

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

Also Present: Town Attorney McCarthy
Richard Kukuk, Superintendent of Highways
Mark Heggen, Comptroller
Myla Kramer, Director of Parks, Recreation and Community Affairs

MOTION BY Councilman Romano, seconded by Councilwoman Walowit to approve the minutes of the June 10 and July 1, 2013 meetings as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett announced the Not So Common Players production of "The Music Man" opens Friday, July 19 for seven performances and the Not So Common Kids Camp production of "Guys and Dolls, Jr." will be presented on July 19 and 20 at 6:00 p.m.

The Supervisor thanked all involved with the Fourth of July Celebration.

PRESENTATIONS

Joe Santiago, CEO of Clifton Park Halfmoon Ambulance, presented the Certificate of Authenticity and the town flag flown over the base hospital at Logar Provence, Afghanistan on December 12, 2012. Supervisor Barrett thanked Mr. Santiago for his service in the military and ambulance corps.

PRESENTATION OF ARTS AND CULTURE GRANT

Sandy Roth, Co-chair of the Arts and Culture Commission, thanked Mr. Santiago for his service. He presented Commission grants of \$500 each to the following recipients:

Betsy Cotton for her photos of Stoney Creek Reservoir. Ms. Cotton said she will be creating a travelling show of her photos, possibly at the library and town buildings and a dvd presentation of slides of these "relaxing photos" to be distributed to the Y, doctors' offices, and Alzheimer residences.

Annette Kovik and Jim Foster, Clifton Park/Halfmoon Library, noting 25 years of the art show in the library offering cash prizes, said part of this grant will be used to help supplement the

prizes for the art participants. Mr. Foster noted the balance of the grant will be used for the “Second Sunday Concert Series”.

REPORT TO THE BOARD

Tim Kimball of Clifton Park Soccer, gave an update of the International Soccer tourney held the weekend July 12th and thanked the Town Board for their financial support. He announced a Columbus Day weekend tournament is scheduled for the U8, 10, and 12.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 170 of 2013, a resolution permitting Timothy Ward and “Dig Deep” to serve alcohol during a fundraising softball tournament at Veteran’s Memorial Park on August 31, 2013.

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

WHEREAS, Timothy Ward and “Dig Deep”, 10A Summerwind Lane, Ballston Lake, has requested a waiver of the town’s “No Alcohol” policy for the consumption of alcohol during a charity softball tournament at Veteran’s Memorial Park on August 31, 2013, and

WHEREAS, it is the town’s policy to require the using agency to monitor the consumption of alcohol, be responsible for the group’s activities, and to provide the town with appropriate evidence of insurance to indemnify the town; now, therefore, be it

RESOLVED, that Timothy Ward and “Dig Deep” is authorized to consume alcohol during a fundraising softball tournament on August 31, 2013 from 10:00 am to 5:00 pm at Veterans Memorial Park providing that they provide the town with a certificate of insurance in the amount of \$1,000,000, naming the Town of Clifton Park as an insured, so as to indemnify the town for any incidents which may result with the waiver of the “no alcohol” policy for the event.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 171 of 2013, a resolution directing the Town Clerk to file the required certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim.

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

WHEREAS, General Municipal Law, §53 requires towns to file a certificate with the Secretary of State as an agent for service of a notice of claim, and

WHEREAS, General Municipal Law, §53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the town’s agent, and

WHEREAS, pursuant to General Municipal Law, §50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a

wrongful death action, 90 days from the appointment of a representative of the decedent's estate; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park, County of Saratoga designates Patricia O'Donnell in her capacity as Town Clerk, to receive notices of claims served upon the Secretary of State by mail at Town Clerk, One Town Hall Plaza, Clifton Park, New York, 12065 and e-mail at patodonnell@cliftonpark.org; and be it further

RESOLVED, that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the town's designation and applicable time limitation for filing a notice of claim with the town on or before July 17, 2013.

Town Attorney McCarthy said this is an amendment to the Notice of Claim statute and allows for an alternative method to serve notices of claims.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 172 of 2013, a resolution appointing Jerry S. Cifor to the Clifton Park Zoning Board of Appeals.

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

WHEREAS, due to the resignation of Amy Standaert, a vacancy exists on the Zoning Board of Appeals, and

WHEREAS, Jerry S. Cifor, 9 Balsam Way, Clifton Park, has been recommended to fill the vacancy, and

WHEREAS, Mr. Cifor's appointment to the Zoning Board of Appeals will confer a benefit to the residents of the town; now, therefore, be it

RESOLVED, that Jerry S. Cifor is hereby appointed to the Zoning Board of Appeals to fill the unexpired term of Amy Standaert, term to expire December 31, 2015.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Sanford Roth, Town Liaison for Hazardous Waste Day, reminded residents that the registration form for Hazardous Waste Day scheduled for September 7th, is available on line and in the town hall and needs to be returned no later than September 4th. Forms will also be available at the library.

Annie Friedman, 26A Leonardo Drive, reported the recent rains have caused more damage and believes this could have been caused by the installation of a new pipe on the corner of Sleepy Hollow and Leonardo Drive. She distributed photos. Superintendent of Highways Kukuk said in

mid-May a pipe from the early to mid-1970s that was filled with sediment and had collapsed was replaced with a pipe of the same size. He reviewed the logistics and topography of the area. He doesn't believe there is any additional water coming from the Northway. Superintendent Kukuk believes it is the extraordinary rainfalls with large amounts of water in a short periods of time that are causing the excess runoff. Supervisor Barrett asked if it would be possible to put a restrictive plate on the pipe. Superintendent Kukuk responded yes and the engineers could review this.

Jim Baisley, Barkwood Drive, speaking as a veteran, thanked the Town Board for signs throughout town recognizing veterans for their service.

MOTION by Councilwoman Walowit, seconded by 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 7:55 p.m.

Patricia O'Donnell
Town Clerk