

October 1, 2007

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 Paolucci  
Councilman Hughes  
Councilwoman Walowit  
Supervisor Barrett  
Town Clerk O'Donnell

Absent: Councilman Roth

Also Present: Town Attorney Thomas McCarthy  
Mark Heggen, Comptroller  
Myla Kramer, Director of Parks, Recreation and Community Affairs  
Richard Kukuk, Superintendent of Highways  
Barbara McHugh, Director of Community Development  
Michael O'Brien, Environmental Specialist  
Michael Shahan, Town Administrator  
John Scherer, Town Historian

MOTION BY Councilwoman Walowit, seconded by Councilman Paolucci, to approve the minutes of the September 10, 2007 meeting as presented.

**ROLL CALL VOTE**

Ayes: Councilman Paolucci, Councilman Hughes,  
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

**MOTION CARRIED**

**ANNOUNCEMENTS AND COMMUNICATIONS**

Councilman Hughes reviewed the events planned for River Days to be held October 5, 6, and 7.

Town Clerk O'Donnell presented the 2008 Tentative Budget to the Town Board.

Supervisor Barrett stated there is no town property tax in the budget. Budget workshops are scheduled for October 3<sup>rd</sup> and 4<sup>th</sup>. He reported there is a strong commitment to both the Seniors and CAPTAIN and the 2008 budget keeps highway taxes stable.

Supervisor Barrett announced the resolution congratulating Alice Chase on her 100<sup>th</sup> Birthday will be presented at a later date.

**REPORT TO THE BOARD**

Bill Mackesey reported on the Town of Clifton Park Open Space, Trails and Riverfront Committee receiving the Healthy Trails, Healthy People Award from Parks & Trails New York for the Northern Loop Trail. The Northern Loop Trail involves Longkill Road, Ushers Road, Carlton Road to the Van Patten Drive Trail. The Award is in "recognition of the town's vision and longstanding commitment to providing residents with off-road access to shopping, parks, recreational fields, and nature areas through an interconnected trail system". Supervisor Barrett

10/0/2006

thanked Jerry Burr, Sheila DeMola, Bill Mackesey, Jim Ruhl and all members of the Trails Committee, as well as Councilman Paolucci, for their dedication and work involving the trails.

Environmental Specialist O'Brien reported 1170 people signed up for Hazardous Waste Day with 1052 participating.

Councilman Hughes congratulated Mr. O'Brien and all the volunteers for a great day and efficient operation.

PUBLIC HEARING, 7:10 PM  
REGARDING THE ESTABLISHMENT OF THE LONGKILL ROAD EXTENSION TO  
CLIFTON PARK SEWER DISTRICT NO. 1

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on September 20, 2007.

Town Environmental Specialist O'Brien explained this area should have been included in the original creation of the Clifton Park Sewer District No. 1. He displayed a map showing residents on the eastern side of Longkill Road in the district but the western side, totaling five lots, was not included. He explained a sewer line will be put in for the Kain subdivision and a stub provided for the Longkill subdivision which will enable residents of those subdivisions to have public sewer. Mr. O'Brien said the two lots that are individual residences will have the opportunity to tie in in the future if their septic systems should ever fail. He stated at this point, if residences are not tied in, there should be no financial implications as this will be paid for by Kain subdivision and there is no debt service for the Clifton Park Sewer District No. 1. Mr. O'Brien further explained if someone chooses to tie in there is a flat \$1000 fee.

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

Bill Mackesey, South Hollow Drive, asked if there would be an opportunity to get a right-of-way or easement for trails along with the building of the sewer line on Longkill Road. Mr. O'Brien responded the Town Board would need to make that decision. Mr. Mackesey said in the future the Town of Malta trail will come to the town line on Longkill and it would be a great opportunity to form a partnership with another town by extending the Longkill trail north to the Town of Clifton Park town line.

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one else wished to be heard. Supervisor Barrett declared the public hearing closed at 7:34 p.m.

PUBLIC PRIVILEGE ON RESOLUTIONS

Regarding hiring of The Rentokill Company, Superintendent of Highways Kukuk stated pigeons will not be killed but netting will be installed to deter them from roosting in highway garages. He reported there is no evidence of flying squirrels nesting in the garages.

Resolution No. 280 of 2007, a resolution authorizing the Town Supervisor to sign a Deposit Agreement with the Clifton Park-Halfmoon Library for the storage of certain materials in the Library's new climate controlled storage room.

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

WHEREAS, the newly constructed Clifton Park-Halfmoon Library has a climate controlled room at the Library which could safely house Town-owned historic documents; and

WHEREAS, the Clifton Park-Halfmoon Library has agreed to catalogue, display and make available to local residents for viewing, the Town of Clifton Park History Collection (manuscripts, diaries, correspondence, and certain photographs, ledgers and small artifacts); and

10/0/2006

WHEREAS, the Town of Clifton Park is desirous of providing custody, but not ownership to the Library, of certain materials comprising historic artifacts, books, and relics, which will be stored in the new climate controlled storage room so that they can be catalogued and displayed; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign the attached Deposit Agreement with the Clifton Park-Halfmoon Library, giving custody, not ownership, of certain materials, to be stored in the Library's new climate controlled storage room.

Town Historian John Scherer explained this will allow the cataloging and storage of documents which will be made available to the public. He said he is working with the Library to obtain a grant to digitize photographs.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes  
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

Resolution No. 281 of 2007, a resolution to authorize the construction of an outdoor display case for an 1883 historic Meneely bell which was recently donated to the Town of Clifton Park by the Charlton Historical Society.

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

WHEREAS, the Charlton Historical Society recently donated an 1883 Meneely Bell to the Town of Clifton Park; and

WHEREAS, the bell was cast by the Meneely Bell Company in 1883, in Troy, New York for the Jonesville Episcopal Church where it was housed until 1968 when the church was sold and the bell moved to Town of Charlton; and

WHEREAS, Myla Kramer, Director of Parks and Recreation has requested authorization to have an outdoor display case built for the bell; and

WHEREAS, the donation of this bell to the Town of Clifton Park by the Charlton Historical Society and the opportunity to display it for all to see would confer a benefit to the Town residents; now, therefore, be it

RESOLVED, that authorization is hereby given for the construction of a display case by the Buildings and Grounds Department, for the 1883 Meneely bell, at a cost of \$1000, to be paid from A7510-015 (Town Historian-other contractual).

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes  
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

10/0/2006

Resolution No. 282 of 2007, a resolution authorizing the Highway Superintendent to retain The Rentokil Company to clear the Highway Department Facilities of Pest Birds, and to remove bird infestation from the Highway Department Storage Areas, per New York State Contract.

Introduced by Councilman Walowit, who moved its adoption, seconded by Councilman Paolucci.

WHEREAS, an inspector from the New York State Department of Labor, Public Employees Safety and Health Bureau found the conditions in the pole barn and cold storage building to be a serious health concern; and

WHEREAS, a representative from The Rentokil Company has identified a feral pigeon infestation and has presented a proposal for the removal of the infestation of a total of \$11,918.00, \$6,089, for Building No. 1 and \$5,829 for Building No. 2; and

WHEREAS, the Superintendent of Highways, Richard Kukuk, has recommended that the proposal of The Rentokil Company, in the total amount of \$11,918.00 be accepted to remove the infestation in both buildings for health and safety reasons; now, therefore, be it

RESOLVED, that authorization is given to Richard Kukuk to accept the bid of The Rentokil Company in the total amount of \$11,918.00, per New York State Contract CMS 1046, to be paid from A-5132-24 (Garage-General Maintenance).

Superintendent of Highways Kukuk reported damage is being done to trucks and equipment due to pigeons' droppings. He said an inspector of the State Labor Department expressed concern that the accumulation of droppings can be a potential health threat and should be remediated immediately. Mr. Kukuk explained nylon net will be installed so the birds will not be able to roost.

#### ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes  
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

#### DECLARED ADOPTED

Resolution No. 283 of 2007, a resolution awarding the bid for the Highway Garage Storage Building Overhead Doors.

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

WHEREAS, on September 20, 2007, bids were received for the above referenced contract; and

WHEREAS, the low bidder for the Highway Garage Storage Building Overhead Doors is Bast Hatfield, Inc., Clifton Park, New York in the amount of \$24,295.00; and

WHEREAS, as per letter from McDonald Engineering, dated September 21, 2007, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that Bast Hatfield, Inc. be accepted as the lowest most responsible bidder; now therefore be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid in the amount of \$24,295.00 to Bast Hatfield, Inc., to be paid based on the following: \$11,000 from A-5132-200 (Highway Garage Equipment) and with a transfer of \$2,000 from A-5010-1 (Travel & Conference), \$3,000 from A-5010-3 (Copier), \$2,000 from A-5010-24 (General Maintenance),

10/0/2006

\$3,000 from A-5010-E-4000 (Part Time Clerk) and \$3,295 from A-5132-24 (Garage Repair) to A-5132-200 (Highway Garage Equipment).

Mr. Kukuk stated it is necessary to keep equipment out of the weather and this will also help keep the birds out of the garages.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes  
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

DECLARED ADOPTED

PUBLIC PRIVILEGE

Raymond Seymour, Nadler Road, speaking on behalf of the Friends of Clifton Park Open Space, stated the Friends was not formed by a political party and is in no way connected to a political party. He said he was a member of the original group which grew out of an effort in the fall of 1996 with the purpose to promote open space zoning for inclusion in the town's zoning update and to raise awareness among community members and town officials. He reviewed members of the original group and stated at no time was political affiliation mentioned. He read the goals of the organization.

Supervisor Barrett expressed appreciation to all involved in assisting the town with its open space endeavors.

Diane Scala, Nutmeg Court, asked if there has been a change of mind regarding the duck hunt.

Supervisor Barrett said no action has been taken by the Town Board and the duck hunt is still going on as scheduled. He reported a letter has been received from the Sportsmen Club in support of the duck hunt.

Ms. Scala said this issue is not against the hunters. She said having a bird watch at the Preserve one week and then the duck hunt is hypocritical.

Supervisor Barrett responded when New York State gave the distinction to the Vischer Ferry Preserve they must have known of the different events that take place.

Norman Goldman, London Square Drive, reiterated his concerns regarding the Planning Department position in 2006, as well as the televising of Town Board meetings where certain portions are not shown.

Arthur VanderVoort, Gloucester Street, acknowledged he is the Democratic Candidate for Supervisor. He spoke with regard to the town taking over the senior center, stating he has been told by many seniors that they are not interested in falling under complete control of the town as just another department without any control of their own. Mr. VanderVoort reported seniors have asked him to relay to the Town Board that more study needs to be done, with more seniors included, in order to see what the benefits would be.

Vernon Symes, Hubbs Road, member of the Senior Citizens Board of Directors, stated it is not definite the senior center is coming under the town. He reported a committee has been formed between the town and senior center to explore the possibility of the senior center coming under the town's wing but it is not a done deal. Supervisor Barrett said Councilman Paolucci is working with the transition committee to discuss the different issues.

10/0/2006

Patti Keelan, League of Humane Voters, Waterford, reiterated her opposition to the duck hunt in the Vischer Ferry Nature Preserve. She read documents from the Humane Society of the United States.

Dawn Shaffer, Grooms Road, Rexford, said she feels the League of Humane Voters is a special interest group. She questioned information disseminated by the League, e.g. bus loads of school children going to the Preserve, ammunition on property and windows broken. Ms. Shaffer reviewed fees, certification and training a hunter is required to go through. She questioned the League's agenda.

Ms. Keelan continued to read from aforementioned documents, as well as from articles from the U.S. Fish and Wildlife Department. She stated she is not misrepresenting any information she has been given. She further stated the League knows the only way to make the lives of animals better is to get people elected who represent the League's values.

Mr. Goldman, stating he is non-partisan, reiterated his concern regarding ice arena management financial reports. He asked that full names be on campaign signs. He said there has been a town/senior center partnership for 30 years and it appears the proposed new partnership will require more staff at the town hall. Regarding press conferences, Mr. Goldman said the way to inform the public is to let the public listen and ask questions which used to be done at Public Forums. He continued to ask that an ethics course be established and required for all town elected and appointed officials, as well as all civil service employees. Mr. Goldman asked if the 21<sup>st</sup> Century Park Senior Housing is going to provide senior citizen necessities; e.g. hand rails in hallways, easy access and special non-slip tub and shower floors, hallways to fit wheel chairs and motorized carts. Supervisor Barrett responded the senior housing is age restricted. Mr. Goldman stated 50 years of age is not a senior.

Ms. Shaffer feels misleading information has been given and questioned the value of the survey. She said it is difficult for her to comprehend that all the events stated could have occurred with no action taken by the Town Board. She questioned if the League wants to ban hunting throughout the state.

MOTION by Councilman Paolucci, seconded by Councilwoman Walowit, to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of Town business.

Motion carried at 8:40 p.m.

Patricia O'Donnell  
Town Clerk