

January 9, 2012

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 Whalen  
Councilman Hughes  
Councilman Romano  
Councilwoman Walowit  
Supervisor Barrett  
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy  
Mark Heggen, Comptroller  
John Scavo, Director of Planning  
Walter Smead, Assessor

ANNOUNCEMENTS AND COMMUNICATIONS

None

REPORT FROM RESIDENT

Allen Atwell, Chairman of the Emergency Services Advisory Board, town resident since 1969, reviewed his World War II experiences, reporting he landed on Omaha Beach on Labor Day 1944 and took part in the Battle of the Bulge. Due to his participation, he received the French Legion of Honor commendation on Veterans Day in New York City, along with 43 other veterans.

REPORTS TO THE BOARD

Chad Cooke, Director of the Saratoga County Sewer District, explained the County Board of Supervisors have charged the County Sewer District with expanding the boundaries and a map, plan and report are being prepared for the expansion. He said there are 70 homes in Treemont Estates that are outside the district that currently discharge to the district. These homes realize a fee of 1.5 times the normal charge and if in the district would save approximately \$85 per year. He continued there is no ad valorem tax associated with the remaining residents and businesses noting the only charge would be when they connect and discharge to the district. Mr. Cooke said a resolution needs to be adopted as soon as possible to bring the Town of Clifton Park into the boundaries of the Saratoga County Sewer District. He explained plans are to adopt the map, plan and report by June 30<sup>th</sup> and this will be the new district boundary. Mr. Cooke stated the Town of Clifton Park is partially within the boundaries of the County Sewer District.

In response to Town Attorney McCarthy's question as to what is required of the town, Mr. Cooke said a resolution needs to be passed that the town wants to be included in the district. Mr. Cooke commended Collection System Manager O'Brien's work noting the County Sewer District is going to follow some of the things being done in Clifton Park.

Director of Planning Scavo explained RFP submissions were received from Independent Towers Holdings, LLC and Homeland Towers and were reviewed by a committee consisting of himself, Director of Parks and Recreation Kramer, Councilmen Hughes and Whalen, and Bill Baker representing the baseball league. He reviewed the six criteria in the RFP. Mr. Scavo reported in the scoring, aesthetics was the major difference explaining one submission called for replacing two 70 foot light poles with two 100-foot monopoles and the other for a 120 foot monopole single structure. He said the reviewing committee felt the two 100-foot poles took the existing character of the existing ball fields and proximity of the location of the telecommunication facilities and gave greater consideration of the visual aesthetics of surroundings and this was the

major difference. Mr. Scavo stated based on that, the committee is making a recommendation to the Town Board and the Town Board will present a resolution. The preferred vendor will make a presentation to the Board and public comment will be allowed. He anticipates the preferred vendor will come before the Planning Board in March or April and go through the Planning Board review process and will be held to the same standards as every other telecommunications application. Mr. Scavo said the proposal fits within the town code.

Supervisor Barrett said one vendor scored higher than the other and he will be invited to the January 17<sup>th</sup> Town Board meeting at which time a Public Forum will be held.

Mr. Scavo explained the two 70 foot poles will be replaced with two 100 foot poles, lights will be put back on at the 70 foot mark and the additional feet will be used for co-locates for telecommunications and also reserving one location for town highway use in the future.

Supervisor Barrett said it is important the current lighting for the baseball fields is not affected. Mr. Scavo said additional technical documentation will be vetted out through the Planning Board process and the Town Board, as an involved agency, will be copied on all correspondence and information submitted to the Planning Board.

Councilman Romano asked if the preferred vendor has had experience at an athletic field. Mr. Scavo responded the vendor has had experience at a school facility which included recreational fields in the vicinity.

#### PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 13 of 2012, a resolution naming a public road in honor and remembrance of Captain John J. McKenna IV.

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

WHEREAS, Marine Captain John J. McKenna, IV's love of country and brothers in arms represents the very best of America's service men and women, and

WHEREAS, Captain McKenna was killed in action while ignoring imminent peril to save a wounded comrade, and

WHEREAS, the Town of Clifton Park wishes to thank and honor Captain McKenna's devotion to his country and his fellow man; and

WHEREAS, the naming of town streets is a Town Board function pursuant to New York State Town Law Section 64; now, therefore, be it

RESOLVED, the Town Board takes this opportunity to honor and remember Marine Captain John J. McKenna IV by naming the public road shown on Exhibit "A" "John J. McKenna IV Way".

Supervisor Barrett said he was informed there is a small street in the Exit 8 area and for 911 purposes needed a name. He spoke with the McKenna family and they are honored that this is being done. He said the Highway Department will order the sign and a small ceremony will be held when the sign is placed.

#### ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 14 of 2012, a resolution authorizing Judge Robert Rybak and Court Clerks Charlene Marra and Laura Davidson to attend the Association of Town's Meeting.

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

WHEREAS, the New York State Association of Towns will be holding its annual meeting from February 19-22, 2012 in New York City, consisting of seminars and other educational meetings, and attendance at those seminars and meetings would provide a public benefit to the Town; now, therefore, be it

RESOLVED, that Judge Robert Rybak, Court Clerks Charlene Marra and Laura Davidson are hereby authorized to attend the New York State Association of Towns meeting in New York City from February 19-22, 2012; and be it further

RESOLVED, that meals and other incidentals be paid per the stated 2012 per diem.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 15 of 2012, a resolution adopting the provisions of the Hurricane Irene and Tropical Storm Lee Assessment Relief Act.

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

WHEREAS, areas of Saratoga County suffered extensive damage during Hurricane Irene and Tropical Storm Lee during August and September of 2011, and

WHEREAS, on December 9, 2011, the Governor signed the Hurricane Irene and Tropical Storm Lee Assessment Relief Act (The Assessment Relief Act) to provide assessment relief for properties which incurred substantial damage in the storms, and

WHEREAS, the Assessment Relief Act provides that municipalities may authorize Assessors to adjust the 2011 final roll for Assessment of properties with demonstrated losses of at least one-half of the property value, and

WHEREAS, The Act requires that property owners who assert damage to real property of at least one-half its value must file a written request to the Town Assessor no later than March 8, 2012, now, therefore, be it

RESOLVED, that the Town Board hereby adopts the Provisions of the Hurricane Irene and Tropical Storm Lee Assessment Relief Act; and be it further

RESOLVED, that the Assessor is directed to post information regarding the Assessment Relief Act on the town's website including a sample application published by the New York State Office of Real Property Tax Services to advise affected property owners of procedures to follow and deadlines to observe to apply for consideration under The Act.

Town Assessor Smead said he is only aware of one or two places that had any damage at all and that was minor. He doesn't think this affects the town but is a good idea to get the information out in case there is something the town is not aware of.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 16 of 2012, a resolution recognizing the 75<sup>th</sup> Anniversary of the Clifton Park Fire Department.

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

WHEREAS, the Clifton Park Fire Department was born when local residents recognized the need for fire protection in their town, and

WHEREAS, the Fire Department's first piece of apparatus was an REO Speedwagon chemical truck purchased from the Gilbert Hose Company in 1935 for \$175, and

WHEREAS, the Clifton Park Fire Department was officially incorporated under the laws of New York State on November 9, 1937, and

WHEREAS, the Fire Department acquired the old Clifton Park school building from the Clifton Park Young Men's Social Club for \$1 in 1937, with the schoolhouse bell serving as the department's first fire alarm, and

WHEREAS, on April 9, 1940, the fire department began serving the newly formed Clifton Park-Halfmoon Fire District #1, and

WHEREAS, the Fire Department Auxiliary was formed in the early 1950s, and

WHEREAS, since its early years the Clifton Park Fire Department has continued to grow in size and add equipment, eventually moving into its current fire station in 1990, and

WHEREAS, the fire department provides a vital and life-saving service to the residents of Clifton Park, responding to hundreds of calls per year, and

WHEREAS, the Town Board, on behalf of all Clifton Park residents, wishes to thank the Clifton Park Fire Department for its service to the community on the occasion of the department's 75<sup>th</sup> Anniversary; now, therefore, be it

RESOLVED, that the Town Board pauses its deliberations to recognize the Clifton Park Fire Department for 75 years of service to the community; and be it further

RESOLVED, the Town Board wishes the Clifton Park Fire Department many more years of continued success.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Beverly Czub, Miller Road, Rexford, thanked Allen Atwell for his service and spoke of the importance of volunteerism.

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

Motion carried at 7:50 p.m.

Patricia O'Donnell  
Town Clerk