

April 2, 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
Steven Myers, Director of Building and Zoning
Walter Smead, Assessor

MOTION BY Councilwoman Walowit, seconded by Councilman Romano, to approve the minutes of the March 12 and 19, 2012 meetings as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Councilman Hughes announced the town has begun free yard waste pickup of leaves and brush. County Waste will be picking up on Mondays and Tuesday south of Kinns Road and on Fridays north of Kinns Road.

Councilman Hughes announced Shredding Day is scheduled for April 29th from 1-3 p.m. at the Mall.

Supervisor Barrett reminded residents of the Jonesville Fire District of the vote on April 3 to consider renovations and addition to Station No. 2.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 84 of 2012, a resolution appointing Peter M. Taubkin to the Clifton Park Water Authority.

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

WHEREAS, due to a the resignation of David Scriptor an opening exists on the Clifton Park Water Authority, and

WHEREAS, Peter M. Taubkin has been recommended to fill the unexpired term of David Scriptor, term to expire December 31, 2015, and

WHEREAS, Mr. Taubkin's presence on the Clifton Park Water Authority will confer a benefit to the town; now, therefore, be it

RESOLVED, that Peter M. Taubkin, 2 Marlboro Drive, Clifton Park, is hereby appointed to the Clifton Park Water Authority to fill the unexpired term of David Scriptor, term to expire December 31, 2015.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 85 of 2012, a resolution authorizing the Town Supervisor to sign a Lease Agreement with Fruitful Vine Christian Church for rental of the top floor of the Burning Bush Clubhouse.

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

WHEREAS, pursuant to Town Law 64 2 (a) the Town Board is authorized to lease town owned property, and

WHEREAS, Fruitful Vine Christian Church wishes to rent the top floor of the Burning Bush Clubhouse for a term of twelve (12) months, lease to expire on March 19, 2013, at an annual rent of \$21,600, and

WHEREAS, the tenant may elect to remain in possession of the property after March 19, 2013 as a month to month tenant for up to twelve (12) consecutive months; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign the attached Lease Agreement with Fruitful Vine Christian Church for rental of the top floor of the Burning Bush Clubhouse, provided that the town is provided a certificate of insurance in the amount of \$1,000,000 naming the Town of Clifton Park as additionally insured.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 86 of 2012, a resolution allowing for the consumption of alcoholic beverages at a Going Away Party on April 7, 2012.

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

WHEREAS, Walter Bidwell, 120 Southbury Road, Clifton Park, has requested a waiver of the town's "no alcohol" policy for the consumption of alcoholic beverages during a Going Away Party for his daughter-in-law entering the National Guard, party to be held on April 7, 2012 at Collins Park from 12:00 - 4:00 P.M., and

WHEREAS, it is the town’s policy to require the using group to monitor the consumption of alcohol, be responsible for the group’s activities, and to provide the town with appropriate evidence of insurance to indemnify the town; now, therefore, be it

RESOLVED, that attendees at a Going Away Party are authorized to consume alcoholic beverages on April 7, 2012 at Collins Park from 12:00 - 4:00 P.M. providing that they provide the town with a certificate of insurance in the amount of \$1,000,000, naming the Town of Clifton Park as an insured, so as to indemnify the town for any incidents which may result with the waiver of the “no alcohol” policy for the event.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 87 of 2012, a resolution authorizing replacement of the main drain box at the Country Knolls pool and to accept the quote of Clardon Swimming Pool Service, Inc. for replacement of the main drain box.

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

WHEREAS, the vain drain box at the Country Knolls pool failed on March 9, 2012, and

WHEREAS, operation of the pool requires functioning drain boxes and grates, and

WHEREAS, request for quotes were forwarded to three vendors recommended by the Department of Parks and Recreation based on experience and reputation, and

WHEREAS, Clardon Swimming Pool Service, Inc., 2199 Central Avenue, Schenectady, New York, has submitted the low quote for the work to be done, and

WHEREAS, Clardon has successfully completed numerous projects for the town at the Country Knolls and Locust Lane pools; now, therefore, be it

RESOLVED, that the Town Board accepts the quote of \$15,850 from Clardon Swimming Pool Service, Inc. and authorizes the execution of purchase orders and vouchers consistent with the Clardon bid dated March 23, 2012, to be paid from SP5-7151-200 (Country Knolls Pool-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 88 of 2012, a resolution proclaiming March 29, 2012 as Vietnam Veterans’ Day in the Town of Clifton Park.

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

WHEREAS, throughout the history of our state and nation countless brave individuals have

answered the call to patriotic duty, including Vietnam veterans who endured unspeakable hardships and risked their lives fighting for the ideals of democracy; it was on March 29, 1973 that the last 2,500 American combat troops were withdrawn from the battlefields of Vietnam, and we solemnly commemorate the 39th anniversary of this day and reflect on its significance for past, present and future generations, and

WHEREAS, American involvement in the Vietnam War - one of the longest military conflicts in America's history - began with the arrival of United States military personnel in South Vietnam in the 1950's and ended with the fall of Saigon on April 30, 1975 when the last Americans were evacuated from the United States Embassy, and

WHEREAS, during this long and difficult war, American involvement escalated to staggering statistics: over 3.4 million were deployed to Southeast Asia; 2.7 million served in the designated war zone; over 58,000 were killed in the theater of operation; 153,000 were non-mortally wounded; today, nearly four decades later, approximately 2,000 are still unaccounted for, and

WHEREAS, of the names listed on the Vietnam Memorial Wall in our nation's capital, 4,120 are those of courageous young New Yorkers who went off to fight half a world away, never to return; we recognize and thank all of our state's Vietnam veterans for their service -those who made the ultimate sacrifice, those who came home physically or emotionally scarred, and those who returned home safely to their loved ones, and

WHEREAS, we have not forgotten - nor will we ever forget - the men and women who served so honorably in the Vietnam War, like so many others who answered the call to serve in previous and subsequent wars; the selfless service and sacrifice of Vietnam veterans is an inspiring reminder of the patriotism, spirit, and courage of all who serve in our nation's armed forces; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park does hereby proclaim March 29, 2012 as Vietnam Veterans' Day.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC HEARING, 7:10 PM
REGARDING DEMOLITION AND REMOVAL OF THE
UNSAFE STRUCTURE AT 680 BRUNO ROAD

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on March 21, 2012.

Director of Building and Zoning Myers said he had been contacted by the homeowner, Mr. Moffre. He noted Peter Reilly, homeowner's attorney, is in attendance this evening and that Mr. Moffre has retained George Riebel as his architect to take on the project. It is Mr. Myer's understanding that Mr. Moffre plans to refurbish the house and is getting out of foreclosure. Mr. Myers reported there have been numerous complaints regarding this house over the last year and a half and with the complaints and the condition of the house he determined something had to be done. He said the interior has been entirely gutted down to the skeleton of the building with only the floor joists and framing on the walls left leaving the building unstable, as well as issues with the foundation wall. Mr. Myers stated the longer it sits there, the more hazardous it becomes.

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

Peter Reilly, attorney representing Mr. Moffre, said Mr. Myers is completely accurate. He noted he only became involved with this situation in the last week when Mr. Moffre called him. Mr. Reilly said he has spoken with Mr. Riebel and he has inspected the house along with Mr. Moffre and is in the process of putting some plans together for rehabilitation of the structure. Mr. Reilly said he would like to work with Mr. Myers office, Mr. Riebel and the homeowner as there is some clean up that could be done sooner rather than later and get plans together for the rehab of the structure. He said Mr. Moffre realizes something has to be done and is going to move forward with it. Mr. Reilly explained the house is still in foreclosure; however, Mr. Moffre is working that out and fully expects to retain ownership of the property and reinstate the mortgage.

Supervisor Barrett thanked Mr. Reilly for coming to the public hearing and the Board can certainly understand the hardships but there is concern for the safety of the surrounding homeowners and public safety in general. He said the Board will receive updates from Mr. Myers' and follow his lead but will be looking for progress.

Mr. Reilly said it is very hard to give a timeframe on coming out of the foreclosure as Mr. Moffre is in the process to reinstate the mortgage. He stated Mr. Moffre is still the owner of the property and the bank cannot stop him from improving it. He said the value of the property far exceeds the amount of the mortgage and noted the house sits on 25 acres.

Mr. Myers said he has met with the architect and has discussed issues with the house.

Supervisor Barrett asked Mr. Myers to continue to update the Town Board.

Everyone was given an opportunity to speak on this issue no one else wished to be heard. Supervisor Barrett declared the public hearing closed at 7:29 p.m.

PUBLIC HEARING, 7:20 PM
REGARDING THE RENEWAL OF CONSERVATION EASEMENTS

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

Town Assessor Smead explained there were 27 easements up for renewal and 21 reapplied. He explained the Conservation Easements were originally granted 15 years ago and some of the property owners are now deceased or have sold the property and in some instances there are children that are taking care of it. Of the six parcels not renewed, one family, now living in Nevada owned four parcels and if they choose, can come back next year as a new application.

The public hearing was opened for comments from the audience at 7:30 p.m.

Everyone was given an opportunity to speak in favor of or against renewal of the conservation easements and no one wished to be heard. Supervisor Barrett declared the public hearing closed at 7:30.

PUBLIC PRIVILEGE

Frank Berlin, Main Street, Jonesville, reported on the approximate ages of trees he has been measuring in various town parks, noting some as old 263 years. Mr. Berlin commended the town on open government.

Jim Baisley, Barkwood Lane., thanked the Town Board for recognizing Vietnam veterans.

Supervisor Barrett announced Captain John McKenna IV Way, street located in Exit 8 area, will be dedicated on April 15 at 11:00 a.m.

4/02/2012

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 7:45 p.m.

Patricia O'Donnell
Town Clerk