

March 21, 2011

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  
Councilman Romano  
Councilwoman Walowit  
Supervisor Barrett  
Deputy Town Clerk Brobston

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

MOTION BY Councilman Paolucci, seconded by Councilman Hughes, to approve the minutes of the March 7, 2011 meeting as presented.

**ROLL CALL VOTE**

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

Noes: None

**MOTION CARRIED**

**PUBLIC PRIVILEGE ON RESOLUTIONS**

No one wished to be heard.

Resolution No. 97 of 2011, a resolution appointing a representative and alternate representative from the Rexford Fire District to the Emergency Services Advisory Board.

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

WHEREAS, Rexford Fire District Board of Commissioners has requested that changes in representation to the Emergency Services Advisory Board from Rexford Fire District be made, and

WHEREAS, the Board of Commissioners has recommended that Paul Van Schaick, 47 Rustic Bridge Road, Rexford, be appointed as its representative and Susan Lessard, 20 Appleton Road, Rexford as the alternate representative from the Rexford Fire District to the Emergency Services Advisory Board; now, therefore, be it

RESOLVED, that Paul Van Schaick is hereby appointed to fill the unexpired term of Randal Paquin as representative from the Rexford Fire District to the Emergency Services Advisory Board, term to expire December 31, 2011; and be it further

RESOLVED, that Susan Lessard is hereby appointed to fill the unexpired term of Charles Goody as alternate representative from the Rexford Fire District to the Emergency Services Advisory Board, term to expire December 31, 2013.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 98 of 2011, a resolution authorizing the Town Supervisor to sign a Shelter Agreement with Shenendehowa Central Schools for Tesago Elementary School.

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

WHEREAS, the Town of Clifton Park and Shenendehowa Central Schools agree that emergencies can and will occur with little or no warning, and

WHEREAS, both parties are committed to serving the children of our community, and

WHEREAS, Clifton Park Ice Arena located at 16 Clifton Common Boulevard in Clifton Park, NY, agrees to provide shelter should Tesago Elementary School need to evacuate its students and staff; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to sign a shelter agreement with Shenendehowa Central Schools for Tesago Elementary School, per the attached, to provide shelter should Tesago School need to evacuate its students and staff.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 99 of 2011, a resolution appointing Jennifer Vucetic to the Zoning Board of Appeals.

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

WHEREAS, due to the resignation of James Whalen an opening exists on the Zoning Board of Appeals, and

WHEREAS, Jennifer Vucetic, 1759 Route 9, Clifton Park, has been recommended to fill the position, and

WHEREAS, Ms. Vucetic's background will confer a benefit to the Zoning Board of Appeals and to the residents of the Town of Clifton Park; now, therefore, be it

RESOLVED, that Jennifer Vucetic is hereby appointed as a member of the Zoning Board of Appeals to fill the unexpired term of James Whalen, term to expire December 31, 2015.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 100 of 2011, a resolution appointing James Baisley as a member of the Board of Assessment Review.

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

WHEREAS, due to the resignation of Raymond Wise an opening exists on the Board of Assessment Review, and

WHEREAS, James Baisley, 22 Barkwood Lane, Clifton Park, has been recommended to fill the opening, and

WHEREAS, Mr. Baisley's membership on the board would confer a benefit to the Town of Clifton Park; now, therefore, be it

RESOLVED, that James Baisley is hereby appointed to the Board of Assessment Review to fill the unexpired term of Raymond Wise, term to expire September 30, 2011.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 101 of 2011, a resolution adopting Local Law No. 9 of 2011, a local law amending Chapter 208 regarding Solar Array Projects in residential zones.

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

WHEREAS, advances in solar energy technology have made solar projects more feasible for residential use, and

WHEREAS, Federal and State tax credits and other incentives have made solar projects more cost effective and economically feasible for residential use, and

WHEREAS, the Town Board supports the use of alternative energy including solar projects for business and residential use, but recognizes the potential for impact to adjacent users in residential settings, and

WHEREAS, on March 7, 2011 at 7:20 PM the Town Board conducted a public hearing to obtain comment from the public regarding amendments to Chapter 208 that would provide the Planning Board the jurisdiction to review siting aspects for solar projects designed for residential use, and

WHEREAS, the Town Board received comment both in favor and against the regulation of siting aspects of residential solar projects, and

WHEREAS, the Town Board wishes to provide the Planning Board with the jurisdiction to review the siting aspects of certain solar array projects in residential zones, while providing an administrative review process for smaller projects; now, therefore, be it

RESOLVED, that Local Law No. 9 of 2011 amending Chapter 208 is hereby adopted, and be it further

RESOLVED, that these amendments do not apply to de minimis landscaping lighting; and be it further

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Highway Superintendent Richard Kukuk stated the Highway Department is looking to purchase 2 heavy duty diesel trucks to be used for snowplowing and other year round duties. He explained OGS had state contracts in place with multi-year terms for previous years, however, no current contracts are in place for 2011 as of yet. Once those contracts are in place and approved by the NYS Comptrollers office ordering can begin. It will be a 6-8 month interval before delivery of the trucks. He explained in Clifton Park there are 326 cul-de-sacs which each take an additional 10-15 minutes to plow, 21 plow routes, 213 center lane miles with an average of 10 miles per plow route which takes, on a good day, 5 hours. Two additional hours are needed to go around 16 routes with cul-de-sacs. Twenty-one plow trucks are really needed to be operating. In a fleet that size, you can't expect 100% of your equipment to be operational all the time. He stated at least one to two standby trucks ready to go is what is needed. Of the 24 trucks currently in use, 10 are at least 16 years old, and standard in the industry for a plow truck is 12 years. He suggested a 10 year municipal lease to conserve capital.

Comptroller Mark Heggen explained the differences of a 5 year bond anticipation note and a 10 year municipal lease.

Discussion on recommended financing pursued.

Councilman Paolucci asked if the use of contractors for plowing was considered.

Superintendent Kukuk stated it's difficult to get contractors that own the equipment needed and have people to run them throughout the winter season. He felt it was more efficient to have our crews do the work.

Superintendent Kukuk noted the Highway Department is also responsible for snow removal on all sidewalks & trails in town and that equipment will also need to be purchased in the future.

Supervisor Barrett requested Superintendent Kukuk research contractors for availability, equipment and pricing and report back to the board with his findings.

Councilman Romano questioned when Mr. Kukuk anticipates the need for future truck purchases.

Superintendent Kukuk answered perhaps one truck a year. If bought on a 12 year cycle that would be seven trucks every 5 years. He explained the general practice in most towns is to replace one truck every year.

Resolution No. 102 of 2011, a resolution authorizing the Highway Department to purchase two new snow plow trucks, with options, from New York State contract.

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

WHEREAS, Superintendent of Highways Richard Kukuk has identified a need for two new snow plow trucks for use by the Highway Department, and

WHEREAS, this purchase will be contingent upon the State Comptrollers approval of the NYS Office of Government Services existing state contract pricing: now, therefore, be it

RESOLVED, that Highway Superintendent Richard Kukuk is hereby authorized to purchase two new snow plow trucks, with options, under state contract at a cost of up to \$399,294.56, to be paid through a ten (10) year municipal lease; and be it further

RESOLVED, that Comptroller Mark Heggen is directed to prepare appropriate lease documents and a budget.

ROLL CALL VOTE

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

Noes: Councilman Paolucci

DECLARED ADOPTED

Supervisor Barrett asked if contractors could get the roads cleared as early as possible and then the Highway Department, with the larger equipment, go back over the roads.

Superintendent Kukuk explained most of our residential streets are 30 feet wide and a contractor truck with a single plow blade would plow a 10 foot path leaving 5-6 feet away from the curb and mailboxes unplowed. He felt to plow the street correctly a wing on the plow blade is needed. He reminded the board snow plowing can be a very dangerous undertaking.

Councilman Hughes requested Mr. Kukuk to use a more formal approach to reaching out to contractors.

PUBLIC PRIVILEGE

No one wished to be heard.

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 7:55 p.m.

Teresa Brobston  
Deputy Town Clerk