

October 4, 2010

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

Absent: Councilman Paolucci

Also Present: Town Attorney McCarthy
Michael Shahan, Town Administrator
Mark Heggen, Comptroller
Myla Kramer, Director of Parks, Recreation and Community Affairs
Barbara McHugh, Director of Community Development
Michael O'Brien, Collection Systems Manager
John Scavo, Director of Planning

MOTION BY Councilman Hughes, seconded by Councilman Romano, to approve the minutes of the September 13 and 20, 2010 meetings as presented.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett announced the Not So Common Players production of "Working the Musical" to be presented for seven performances during October.

Former Councilman Sanford Roth gave an update on 17th Annual Hazardous Waste Day, noting 100,000 pounds of electronic equipment and 23,807 pounds of waste – e.g. chemicals, lawn materials and propane tanks were taken in. He reported 946 residents took part. Mr. Roth thanked the Town Board and volunteers, as well as vendors, for their support and efforts and hopes this event will take place again next year.

Speaking with regard to the 2011 Tentative Budget, Supervisor Barrett announced there will be no general fund town tax. He noted there will be budget workshops and a public hearing before the final budget is approved. He reported the Highway tax will increase from 15.5 cents to 17.5 per thousand of assessed value, averaging \$30 per year per homeowner. The Supervisor said there will be no layoffs and the town is saving money through attrition. He reported the obligation to NYS Retirement fund went up 83 percent. Supervisor Barrett noted there is a 3.5 percent raise for town employees, noting in 2010 he took a 5 percent pay cut and the remainder of the Town Board froze their salaries. There is a raise for Supervisor and Town Board in the budget but this is still open for discussion. He noted since there is no town tax, sales tax revenues are heavily relied upon and this has been a challenge with the reduction in sales tax revenues. Supervisor Barrett stated there is no town debt and on the revenue side County Waste

will be paying the town \$50,000 a year as part of the contract and licensing agreement with the mulching operation at the Transfer Station.

PUBLIC FORUM ON PURCHASE OF CLIFTON KNOLLS NINE HOLE
EXECUTIVE GOLF COURSE AND STONY CREEK WATERSHED

Supervisor Barrett, Director of Planning Scavo and Director of Parks, Recreation and Community Affairs Kramer gave a slide presentation, attached. The Supervisor noted this is more than just a golf course, particularly environmentally, and if the town purchased it, a lot more could be done with it.

Chris Zingley, 9 Valdepenas Lane, Co-President of the Clifton Knolls Mill Creek Civic Association, stated the Civic Association strongly supports the town's efforts to permanently protect the 39 acres of green space in the heart of the neighborhood of nearly 900 homes and the town's acquisition of the golf course. He stated there is concern the golf course could be sold and turned into housing.

Supervisor Barrett said part of the concern is that it is an area that would lend itself to further development. He reported he has received many emails in support of the purchase. (clerk's note: emails are filed in the Town Clerk's office)

Joyce Savage, Chestnut Lane, Vice Chair of the Clifton Knolls Park District, stated she is not speaking for the park district. Ms. Savage said this is an opportunity that the town should not miss, noting this is not just for Clifton Knolls residents but something that people all over the town use and the golf course and pools are town wide assets. She stated people move into Clifton Knolls because of the ambiance of the area.

Frank Berlin, Main Street, Jonesville, member of Friends of Open Space, stated the Friends wholeheartedly support this purchase and the town can't let it "slide through". The golf course has environmental, as well as recreational implications. It offers great activities for children and the school could use it for science classes, as well as offering courses on greens keeping and how to take care of a golf course environmentally. Mr. Berlin said the town could offer kayaking and canoeing. Speaking personally Mr. Berlin said this is a wise investment.

Warren Brower, 6 Locust Lane, chose Clifton Knolls because of its amenities and the golf course.

Geoff Williams, 5 Eldorado Drive, said he would love to be able to play golf for twelve or fifteen dollars.

Donna Gatazka, 6 Shetland Green, spoke in favor of the town's acquisition of the golf course and noted the town does a great job running programs. She stated purchase of the golf course is win-win for everyone.

Jim Van Houten, 46 Par Del Rio, home is by the 2nd hole, spoke in favor of purchasing the golf course but his only concern is opening the course to younger children and golf balls coming onto his property.

Cheryl Glenn, Yorktown Drive, Halfmoon, explained she runs a golf league at the course. She said revenue is brought into the town with 8 to 10 golfers a week from May to September frequenting local restaurants and stores. She recommended keeping the golf course as a town property.

Lorraine Cotnoir, 8 Barney Road, home is behind 2nd hole and has never had an issue with the proximity of the golf course. She said her family chose Clifton Knolls because of the golf course and hopes the town buys the course.

Norman Goldman, London Square Drive, wondered if there is an alternative by rezoning as recreational. He asked if there will be a charge back since town employees will be working on the course and if this has been figured into the profit.

Bill Koebbeman, Riverview Road, stated he supports the purchase of the golf course 100 percent. He said it is important to know that there will be no impact on people's taxes. Supervisor Barrett responded the property would be taken off the tax rolls and this amounts to about \$8000 in school and property taxes. He said a portion of the revenue would be set aside for any capital investments needed to be made as is done with the ice arena and sewer districts. The Supervisor said the Board is confident a decent amount of money will be cleared at the end of the year and plans are to grow the business to some extent. He noted some work needs to be done; e.g. fencing, and the bridge but this can be done over time.

Mr. Koebbeman asked how the town can be sure this is a fair price. Supervisor Barrett responded an appraisal has been done and the price is actually less than the appraisal. He commented he likes this course because it is part of the community and doesn't compete against the private sector. He stated this is not just a Clifton Knolls entity as people from all over town and out of town play the course.

Supervisor Barrett stated the town is hopeful grant funds may be obtained through the County's Land Preservation Program and this evening's show of support and the emails are important. He said he not received any negative emails on this subject.

Question from the floor asked if there is a timetable. Supervisor Barrett said a resolution could be on the agenda for next week.

Bill Casey, Par Del Rio, stated he wants to reaffirm that this area is a wonderful asset and expressed appreciation to the town and park district representatives for the "Queen of Parks". He urged the Town Board to look at purchasing the Barney Road Clubhouse as well. Mr. Casey said the building does not belong there as a commercial operation.

Peter Murray, one of the owners of the golf course, expressed appreciation to those in attendance this evening. He explained in the lease the town is looking at there is a right of first refusal in favor of the town at their option to acquire the building if they chose to down the road. Supervisor Barrett said in a perfect world the town would like to own the building but now is not the time, noting in fact the timing for purchasing the golf course is difficult enough with the economic downturn but it is very important to consider it.

Youssef Ballout, Torrero Drive, spoke in favor of the town's purchase of the golf course, noting it goes well with the general objectives of the town of additional recreation facilities. He recommended the Board make sure the property is being paid in a fair way relative to the town, not just the owner, and the price is to the benefit of town residents. Mr. Ballout said the town should also look at the possibility of zoning this property out of other uses other than for this public recreational facility.

From the floor: Concern that the town could become a landlord for private businesses if the building was purchased.

Supervisor Barrett agreed this is a concern and if purchased, could let the leases run out and use as a public building. Speaking with regard to the Locust Lane pool and clubhouse, he said a tremendous amount of money was put into those facilities. The membership rate has been raised once in 11 years and the town is happy to break even. He noted the pool and clubhouse are separate entities.

Trevor Gensch, Sandpiper Lane, asked what the financial impact on the general fund will be with this purchase and how it will take place.

Supervisor Barrett responded it will be a one-time lump-sum payment of \$1,075,000. He stated financially the town is doing very well with an undesignated surplus and tax stabilization fund totalling a little over \$9 million. He reported some of those monies have been used over the years for additional paving and for infrastructure needs and will continue this year and probably next.

Bill Connor, Eldorado Drive, spoke of Robert Van Patten's plan when building Clifton Knolls and its amenities 50 years ago and stated a loss of the golf course would be a drastic change. He reviewed what the loss of the golf course would mean, e.g. protections to the environment that

the golf course provides, destroy natural organic watershed, housing would add more impervious surfaces to the watershed and create houses on high water table land with wet basements. Mr. Conner spoke in favor of purchasing the golf course and urged strong negotiations.

MOTION BY Supervisor Barrett, seconded by Councilwoman Walowit, to adjourn the meeting for five minutes. Motion unanimously carried at 8:30 p.m.

MOTION BY Supervisor Barrett, seconded by Councilwoman Walowit, to return to the meeting. Motion unanimously carried at 8:37 p.m.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 241 of 2010, a resolution authorizing the closing of Dyer Drive and a portion of Main Street, Jonesville, for a Halloween Parade to be held on October 23, 2010.

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

WHEREAS, the Jonesville Fire Company has requested authorization to close Dyer Drive and a portion of Main Street on October 23, 2010 from 4:30 - 5:30 p.m. to hold a Halloween Parade for the children of the local community; now, therefore, be it

RESOLVED, that the Town Highway Superintendent is authorized to close Dyer Drive and a portion of Main Street to Jonesville's Station No.1 on October 23, 2010 from 4:30 - 5:30 p.m. to facilitate a local social event of the Jonesville Fire Company, and be it further

RESOLVED, that the Fire Company, with the approval and advice of the Highway Superintendent, shall block the roadway off but shall open it immediately in case of emergency service needs such as fire, police or ambulance protection, and be it further

RESOLVED, that the Jonesville Fire Company 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 Jonesville Fire Department, the Ballston Lake Ambulance Corps., Sheriff's Department and the State Police.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 242 of 2010, a resolution in connection with a Halloween Parade to be held on October 30, 2010 in the Clifton Knolls/Mill Creek community.

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

WHEREAS, the Clifton Knolls/Mill Creek Civic Association has requested authorization to have a Halloween Parade on Saturday, October 30, 2010 beginning at 10:00 am at the Barney Road Clubhouse, utilizing Barney Road, Secada Drive, Par Del Rio, Madrid Court, Locust Lane, and ending at the Locust Lane Clubhouse, and

WHEREAS, members are being encouraged to construct small floats on utility trailers, no larger than 5ft. wide by 10 ft. long, to enhance the parade festivities; now, therefore be it

RESOLVED, that authorization is given to the Clifton Knolls/Mill Creek Civic Association to conduct a Halloween Parade on Saturday, October 30, 2010, beginning at the Barney Road Clubhouse, utilizing Barney Road, Secada Drive, Par Del Rio, Madrid Court, Locust Lane and ending at the Locust Lane Clubhouse, and be it further

RESOLVED, that the Clifton Knolls/Mill Creek Civic Association shall be responsible for all clean-up activities on Town property or on the street right-of-way resulting from the parade activity; and be it further

RESOLVED, that a copy of this resolution be sent to the Clifton Park Halfmoon, Jonesville and Vischer Ferry Fire Departments, Clifton Park Halfmoon Ambulance Corp., Sheriff's Department and State Police.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 243 of 2010, a resolution authorizing the Supervisor to sign Change Order No.1 for Pollard Excavating, Inc.

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

WHEREAS, Resolution No. 87 of 2010 authorized a contract for backwash line repairs to Pollard Excavating, Inc., Altamont, New York, in an amount of \$24,878, and

WHEREAS, Change Order No. 1 was prepared by John M. McDonald Engineering in an amount of \$20,308.30 which provides for a decrease in the contract price from \$24,878 to a new contract price of \$20,308.30 a decrease of \$4,569.70; now, therefore, be it

RESOLVED, that Supervisor Barrett is hereby authorized to sign Change Order No. 1 dated May 26, 2010 for Pollard Excavating decreasing the contract amount by \$4,569.70; and be it further

RESOLVED, that the decrease amount of Change Order No. 1 for \$4,569.70 be released from encumbrances in SP5-7151-200 (Country Knolls Pool Equipment).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 244 of 2010, a resolution authorizing Citizen Corp/CERT volunteers Colleen Butler and Paul Zohn to attend the annual Citizen Corp/CERT New York State Conference in Liverpool, New York.

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

WHEREAS, the annual Citizen Corp/CERT New York State Conference will be held in Liverpool, New York, on October 7th and 8th, 2010, and

WHEREAS, Barbara McHugh, Director of Community Development, has recommended that Colleen Butler and Paul Zohn be authorized to represent the Town of Clifton Park Citizen Corp/CERT program at the annual Citizen Corp/CERT New York State Conference, and

WHEREAS, attendance at these conferences are designed to provide continuing education and awareness in the area of disaster preparedness and recovery, with this years conference focusing on the importance of planning for at-risk populations specifically older adults, children, low income communities and pets, and

WHEREAS, attendance at these seminars provide a benefit to the residents of the Town, and

WHEREAS, the cost of meals and lodging for the two volunteers will be paid for by New York State, and

WHEREAS, the cost for incidentals such as gas, tolls and mileage are estimated to be approximately \$400 for the two attendees and will be paid from A-8762-001 Citizen Corp/CERT Grant (A-8762-001); now, therefore, be it

RESOLVED, that authorization is given for Colleen Butler and Paul Zohn to represent the Town of Clifton Park Citizen Corp/CERT program at the annual Citizen Corp/CERT New York State Conference, October 7-8, 2010 in Liverpool, New York.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 245 of 2010, a resolution authorizing the hiring of a part-time laborer in the Clifton Park Sewer District No. 1.

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

WHEREAS, an opening exists for a MEO light part-time laborer for the Clifton Park Sewer District, and

WHEREAS, Michael O'Brien, Collection Systems Manager of the Clifton Park Sewer District No. 1, has recommended that Tom Ziobrowski, 23 Main Street, Rexford, be hired to fill the position; now, therefore, be it

RESOLVED, that the Town Board, as Commissioners of the Clifton Park Sewer District No. 1, hereby authorizes the hiring of Thomas Ziobrowski as MEO Light Part-Time Laborer at \$16.80 per hour, effective immediately, to be paid from G811-E4008 (Clifton Park Sewer District No. 1-Employee).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 246 of 2010, a resolution authorizing the Highway Superintendent to install “No Turn On Red” signs for the westbound approach on Clifton Park Center Road and northbound approach on Moe Road at the intersection of Clifton Park Center Road and Moe Road.

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

WHEREAS, the 2009 Manual of Uniform Traffic Control Devices (MUTCD) 2009 Edition, notes that a “No Turn on Red” sign should be considered when the following conditions exists: An unacceptable number of pedestrian conflicts with right-turn-on red maneuvers, especially involving children, older pedestrians, or persons with disabilities, and inadequate sight distance to vehicles approaching from the left (or right if applicable), and

WHEREAS, the presence of a striped crosswalk located at the eastside of the intersection crossing Clifton Park Center Road and running parallel along Moe Road is part of the Moe Road Multi-use Trail and contributes to a large volume of pedestrian traffic at the intersection utilizing the crosswalk, and

WHEREAS, the Town of Clifton Park Highway Safety Committee has recommended the installation of “No Turn on Red” restrictions on the westbound and northbound approaches of the intersection of Clifton Park Center Road and Moe Road due to unacceptable pedestrian conflicts with right turn maneuvers; now, therefore, be it

RESOLVED, that the Town Highway Superintendent is hereby authorized to install R10-11, “No Turn On Red” traffic signal signs for vehicles approaching both the northbound and westbound legs of the intersection at Clifton Park Center Road and Moe Road.

Director of Planning Scavo explained there is a high volume of pedestrian traffic at the crosswalk mostly due to the school and library as destinations and since there have been conflicts, these restrictions are appropriate.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Supervisor Barrett reported the town has lobbied DOT to repair the rippling effect at the intersections of Routes 146 and 9 and Clifton Country Road and Route 146 but has not heard from the state. He said he offered to have the town front the money and this was not accepted. His concern is these ruts will freeze and cause a safety problem and is getting worse every year.

PUBLIC PRIVILEGE

Norman Goldman, London Square Drive, said only town facilities were included in the town recreation plan and it struck him that this is a perfect example of why all such community facilities that are available to everyone in town should have been included in that inventory. He expressed concern with the proposed senior housing planned for the Century 21 site.

Beverly Czub, Miller Road, stated people will not obey the "No Right Turn on Red" signs. She asked about the sign planned for Clifton Park Center Road. Mr. Scavo responded within the next 10 days utility companies will be marking out the area, footings will be poured and will need curing for 30 days after which signs will be erected. Ms. Czub stated her support of the purchase of the golf course.

Alla Kogun, Via da Vinci, express concern with people going through red lights and asked about cameras being set up.

Deane McGeary, Locust Lane, asked if the area on Clifton Park Center Road can be designated as a school zone in order to have speed limit reduced.

Mr. Scavo said the Highway Safety Committee is looking at this and will get back to him. He said the Committee has said there is a possibility it could be under the town's purview to designate it and the Moe Road site as well as a school zone

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

Motion carried at 9:07 p.m.

Patricia O'Donnell
Town Clerk