

April 15, 2013

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  
Richard Kukuk, Superintendent of Highways  
Mark Heggen, Comptroller

MOTION BY Councilman Hughes, seconded by Councilwoman Walowit, to approve the minutes of the April 1 and 8, 2013 meetings as presented.

**ROLL CALL VOTE**

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

Noes: None

**MOTION CARRIED**

**ANNOUNCEMENTS AND COMMUNICATIONS**

Supervisor Barrett reminded residents that the town will be giving out free tree saplings at Shen Science Discovery night on April 19<sup>th</sup>.

The Supervisor announced volunteers are needed on Saturday, April 19<sup>th</sup> at the Vischer Ferry Nature Preserve and Historic Lock 19 for a clean up day.

Supervisor Barrett reported the town recognized a \$42,000 profit from the ice arena operations in 2012, bringing the town just shy of \$300,000 in profits since 2002 when Scott Bobrow took over management of the arena. He continued at that time there was a debt of \$1.3 million on the ice arena which has been paid off bringing the town to the point where the ice arena is debt free.

Supervisor Barrett announced the ribbon cutting of the Mooney Carrese Forest was held today.

**PUBLIC PRIVILEGE ON RESOLUTIONS**

No one wished to be heard.

Resolution No. 108 of 2013, a resolution reaffirming the Town of Clifton Park's commitment to annually recognize May 1<sup>st</sup> as "Silver Star Banner Day", the permanent and official day to honor the wounded and ill soldiers of the Town of Clifton Park.

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

WHEREAS, Resolution No. 96 of 2010 was adopted by the Clifton Park Town Board proclaiming May 1<sup>st</sup> as "Silver Star Banner Day", the permanent and official day to honor the wounded and ill soldiers of the Town of Clifton Park, and

WHEREAS, the Town of Clifton Park has always honored the sacrifice of the men and women in the Armed Forces, and

WHEREAS, the Silver Star Families of America was formed to make sure we remember the blood sacrifice of our wounded and ill by designing and manufacturing a Silver Star (Service) Banner and Flag, and

WHEREAS, to date the Silver Star Families of America has freely given thousands of Silver Star (Service) Banners to the wounded and their families, and

WHEREAS, the members of the Silver Star Families of America have worked tirelessly to provide the wounded of this town and country with Silver Star (Service) banners, flags and care packages, and

WHEREAS, the Silver Star Families of America's sole mission is that every time someone sees a Silver Star (Service) Banner in a window or a Silver Star (Service) Flag flying, we remember those whose lives were sacrificed for this town, state and nation, and

WHEREAS, the people of the Town of Clifton Park wish that the sacrifice of so many in our Armed Forces never be forgotten; now, therefore, be it

RESOLVED, that the Town of Clifton Park does hereby reaffirm our appreciation of the Silver Star Families of America and honor their commitment to our wounded Armed Forces members; and be it further

RESOLVED, that the Town of Clifton Park hereby reaffirms our commitment to recognize May 1, 2013 as "Silver Star Banner Day", the official day to honor the wounded and ill soldiers of the Town of Clifton Park.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 109 of 2013, a resolution awarding the quote for the Highway Garage Drainage Project.

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

WHEREAS, on April 4, 2013, quotes were received for the above referenced contract, and

WHEREAS, the low quote for the Highway Garage Drainage Project is Pollard Excavating, Inc. in the amount of \$28,270, and

WHEREAS, as per email from McDonald Engineering dated April 4, 2013, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that Pollard Excavating, Inc. be accepted as the lowest quote; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced quote in the amount of \$28,270 to Pollard Excavating, Inc., Altamont, New York, \$21,000 to be paid from A-5132-24 (Highway General Fund-Garage Repair) and the balance of \$7,270 to be paid with transfers of \$1,000 from A-5132-200(Highway General Fund-Equipment) to A-5132 24, \$3,000 from A-5010-24 (Highway General Fund-Garage Repair) to A-5132-24 and \$3,270 from A-5132-5 (Highway General Fund-Utilities) to A-5132-24.

Supervisor Barrett said drainage from the highway garage area was flooding neighboring property.

Jack McDonald, McDonald Engineering, reviewed the specifications of the project explaining three dry wells will be installed. He said this will be about three to four days of work with probably no disruptions. From the floor, resident stating there is no more grass on her lawn, just mud, and asked if the town will take care of this. Supervisor Barrett said he can't commit at this time but will discuss with her.

Supervisor Barrett commended Mr. McDonald and the work done on the Barney Road culvert which has eliminated wet basements in the area.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 110 of 2013, a resolution establishing a policy for appointees and volunteers called to active duty.

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

WHEREAS, the Town of Clifton Park is served by a wide variety of volunteers who serve various statutory boards, advisory boards, commissions and committees, and

WHEREAS, many of our volunteers are also members of the United States Armed Services Reserves, and

WHEREAS, from time to time volunteers appointed to boards, commissions or committees are called to active service by their respective armed service, and

WHEREAS, the Town Board supports the efforts of the men and women who serve in the United States Army, Navy and Air Force Reserves, and wishes to ensure that their appointed positions in their home town remain open during extended periods of active service; now, therefore, be it

RESOLVED, that notwithstanding any other provision or policy, the positions of the men and women appointed by the Town Board to serve the people of Clifton Park shall remain open, and available to the United States Armed Services Reservists called to active duty during any period of active service.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 111 of 2013, a resolution rescheduling the Shenendehowa Senior Citizens Open House to April 27, 2013 and to authorize the use of the Shenendehowa Adult Community Center for the event.

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

WHEREAS, the Shenendehowa Senior Citizen's scheduled Open House for February 9, 2013 was canceled due to inclement weather, and

WHEREAS, the Shenendehowa Adult Community Center is sponsoring the Open House for community members to have the opportunity to stop by to check out the center, the "face lift" it has received over the past year, and to showcase some of the programs and member benefits of joining the center, and

WHEREAS, the Shenendehowa Senior Citizens have requested authorization to reschedule the Open House to April 27, 2013 at the community center, and

WHEREAS, the Shenendehowa Senior Citizens have also requested authorization to serve beer and wine at the event as well; now, therefore, be it

RESOLVED, that authorization is hereby given to the Shenendehowa Senior Citizens to use the Shenendehowa Adult Community Center for an "Open House" on April 27, 2013 from 4-6 P.M. to showcase some of their programs and member benefits of joining the center; and be it further

RESOLVED, that the sponsoring group is hereby authorized to serve beer and wine at the event.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 112 of 2013, a resolution authorizing 2012 final budget adjustments as specified in Exhibit A.

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

WHEREAS, the Comptroller has recommended that certain budget adjustments contained in Exhibit A be made to address the needs of all funds, as well as other miscellaneous expenditures as set forth in Exhibit A; now, therefore, be it

RESOLVED, that the budget adjustments specified in Exhibit A be adopted per the Comptroller's recommendations.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 113 of 2013, a resolution to recognize the Chamber of Southern Saratoga County and its membership for its commitment and contributions throughout 2012 to the "Re-discovery" of the Erie Canal Historic Double Lock 19, located in the Vischer Ferry Historic and Nature Preserve.

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

WHEREAS, the Historic Lock 19 Project preserved a precious national landmark and made it accessible once more to the citizens of Clifton Park, and the bridge placed across it facilitates improved viewing and exploration and added a unique destination site to the preserve, while facilitating continued maintenance to the facility, and

WHEREAS, the significant bridge construction materials donated by Curtis Lumber were instrumental in the completion of this project, and

WHEREAS, Douglas A. Ford, as Director of Sales and Operations of Curtis Lumber and 2012 Chairman of the Board of the Chamber of Southern Saratoga County, was an integral part of this project, providing dedicated leadership and support of the Lock 19 Project, and

WHEREAS, numerous chamber member businesses joined with Chairman Ford in furthering the Lock 19 Project through their donations of professional skills and expertise, materials, student mentoring and volunteer labor; reflecting the chamber's priority vision of improved public spaces adding to the economic vitality of the community and enhancement of the business environment, and

WHEREAS, the following local businesses joined with Chairman Ford and Curtis Lumber and participated in the Lock 19 Project:

Turner Construction – James Wachala, Project Manager  
Momentive Performance Materials - Josh Spain, Waterford Site Manager  
SMRT Architects & Engineers – Jim Landau, PE BSCP  
GE Power and Water – Paul Browning, President/CEO and Paul Kehoe, Team Leader  
William J. Keller & Sons Construction – Lee Van Pragg  
AJS Masonry Inc. - Andrew & Dino Sciocchetti  
Shenendehowa Central Schools – Jean Lorch, Science Chairman &  
Dr. Oliver Robinson, Superintendent of Schools  
Van Guilder Land Surveyors Inc. - Gil Van Guilder  
Siena Fence Company –Chris Litchfield  
County Waste – Dan Schooler  
Trex-Donna Gorski  
Legacy Timber Frames-Annemarie Mitchell

Now, therefore, be it

RESOLVED, that the Town Board wishes to acknowledge and honor Douglas A. Ford, as 2012 Chairman of the Board of the Chamber of Southern Saratoga County in recognition of his leadership and contribution to the Historic Lock 19 preservation project, and be it further

RESOLVED, we recognize that under Chairman Ford's tenure the Chamber of Southern Saratoga County not only performed great community service at Historic Lock 19 but also developed a revolutionary approach to historic preservation and revitalization called the Community Development Program, which will preserve numerous sites in Clifton Park and surrounding communities in the immediate future and encourage local officials to incorporate them into future economic development plans; and be it further

RESOLVED, that Chairman Ford's leadership ensures that our future can be built while honoring and preserving our heritage and natural environs.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 114 of 2013, a resolution authorizing the Town Supervisor to enter into an amended contract to purchase 79 ± acres of vacant land on Route 146A.

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

WHEREAS, the Town Board wishes to enter into an amended agreement with the Carrese Family to purchase 79 ± acres of vacant land at a cost of \$325,000, and

WHEREAS, the Town Board authorized the Town Supervisor to enter into a contract for the purchase and sale of real property on February 4, 2013, by Resolution No. 35 of 2013, subject to appropriation of funds through the Open Space Capital Reserve Fund and Western Clifton Park Zoning Incentive Funding Mechanism, and

WHEREAS, the permissive referendum period for the expenditure of fund for such purpose under the Open Space Capital Reserve Fund has expired without objection, and

WHEREAS, the acquisition of this land would confer a benefit to the Town of Clifton Park and its residents, and

WHEREAS, the 79 ± acres of land, located in the Town of Clifton Park, have been previously identified as follows:

Section, Lot, Block	Commonly known address
Tax Parcel 264.-2-6.21	1031 NYS Route146 A

And,

WHEREAS, the parties have agreed to enter into the attached license agreement with William Losert to utilize a 2.3 acre portion of the land for the 2013 growing season in exchange for the maintenance of said portion as well as the adjacent area as shown, and

WHEREAS, the Town Board wishes to change the name of the premises to be acquired to the Mooney Carrese Forest and not the Mooney Carrese Preserve; now, therefore, be it

RESOLVED, that the Supervisor is authorized to enter into an amended purchase and sale agreement with the Carrese Family, consistent with the attached amended contract; and be it further

RESOLVED, that the Supervisor is authorized to enter into the attached revocable license agreement with William Losert for the remainder of the 2013 calendar year, and to extend the license agreement on an annual basis consistent with the needs of the town and the maintenance requirements of the licensed premises.

Supervisor Barrett explained he received a phone call from Mr. Losert who said he farmed a small portion of the property, growing corn for his cattle, and wondered if he could continue. Town Board feels comfortable offering this with hold harmless protection and the fact that he is not growing the corn for commercial purposes but supporting his farming efforts. This will be for one year and he will have to return each year for permission.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Beverly Czub, Miller Road, asked for a Moment of Silence in recognition of the tragedy at the Boston Marathon.

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 7:40p.m.

Patricia O'Donnell  
Town Clerk