

June 11, 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  
John Scavo, Director of Planning

ANNOUNCEMENTS AND COMMUNICATIONS

None

PRESENTATION OF ARTS AND CULTURE GRANT AWARD

Arts and Culture member, Sanford Roth, introduced the \$1000 grant awardee, Xinuha Lee, Director and Artistic Director of Asian Culture, Inc. He thanked the Town Board for enabling the Arts and Culture Commission to award this grant. He reported five submissions were received. Two of Ms. Lee's students presented a "Ribbon Dance". Ms. Lee reported a Chinese Culture Gala is planned on July 29<sup>th</sup> from 10:30 a.m. to 3:00 p.m. on the Clifton Common and hopes this will become an annual event. Mr. Roth explained this grant will help pay for music, costumes, and food at the event. Alex Gutelius, Chair of the Community Arts and Culture Commission thanked the Town Board for this grant.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 157 of 2012, a resolution hiring a returning Lifeguard/Water Safety Instructor for the 2012 Season.

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

WHEREAS, it is necessary that returning staff be rehired by the Department of Parks and Recreation for the Country Knolls Pool, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that Benjamin Taylor, 187 Ashdown Road, Ballston Lake, be rehired as a Lifeguard and Water Safety Instructor; now, therefore, be it

RESOLVED, that Benjamin Taylor is rehired as a Lifeguard at Step 4, \$8.50 per hour and as a Water Safety Instructor, Step 3, and \$9.60 per hour, effective immediately through September 9, 2012.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 158 of 2012, a resolution authorizing the Supervisor to sign a lease agreement with the Shenendehowa Central School District for school buses to be used for full day and half day camp field trips.

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

WHEREAS, the Town of Clifton Park (the Lessee) operates a summer recreation program from June 27, 2012 through August 16, 2012, and

WHEREAS, many program activities involve transporting students to other locations, and

WHEREAS, Shenendehowa Central School District (the Lessor) owns certain school buses which are not needed for the transportation of students during school break periods, and

WHEREAS, the Town of Clifton Park desires to lease certain school buses to be used to transport participants in connection with program activities; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign the attached lease agreement with Shenendehowa Central School District for the lease of school buses to be used for full day and half-day camp field trips, costs to include rental fees: \$1.95 per driven mile and \$34.71 per hour for all hours the bus driver is on duty, to be paid from A-7310-099 (Summer Rec.-Day Camp Exp.) and A-7320-099 (Summer Rec.-Full-Day Day Camp Exp.).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 159 of 2012, a resolution designating an “Acting Manager” rate of pay for Head Lifeguard Kelsy Barbour when the Pool Manager is not on site.

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

WHEREAS, Kelsy Barbour is the Head Lifeguard at Locust Lane Pool and is the “Acting Manager” for when the Pool Manager is not on site, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has requested that Kelsy Barbour’s salary be adjusted for when she is “Acting Manager”; now, therefore, be it

RESOLVED, that the Town Board authorizes an adjustment be made to Kelsy Barbour’s pay rate increasing it to \$9.50 an hour for when she is “Acting Manager”, to be applied when the Pool Manager is not on site, effective retroactive from May 27, 2012 through September 9, 2012.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 160 of 2012, a resolution in connection with a block party to be held in the Stonegate-Windsor Point subdivision on June 16, 2012.

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

WHEREAS, the residents of the Stonegate-Windsor Point subdivision wish to conduct a block party on Saturday, June 16, 2012, between the hours of 1 - 8 pm and have requested permission to use a portion of Birch Hill Court for their party activities; now, therefore, be it

RESOLVED, that the residents, with the approval and advice of the Town Highway Superintendent, have permission to use a portion of Birch Hill Court on June 16, 2012 from 1 -8 pm for their party activities, but must not block off the roadway and make sure emergency vehicles can gain access to the street if needed, and be it further

RESOLVED, that the residents shall be responsible for all clean-up activities on town property or on the street right-of-way resulting from the social activity; and be it further

RESOLVED, that a copy of this resolution be sent to the applicable Fire Department, the Ambulance Corps., the Sheriff's Department and the State Police.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 161 of 2012, a resolution authorizing the Supervisor to sign a lease with de Lage Landen and a service contract through National Business Equipment Supply for a Kyocera 5500i copier.

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

WHEREAS, a need exists for a new copier to be leased for use by the majority of the offices on the upper level of town hall, and

WHEREAS, the proposed cost for leasing the copier has been budgeted per the attached schedule; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to enter into a lease agreement with de lage Landen and a service contract with National Business Equipment Supply for a Kyocera 5500i copier, for thirty-six (36) months at a cost of \$194.95 per month; and be it further

RESOLVED, that the service contract through National Business Equipment Supply is for \$0.0039 per click, funds for the lease of the copier and for the service contract to come from A-01620-00003 (General Fund-Town Hall Operations-Copier).

Comptroller Heggen reported this is approximately \$2000 less than what the town is currently paying.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 162 of 2012, a resolution consenting to amending an agreement between Clifton Park Water Authority and Malta Water Supply District No. 1 and permitting the expansion of the district.

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

WHEREAS, the Clifton Park Water Authority (“CPWA”) wishes to enter into a water supply agreement with MountainShores, LLC to supply water to 604 State Route 67 in 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, MountainShores, LLC has asked the District to provide water to 604 State Route 67 in the Town of Malta, and

WHEREAS, the parcel of land owned by MountainShores, LLC is 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, both the Town of Malta and the Clifton Park Water Authority have passed resolutions supporting the expansion of the District to provide for the supply of water to the property, and

WHEREAS, the Clifton Park Town Board desires to facilitate the supply of public water to the lands owned by MountainShores, LLC, and

WHEREAS, pursuant to 6 NYCRR Part 617.5 (c) (11) the proposal has been identified as a Type II Action, and subsequently is not subject to further environmental review; 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 MountainShores, LLC as designated on the Town of Malta’s tax map as parcel I.D. 229.-2-29-2, which parcel is more specifically described on Schedule “A” annexed hereto.

Town Attorney McCarthy explained when the Water Authority expanded to include the planned Saratoga Hospital, they built a line directly in front the veterinary facility and it is cost effective for these people to get public water as well. Memorandum of Agreement between the Towns of Malta and Clifton Park requires approval from both towns, as well as the Clifton Park Water Authority.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 163 of 2012, a resolution adopting the Draft Clifton Park Town Center Plan.

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

WHEREAS, the Town of Clifton Park was awarded a Capital District Transportation Committee (CDTC) Linkage Program Implementation Grant of \$37,500 to conduct land use planning and to create a consensus vision of the community's "Town Center" area which is located in the vicinity of Interstate 87's Exit 9, and

WHEREAS, this study was an implementation of the 2008 Exit 9 Land Use and Transportation Study of Clifton Park and Halfmoon, and

WHEREAS, the Town Board appointed a Town Center Plan Study Advisory Committee to oversee the public planning process which included significant public input opportunities, including public meetings and break-out sessions in June and October of 2011, and whose vision, findings and recommendations have been incorporated in a draft report that is available for public review, and

WHEREAS, the preparation of said land use plan, as a public planning study, is a Type 2 action under the State Environmental Quality Review Act (SEQRA) as this supports and furthers the consensus vision about the look, feel and function of a future town center in the town's existing Exit 9 commercial area, and

WHEREAS, the draft Clifton Park Town Center Plan recommendations are conceptual in nature and are intended to characterize the types of improvements that are desirable, and that may be implemented as part of future land use and transportation improvement projects, and

WHEREAS, on June 4, 2012 at 7:05 P.M. the Town Board conducted a public hearing to obtain input prior to adoption of the draft Clifton Park Town Center Plan, and

WHEREAS, the public was given the opportunity to speak in favor of or against the draft Clifton Park Town Center Plan; now, therefore, be it

RESOLVED, that the Town Board adopts the draft Clifton Park Town Center Plan; and be it further

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

Supervisor Barrett said the next step will be to look at the zoning aspect of the Exit 9 area to get into the specifics and mechanics of the land use.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Jim Baisley, Barkwood Lane, asked how sales tax revenues were tracking. Supervisor Barrett responded \$10 million has been budgeted for 2012 and he is confident revenues will reach that number. Mr. Baisley spoke in favor of the Town Center plan.

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 7:40 p.m.

Patricia O'Donnell  
Town Clerk