed and asked people to contact the Supervisor's office if they can help.

PUBLIC PRIVILEGE

Frank Berlin, Main Street, Jonesville, reported monuments in the Jonesville Cemetery will be cleaned on May 21<sup>st</sup> and volunteers would be welcome. He discussed the importance of bees, as well as wildlife. Supervisor Barrett suggested Mr. Berlin write a monthly conservationist article for the website.

Beverly Czub, Miller Road, Rexford, spoke on protection against identity theft.

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 8:10 p.m.

Patricia O'Donnell  
Town Clerk