

April 20, 2015

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  
Councilwoman Standaert  
Councilman Romano  
Councilwoman Walowit  
Supervisor Barrett  
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy  
Mark Heggen, Comptroller  
Richard Kukuk, Superintendent of Highways  
John Scavo, Director of Planning

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the April 6, 2015 meeting as presented.

**ROLL CALL VOTE**

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

Noes: None

**MOTION CARRIED**

**ANNOUNCEMENTS AND COMMUNICATIONS**

Supervisor Barrett commended the Not So Common Players on their wonderful production of "Little Women".

Supervisor Barrett reminded residents of the Clifton Park Community Chorus concert on May 3<sup>rd</sup> at Shenendehowa Methodist Church at 2:00 p.m.

The Supervisor thanked all involved in Clean Sweep Saturday, noting to date there were 123 volunteers with 16 from the Green Committee and CERT group.

**PRESENTATIONS**

Dino Sciocchetti, representing the Sciocchetti Family explained his sister passed away in February and the family would like to erect a Memory Garden in her honor at Garnsey Park as gardening was her passion. He said he is working with Kulak's Nursery in this regard. Mr. Sciocchetti said his family will maintain the garden in conjunction with the town.

**REPORTS TO THE BOARD**

Superintendent of Schools Oliver Robinson introduce School Board members Bill Casey and Jim Trainor. He distributed information on and spoke of the 2015-2016 school budget to be voted on May 19<sup>th</sup> at Gowana.

Town Historian John Scherer gave his annual report for 2014, attached.

PUBLIC HEARING, 7:05 PM (7:39)  
TO CONSIDER A LOCAL LAW AMENDING  
CHAPTER 97-3 AND 97-5B

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on April 10, 2015.

Supervisor Barrett summarized the proposed local law explaining permit fees would have to be set through a public hearing and after filling the two punch cards the cost per bag will be increased from fifty cents to \$1.00.

The public hearing was opened for comments from the audience at 7:43 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 7:44.

PUBLIC HEARING, 7:07 PM (7:45)  
TO CONSIDER A LOCAL LAW REPEALING LOCAL LAW NO 10 OF 1999  
PUD INTERNATIONAL HOUSE OFFICE

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on April 10, 2015.

Director of Planning Scavo summarized the proposed local law explaining everything around this parcel has been zoned Hamlet Mixed Use and this will put this parcel in harmony with surrounding parcels. He doesn't see any harm in repealing the PUD. He said if Hamlet Mixed Use zoning had been in existence in 1999, the need for the PUD would not have come forward. The landowner requested the PUD be repealed.

The public hearing was opened for comments from the audience at 7:48 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 7:50 p.m..

PUBLIC HEARING, 7:10 PM (7:51)  
TO CONSIDER AN APPLICATION FOR AN HISTORIC CONSERVATION EASEMENT  
FOR 966 MAIN STREET

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on April 7, 2015.

Supervisor Barrett thanked the Winters and all families that partner with the town that make the Conservation Easement program successful. Councilman Whalen noted Mrs. Winters is Co-Chair of the Historic Preservation Commission and is very dedicated to historic designations in town.

The public hearing was opened for comments from the audience at 7:52 p.m.

Everyone was given an opportunity to speak in favor of or against the application and no one wished to be heard. Supervisor Barrett declared the public hearing closed at 7:53 p.m.

PUBLIC HEARING, 7:15 PM (7:55)  
TO CONSIDER A LOCAL LAW AMENDING CHAPTER 179 RELATIVE TO TOWN  
BOARD SUBDIVISION APPROVAL WITHIN THE TOWN CENTER AREA

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on April 8, 2015.

Director of Planning Scavo said this will allow the Town Board to better ensure that subdivisions projects within the Town Center area meet the spirit and intent of the town Comprehensive Plan and the intent of the zoning districts TC1 through TC6.

Town Attorney McCarthy said if this goes forward, the Board should also consider adding some definitions to the Definition Section of Chapter 179, Subdivision of Land, regarding the Town Center. Noting that the Definition Section of Chapter 179 defines the Board as the Planning Board and rather than change that multiple times throughout the Chapter, he suggested amending the Definition to "Planning Board or Town Board" as it relates to the Town Center Plan.

The public hearing was opened for comments from the audience at 7:57 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 7:58 p.m.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 96 of 2015, a resolution authorizing the placement of the Maria Sciocchetti Memorial Garden at Garnsey Park.

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

WHEREAS, the Sciocchetti Family, Rexford, New York, has expressed an interest in designing and constructing a memorial garden at Garnsey Park, and

WHEREAS, The Sciocchetti Family owns and operates AJS Masonry, Inc. which specializes in masonry and concrete services, and

WHEREAS, the Sciocchetti Family wishes to remember Maria, who passed away unexpectedly in February of this year, and to provide an open air garden and landscaped park area for use by the public, and

WHEREAS, preliminary designs with plantings have been provided to the Buildings & Grounds Department, with coordination from Michael Handerman, Buildings & Grounds Supervisor, as to location, scope and size, and

WHEREAS, the Town Board wishes to provide a proper location for the Maria Sciocchetti Memorial Garden at Garnsey Park consistent with the preliminary design and plantings plan provided; now, therefore, be it

RESOLVED, that the Town Board authorizes the design and construction of the memorial garden consistent with the attached drawings; and be it further

RESOLVED, that the Town Board thanks the Sciocchetti Family for contributions of time, materials and expertise in the design and construction of the gardens.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowitz, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 97 of 2015, 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 Town Board of the Town of Clifton Park 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, 2015 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, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 98 of 2015, a resolution authorizing 2014 Final Budget adjustments as specified in Exhibit A.

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

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, Councilwoman Standaert, Councilman Romano,  
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 99 of 2015, a resolution authorizing the Receiver of Taxes and Assessments to attend the New York State Association of Tax Receivers and Collector's Seminar.

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

WHEREAS, Christine Pagniello, Receiver of Taxes & Assessments, has requested permission to attend the New York State Association of Town's Tax Collector's Seminar to be held at the Double Tree by Hilton in East Syracuse, New York, June 7-10, 2015, at a cost not to exceed \$649.72, and

WHEREAS, the amount has been budgeted for 2015 in budget line item A-1330-1 (Tax Collector Travel & Conferences), and

WHEREAS, attendance at the seminar would confer a benefit to the town's citizens; now, therefore, be it

RESOLVED, that Christine Pagniello is hereby authorized to attend the Tax Collector's Seminar in East Syracuse, New York, from June 7-10, 2015, at a cost not to exceed \$649.72, includes registration fee, lodging and meals, to be vouchered appropriately, and to be paid from budget line item A-1330-1 (Tax Collector Travel & Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 100 of 2015, a resolution authorizing the Comptroller to accept the attached invoice from Street Treet, Inc., 30 Railroad Avenue, Albany, New York, in the amount of \$6,592.86 on Sole Source Basis.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, the Highway Department participated in a pilot program over the 2014-2015 winter season utilizing liquid salt brine as a component of its snow and ice maintenance and road clearing operations, and

WHEREAS, liquid salt brine reduces the amount of rock salt dispensed over highways and provides greater capacity for pre-treatment of roads in advance of storm events, and

WHEREAS, the Highway Department ordered up to 30,000 gallons of brine from Street Treet, Inc., 30 Railroad Avenue, Albany, New York, on a sole source basis to initiate the program without expenses for capital costs, and

WHEREAS, Street Treet, Inc. also leased certain equipment, including gas powered pumps, bulk liquid containers, pipes, hoses and a spray bar to facilitate application of the liquid brine material for the program, and

WHEREAS, Highway Superintendent Richard Kukuk advises that the liquid brine applications resulted in savings and reduced utilization of salt on the roads, and that Street Treet Inc. is the sole source for the salt brine product and leased equipment in the region; now, therefore, be it

RESOLVED, that the Comptroller is authorized to transfer \$6,592.86 from DA-5142-22 (Highway-Vehicle Expense) to DA-5142-138 (Highway-Salt), and be further

RESOLVED, that the Comptroller is authorized to accept the attached invoice from Street Treet, Inc., 30 Railroad Avenue, Albany, New York, in the amount of \$6592.86 on a sole source basis; and be it further,

RESOLVED, that the payment of \$6,592.86 to Street Treet Inc., 30 Railroad Avenue, Albany, New York, be paid from DA-5142-138 (Highway-Salt).

Superintendent of Highways explained the town participated in a trial with the Towns of Halfmoon and Guilderland. He said towns are trying to find a way to use less rock salt due to cost and also because there is an impact on the environment. He explained the process of using the brine on the roads.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 101 of 2015, a resolution accepting the attached list of alternate lifeguards to be hired, if needed, for the three town owned pools.

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

WHEREAS, each year, due to other commitments, lifeguards leave making it necessary to hire from the alternate lifeguards list, and

WHEREAS, the Town Supervisor has recommended that the individuals listed as Schedule "A", be accepted as alternate lifeguards for such purpose; now, therefore, be it

RESOLVED, that the attached Schedule "A" be accepted as the list of alternate lifeguards for the 2015 season, to be hired if needed, and be it further

RESOLVED, that the alternate lifeguards shall be paid as indicated on Schedule "A".

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 102 of 2015, a resolution adopting Local Law No. 5 of 2015 amending Section 97-3, relative to fees for use of the Transfer Station and repealing Section 97-5 (B) providing that such fees be set by resolution.

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

WHEREAS, Section 97-3 of the Town Code lists such fees as a matter of the Town Code, and Section 97-5(B) of the Code authorizes the Town Board to set user fees for the town Transfer Station by resolution, and

WHEREAS, on April 20, 2015 the Town Board conducted a public hearing to consider a local law amending Section 97-3 of the Town Code, changing the fee for additional bags of trash disposed of after exhausting the punch cards issued when purchasing a Transfer Station permit from \$.50 to \$1.00, and to repeal Section 97-5 (B), providing that such fees be set by resolution, 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, the Town Board hereby adopts Local Law No. 5 of 2015, a local law relative to amending Section 97-3 Permit Fees and repealing Section 97-5 (B), Rules and Regulations of the Town Code; and be it further

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 103 2015, a resolution accepting an application for inclusion in the Historic Conservation Easement program for a parcel of land located at 966 Main Street, Jonesville, Town of Clifton Park.

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

WHEREAS, a public hearing was held on April 20, 2015 to receive public comment regarding an application for inclusion of a parcel of land at 966 Main Street into the Historic Conservation Easement program in accordance with Chapter 125 of the Town Code, as amended, and

WHEREAS, the Town Board has considered the application and the comments received; now, therefore, be it

RESOLVED, that the application for a parcel of land located at 966 Main Street, Clifton Park (SBL 259.13-1-6) owned by Ronald and Gail Winters is hereby accepted and is granted a Historic Conservation Easement in accordance with the provisions of Article XIII of Chapter 208-78 of the Town Code; and be it further

RESOLVED, that said applicant whose parcel has been granted a conservation easement shall execute an agreement provided by the Town of Clifton Park.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Michelle Binsfeld, Valencia Lane, said it is necessary to educate drivers regarding pedestrian crosswalks and encouraged the Board to conduct a campaign to educate citizens and drivers and also to ask State Police and Sheriff's Department to enforce the law.

MOTION by Councilwoman Walowit, seconded 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 8:20 p.m.

Patricia O'Donnell  
Town Clerk