

February 6, 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  
Myla Kramer, Director of Parks, Recreation and Community Affairs  
Barbara McHugh, Director of Community Development  
Steven Myers, Director of Building and Zoning  
Michael O'Brien, Collection System Specialist

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the January 9 and 17, 2011 meetings as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Myla Kramer, Director of Parks and Recreation reviewed the events planned for Winterfest scheduled for February 11<sup>th</sup>.

PRESENTATION

Supervisor Barrett presented Kathleen Pingelski, a volunteer with the American Heart Association, with the following resolution in recognition of Wear Red Day.

Resolution No. 23 of 2012, 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, currently some 8 million women in the U.S. are living with heart disease, yet only one in five American women believes that heart disease is her greatest health threat, and

WHEREAS, 90 percent of women have one or more risk factors for developing heart disease, and

WHEREAS, 26 percent of women die within a year of suffering a heart attack, compared with 19 percent of men, and

WHEREAS, while one in 30 American women dies from breast cancer each year, one in three dies of cardiovascular disease, and

WHEREAS, cardiovascular disease claims the lives of over 419,000 American females each year, almost one death per minute, and

WHEREAS, only 43 percent of African American women and 44 percent of Hispanic women know that heart disease is their greatest health risk, compared with 60 percent of Caucasian women, and

WHEREAS, nearly as many women die of heart disease, stroke, and all other cardiovascular diseases than the next three leading causes of death combined, including all cancers, and

WHEREAS, only 16 percent of women surveyed in 2009 identified cardiovascular disease as the greatest health problem facing them, and

WHEREAS, in women, heart disease is too often a silent killer and less than a third of women in a recent survey reported any early warning signs such as chest pain or discomfort before a heart attack, compared with most men, and

WHEREAS, common symptoms for women included pain of the jaw, arm or back, but most reported a delay in seeking treatments after the symptoms began of anywhere from 15 minutes to two weeks, and

WHEREAS, women are less likely to call 911 for themselves when experiencing symptoms of a heart attack than they are if someone else were having a heart attack, 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 My Life Check, Go Red For Women Heart Check-Up, Go Red For Women Better U, and by talking to their healthcare provider, and

WHEREAS, making the right choices relating to proper nutrition, physical activity, and other healthy lifestyle choices are essential to living a heart healthy life; 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 Wednesday, February 8, 2012 to be National 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 the wearing of the color red, by increasing awareness, speaking up about heart disease, and empowering women to reduce their risk for cardiovascular disease, thus saving thousands of lives each year.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Kathleen Pingelski, town resident, reviewed her participation in the American Heart Association's Go Red for Women and Better "U" Programs.

PUBLIC HEARING, 7:19 PM  
TO CONSIDER A HISTORIC CONSERVATION EASEMENT APPLICATION  
341 RIVERVIEW ROAD

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on January 23, 2012.

Historic Preservation Commission Chair Kazmierczak reported the house in Vischer Ferry which is a National Historic District, is on the town Register of Historic Places. He said it is the only Queen Anne Victorian in Vischer Ferry and is worthy of a Historic Conservation Easement.

The public hearing was opened for comments from the audience at 7:20 p.m.

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one wished to be heard. Supervisor Barrett declared the public hearing closed at 7:21 pm.

PUBLIC HEARING, 7:21 PM  
TO CONSIDER A LOCAL LAW AMENDING SECTION 103-16  
BUILDING PERMIT FEES

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on January 30, 2012

Supervisor Barrett summarized the proposed local law explaining basic residential fees will go from \$45 to \$50 and commercial fees from \$150 to \$200, noting rates have not been increased since 1998.

Director of Building and Zoning Myers stated fees are below neighboring towns. Supervisor Barrett said he doesn't believe the increase in fees will inhibit any activity either residential or commercial.

The public hearing was opened for comments from the audience at 7:25 p.m.

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one wished to be heard. Supervisor Barrett declared the public hearing closed at 7:25 pm.

PUBLIC HEARING, 7:25 PM  
TO CONSIDER A LOCAL LAW AMENDING  
CHAPTER 176, STREETS AND SIDEWALKS

This is a continuance of the Public Hearing held on January 17, 2012.

Supervisor Barrett reported the proposed local law was sent to utility companies.

Town Attorney McCarthy said the proposed legislation did not have provisions for obtaining a permit in an emergency or weekends. In the event of an emergency, he suggested 24 hours or next business day for an applicant to apply for a permit. He further recommended continuous maintenance obligation should have a one year time frame. Hiscock & Barclay, LLP, representing National Grid, in a letter dated January 17, 2012, speaks against the proposed fees, as does Verizon in a letter dated January 31, 2011, both letters attached. The Verizon letter also objects to the Penalty section, of the proposed legislation regarding the possibility of up to 15 days imprisonment for each violation of the law. Mr. McCarthy suggested a bond may be appropriate.

Supervisor Barrett said perhaps the per square foot fee can be eliminated and the permit fee increased.

Councilman Romano asked if the permit can be renewed without charge after 90 days and has this been included in the legislation. Mr. McCarthy said this has been included and asked the Board if the second permit should be for 30 days.

The public hearing was opened for comments from the audience at 7:31 p.m.

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one wished to be heard. Supervisor Barrett declared the public hearing closed at 7:32 pm.

Supervisor Barrett thanked the utility companies for their feedback.

Mr. McCarthy reported the Highway Department will give specific standards for restoration with input from McDonald Engineering.

Councilman Romano asked if there is anything significant in historic areas that should be included in the legislation.

#### PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 24 of 2012, a resolution authorizing the Town Supervisor to sign a Memorandum of Understanding with the Not So Common Players (NSCP) for the provision of continued support for the presentation of theatrical productions and musical presentations.

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

WHEREAS, the Town of Clifton Park has sponsored and supported the Not So Common Players (NSCP) theater group since its inception in 2001, and

WHEREAS, the Town and the NSCP formalized the Notice of the Town's Support and Commitment to the NSCP by Memorandum of Understanding pursuant to NYSTL 64 (17) (B) in 2010, and

WHEREAS, the NSCP has been established as a 501C3 Charitable Organization pursuant to the internal revenue code, and as a charitable organization pursuant to rules established by the Charities Bureau of the New York State Department of Law, and

WHEREAS, the Town wishes to renew the existing Memorandum of Understanding with the NSCP for another two year term pursuant to paragraph 3 of the attached agreement; now, therefore, be it

RESOLVED, that the Town Board authorizes the Town Supervisor to sign the attached Memorandum of Understanding between the Town of Clifton Park and the Not So Common Players, subject to annual appropriation.

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

Resolution No. 25 of 2012, a resolution adopting Local Law No. 1 of 2012, a local law to update the process for holders of existing term Conservation Easements under Section 125-10 of the Town Code, Conservation Easements, Duration.

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

WHEREAS, the Town initiated a term Conservation Easement Program in 1996, with term easements issued with a minimum 15 year term thereafter, and

WHEREAS, the first term conservation easements issued pursuant to Town Code Chapter 125 will expire in 2011 unless applications for renewal of terms are received, and

WHEREAS, on January 17, 2012 the Town Board conducted a public hearing to obtain comment from the public regarding a streamlined process for holders of existing term conservation easements to re-apply for terms of their choice, 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. 1 of 2012, a local law amending Chapter 125-10 of the Town Code to provide a streamlined process to update and renew expiring term Conservation Easements is hereby adopted, and be it further

RESOLVED, that this local law shall take effect immediately upon filing with the New York State Department of State, and be it further

RESOLVED, that the Assessor is authorized to notify holders of existing conservation easements and to accept renewal applications in accordance with the schedule set forth herein; and be it further

RESOLVED, the Town Clerk is directed to publish appropriate notice of the same.

Councilman Hughes said this will make the renewal process easier and more efficient. He stated all renewal application fees will go directly into the open space capital reserve account. Supervisor Barrett said he hopes everyone currently in the program will stay involved in the program.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 26 of 2012, a resolution expanding Saratoga County Sewer District to encumber all of the geographical boundaries of the Town of Clifton Park.

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

WHEREAS, the Saratoga County Sewer District No. 1 has provided the opportunity for the Town of Clifton Park to be wholly included in the new expanded boundaries of the sewer district, and

WHEREAS, there would be no charge to the Town of Clifton Park for its inclusion in the district unless the town was using the services, and

WHEREAS, there will be no ad valorem charges imposed on any property as a result of any expansion of the sewer district boundaries, and

WHEREAS, the underlying purpose of this proposed expansion is to look to serve the future needs of the county's growing population; now, therefore, be it

RESOLVED, that the Town of Clifton Park requests to be wholly included in the new boundaries of the Saratoga County Sewer District No.1.

Supervisor Barrett explained when the County Sewer District was formed it did not encompass the whole county. He further noted the main change will be a reduction of approximately \$80 in outside user sewer charges per household in the Treemont Woods subdivision as, when built, these houses were outside the boundaries of the County Sewer District.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 27 of 2012, a resolution authorizing the Town of Clifton Park to sponsor CPR and AED classes as part of the Citizen Corps Grant Public Safety Education Program.

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

WHEREAS, the Citizen Corps grant funding provides emergency training to residents as provided by the Clifton Park-Halfmoon-Ambulance Corps certified instructors and provides participants with an American Heart Association Certificate, and

WHEREAS, the CPR and AED class is scheduled to be conducted on Saturday, May 5, 2012 by the Clifton Park-Halfmoon Ambulance Corps, at a total cost not to exceed \$900, and

WHEREAS, this class is mandatory for new and current CERT volunteers needing recertification and is also open to the residents of the town at no charge; now, therefore, be it

RESOLVED, that authorization is hereby given to the Town of Clifton Park to sponsor a CPR and AED class provided by the Clifton Park-Halfmoon Ambulance Corps at a cost not to exceed \$900, for books, materials and certifications, to be paid from A-8762-015 (Citizen Corps Grant Funding).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 28 of 2012, a resolution authorizing the town to sponsor a Community Emergency Response Training (CERT) Program through the Citizen Corps Grant.

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

WHEREAS, Citizen Corps provides information and training to help prepare residents for emergencies and disasters of all kinds, and introduces community volunteerism opportunities to support town emergency planning and preparedness, and

WHEREAS, the Citizen Corps Grant provides funding for emergency training and public education, and

WHEREAS, as part of the town's commitment to providing residents with useful training as a means to encourage citizens to volunteer during disasters and emergencies of all kinds, the town wishes to provide CERT training for six weeks on Thursday evenings, beginning March 15,

2012 through April 19, 2012, at the Public Safety Building, for residents of the town at no charge, and

WHEREAS, the program will prepare residents to join the CERT volunteers available to assist the town during disasters, emergencies and major incidents and will provide equipment to assist students and volunteers during emergencies; now, therefore, be it

RESOLVED, that the Town Board authorizes CERT training for residents of the Town of Clifton Park on six consecutive Thursdays, from March 15, 2012 through April 19, 2012, at a total cost not to exceed \$4,400, to be paid from A-8762-015-200 (Citizen Corps Grant Expense) for instruction, supplies, equipment and team shirts.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 29 of 2011, a resolution reappointing Craig Masterson as Co-Chair of the Highway Safety Committee.

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

WHEREAS, Thomas Werner was inadvertently appointed as Co-Chair of the Highway Safety Committee, and

WHEREAS, it is desirable to reappoint Craig Masterson as Co-Chair of the Highway Safety Committee; now, therefore, be it

RESOLVED, that Craig Masterson, 76 St. Andrews Drive, is re-appointed as Co-Chair of the Highway Safety Committee; term to expire December 31, 2013.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 30 of 2012, a resolution reappointing Lester Denison as Chairman of the Fire Code Appeals Board.

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

WHEREAS, it is desirable to reappoint Lester Denison as Chairman of the Fire Code Appeals Board; now, therefore, be it

RESOLVED, that Lester Denison, 4 Torrero Drive, Clifton Park, is re-appointed for a three year term as Chairman of the Fire Code Appeals Board, term to expire December 31, 2014.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 31 of 2012, a resolution appointing Councilman Whalen as liaison to the Arts and Culture Commission and Historic Preservation Commission and reappointing Sanford Roth as liaison to the Environmental Conservation Commission.

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

WHEREAS, former Councilman Roth has a lengthy history of involvement with the Environmental Conservation Commission and has expressed interest in continuing as liaison to the commission, and

WHEREAS, Councilman James Whalen has been recommended to serve as liaison to the Arts and Culture Commission as well as the Historic Preservation Commission, and

WHEREAS, Councilman Whalen's appointment will confer a benefit to the residents of the town; now, therefore, be it

RESOLVED, that Councilman Whalen is hereby appointed as liaison to both the Arts and Culture Commission and Historic Preservation Commission through December 31, 2012; and be it further

RESOLVED, that Sanford I. Roth, 52 Sweetbrier Drive, Ballston Lake, is hereby appointed as liaison to the Environmental Conservation Commission through December 31, 2012.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 32 of 2012, a resolution authorizing the purchase of a 2012 Chevrolet Impala Security Vehicle off of New York State Contract for use by Town Security.

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

WHEREAS, a need has been identified for a new vehicle for use by Town Security, and

WHEREAS, a 2012 Chevrolet Impala Security Vehicle is available under state contract, as described in Schedule "A", at a total cost of \$22,623.50, price includes \$3,000 for additional equipment; now, therefore, be it

RESOLVED, that authorization is given to purchase a model year 2012 Chevrolet Impala Security Vehicle under State Contract No. PC 64892, from Hoselton Chevrolet, Inc., East Rochester, New York, as described in Schedule A, at a cost not to exceed \$22,623.50, to be paid from A-03120-200 (General Fund-Security-Equipment).



Supervisor Barrett said he is waiting to get mileage from the older vehicle and it not sure if this will be a replacement. He wants to make sure safety/security equipment on the older vehicle can be transferred over to the new vehicle.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 33 of 2012, a resolution declaring two public emergencies pursuant to General Municipal Law Section 103(4), retroactive to August 22, 2011 and November 3, 2011, requiring repairs to Rivercrest Water District water main on Rivercrest Drive and transferring funds from Rivercrest Water District Fund Balance.

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

WHEREAS, General Municipal Law Section 103(4) authorizes municipalities to enter into contract for the work needed to be done without competitive bidding where the Town Board declares the situation to be a public emergency, and

WHEREAS, on August 22, 2011 and November 3, 2011, repairs were needed to the Rivercrest Water District water main, and

WHEREAS, Collection System Manager Michael O'Brien advised that the occurrence constituted an emergency with potential impact upon health, safety and welfare on residents without immediate action and response, and

WHEREAS, Tom Kubricky Company, Inc. is an authorized emergency contractor for the Town of Clifton Park pursuant to Resolution No. 60 of 2010, and

WHEREAS, bid rates as awarded by Resolution No. 60 of 2010 were used for equipment and labor, and

WHEREAS, Michael O'Brien accepted the quote of Tom Kubricky Company, Inc. based on emergency circumstances necessary to repair the water main and prevent further damage to the area, in an amount of \$10,333.04 for both emergencies and has determined that the charges submitted pursuant to the quote were appropriate for the work that was required; now, therefore, be it

RESOLVED, that the Town Board hereby declares the potential damage threatened by the damage to the water line, to be a public emergency, requiring immediate action which cannot await competitive bidding; and be it further

RESOLVED, that payment is authorized to Tom Kubricky Company, Inc. for \$10,333.04 for repairs to the Rivercrest Water District water main, on Rivercrest Drive, for emergencies occurring on August 22, 2011 and November 3, 2011, to be paid with a transfer of \$10,333.04 from Rivercrest Water District Fund Balance (FV-909) to Rivercrest Water-Water Transmission-Emergency Repairs (FV-8340-21).

Supervisor Barrett reported a meeting has been held with residents of the Rivercrest Water District to give an update on the situation and to look to the future of the district.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 34 of 2012, a resolution rescheduling the February 21, 2012 Town Board Meeting to February 27, 2012.

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

WHEREAS, the third Town Board Meeting for the month of February is scheduled for February 21, 2012, and

WHEREAS, it is necessary to reschedule the meeting of the 21st of February; now, therefore, be it

RESOLVED, that the Town Board Meeting scheduled for February 21, 2012 is hereby rescheduled to February 27, 2012.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 35 of 2012, a resolution appointing Duane Lindsay as representative from Vischer Ferry Fire District to the Emergency Services Advisory Board and appointing Kevin Bowman as an alternate representative from Vischer Ferry Fire District to the Emergency Services Advisory Board.

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

WHEREAS, Kevin Bowman, current representative from Vischer Ferry Fire District would prefer to serve as the alternate representative from Vischer Ferry Fire District, a position currently held by Duane Lindsay, and

WHEREAS, both Mr. Bowman and Mr. Lindsay have mutually agreed to switch positions; now, therefore, be it

RESOLVED, that Duane Lindsay, 753A Grooms Road, Clifton Park, is hereby appointed to fill the unexpired term of Kevin Bowman as representative from Vischer Ferry Fire District to the Emergency Services Advisory Board, term to expire December 31, 2013; and be it further

RESOLVED, that Kevin Bowman, 157 Sugarhill Road, Rexford, is hereby appointed to fill the unexpired term of Duane Lindsay as alternate representative from Vischer Ferry Fire District to the Emergency Services Advisory Board, term to expire December 31, 2013.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 36 of 2012, a resolution authorizing Myla Kramer and Diana Fraser to attend the New York State Recreation and Park Society 72<sup>nd</sup> Annual Conference and Business Expo.

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

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has requested authorization to attend the New York State Recreation and Park Society 72<sup>nd</sup> Annual Conference and Business Expo along with Diana Fraser, Parks and Recreation Program Coordinator, to be held in Saratoga Springs, New York, March 25-27, 2012, 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 Diana Fraser are hereby authorized to attend the New York State Recreation and Park Society Annual Conference and Business Expo, March 25-27, 2012, in Saratoga Springs, New York, at a cost not to exceed \$460 for both attendees, to be paid from A-7021-001 (Parks and Recreation Administration-Training & Conference).

Ms. Kramer will be hosting a tour of local Clifton Park farms.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 37 of 2012, a resolution authorizing the hiring of pool management for the 2012 season, per Schedule A.

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

WHEREAS, it is necessary that management staff be hired by the Department of Parks and Recreation to operate the three town-owned pools for the 2012 season, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that the individuals on the attached Schedule A be hired as staff for the three town-owned pools; now, therefore, be it

RESOLVED, that the individuals listed on the attached Schedule A are hereby hired as staff for the three town-owned pools, effective immediately through October 28, 2012, at the salary amounts listed.

Ms. Kramer reported after many years, Jack Fitzpatrick is stepping down as Pool Director but is remaining in the Learn to Swim program. She spoke in support of Duane Nichols taking over as Pool Director. Supervisor Barrett thanked Mr. Fitzpatrick for his many years of hard work on the pools.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 38 of 2012, a resolution authorizing David Czechowski to attend a Pool Operators Training Course in order to update his certification.

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

WHEREAS, according to Department of Health Regulations, all municipal pools must have a Certified Pool Operator and certifications must be renewed every five years, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has requested permission to have Pool Operator David Czechowski attend a course being held in Newburgh, New York, March 17-18, 2012, to update his certification as a Pool Operator, at a cost of \$305, and

WHEREAS, David Czechowski's attendance at the seminar would confer a benefit to the residents of the Town of Clifton Park; now, therefore, be it

RESOLVED, that David Czechowski, 633 Clifton Park Center Road, Clifton Park, is authorized to attend the course being offered by Pool Operation Management and the National Swimming Pool Foundation, March 17-18, 2012 in Newburgh, New York, at a cost not to exceed \$305, to be paid from SP5-7150-001 (Barney Road Pool-Training).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 39 of 2012, a resolution authorizing the Supervisor to sign a letter of agreement between the Town of Clifton Park and The Center for Initiatives in Pre-College Education of Rensselaer Polytechnic Institute, for joint sponsorship of a program to provide an educational opportunity in the field of Junior LEGO Robotics Engineering and Animation and Gaming to be held during the 2012 summer season.

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

WHEREAS, the town recognizes that the field of robotics provides an excellent educational environment which helps to introduce young minds to fields encompassing science and engineering, and

WHEREAS, the center is a pre-eminent educational institute with particular expertise and experience in these fields, with nationally recognized robotics teams and competitors, and

WHEREAS, the town and the center wish to cooperate in a program which provides an opportunity for students ages 8-11 to learn in a unique environment which enables them to interact with and learn from college level mentors and facilitators in the field of advanced LEGO Robotics and Gaming/Animation; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign a letter of agreement between the Town of Clifton Park and The Center for Initiatives in Pre-College Education of Rensselaer Polytechnic Institute for joint sponsorship of a program to provide an educational opportunity in the field of robotics and junior LEGO robotics engineering and gaming/animation.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 40 of 2012, a resolution adopting Local Law No. 2 of 2012, a local law amending Chapter 77, Unsafe Buildings Law of the Town Code, Sections 1, 3, and 4 (a), (b), (c), Section 7, (a), Section 9 (a), Section 10 (a) and (b).

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

WHEREAS, the Town Board wishes to adopt procedures to respond to isolated incidents where the abandonment of properties or extended foreclosure process results in neglect to real property, pursuant to its authority to protect the health, safety and welfare of the community, and

WHEREAS, on January 17, 2012 the Town Board conducted a public hearing to obtain input regarding the proposed changes to the Unsafe Building Law, Chapter 77 of the Town Code, 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 pursuant to Section 10 of Municipal Home Rule and pursuant to the Town's police power authority to protect health, safety and welfare, Local Law No. 2 of 2012, amending Chapter 77, Unsafe Buildings Law, is hereby amended, and be it further

RESOLVED, the Town Clerk is directed to publish appropriate notice of the same.

Director of Building and Zoning Myers noted this will give the town the ability to put the cost for maintaining where it should be instead of the town taking the cost.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 41 of 2012, a resolution scheduling a public hearing to consider a local law amending Article I, Convenience Transfer Station, Section 97.3, Permit Fees, A, B & F and Schedule A.

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

WHEREAS, it has been recommended that certain revisions be made to Article I, Convenience Transfer Station, Section 97.3, Permit Fees, A, B, & F and Schedule A, and

WHEREAS, the Town Board wishes to schedule a public hearing to obtain input regarding the proposed changes; now, therefore, be it

RESOLVED, the Town Board hereby schedules a public hearing on February 13, 2012 at 7:10 P.M. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, to consider adoption of a local law amending Article I, Convenience Transfer Station, Section 97.3, Permit Fees, A, B, & F and Schedule A; and be it further

RESOLVED, the Town Clerk is directed to publish appropriate notice of the same.

Supervisor Barrett reviewed the proposed increases and noted the last increase was in 2002. The Transfer Station is subsidized and it is hoped losses will be reduced.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Councilman Hughes noted the 2012 budget is on line. He stated the town is entering 2012 in excellent financial condition, continues to have a balanced budget and no debt or town tax and a healthy surplus.

PUBLIC PRIVILEGE

Beverly Czub, Miller Road, thanked the Board for keeping the 2012 Budget in line.

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 8:25 p.m.

Patricia O'Donnell  
Town Clerk