

Clifton Park Town Board Meeting Minutes

October 7, 2002

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 Speckhard
Councilman Roth
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Also Present: Town Attorney Trainor
Louis Gerard, Superintendent of Highways
Patricia Haffner, Director of Parks, Recreation and Community Affairs
Michael Shahan, Town Administrator

MOTION by Councilman Paolucci, seconded by Councilman Roth, to approve the minutes of the September 9 and 16, 2002 meetings as presented.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

MOTION CARRIED

Al Williams, Coach of the Clifton Park 2002 14 Year Old Babe Ruth World Series team, expressed appreciation to the Town Board and Department of Buildings and Grounds for the physical and financial support given to the 2002 World Series, as well as in 1997 and 1999. Members of the team presented signed baseballs to the Town Board, Pat Haffner, Lou Gerard, Mike Handerhan, Judy Bayer and Mike Shahan in recognition of their assistance and support.

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett announced the second in a series of Family Safety meetings will be held October 10th.

Councilman Roth reviewed the results of the Special Collection Day, reporting 473 people took advantage of the day - 387 from Clifton Park, 40 from Halfmoon and 47 from Malta. He reported 2310 gallons of waste liquid, pesticide and corrosive, 54 cubic yards of boxes of waste liquid and aerosol, 30 propane tanks, 220 gallons of oil and antifreeze, 5 car batteries and 1 five gallon pail of household batteries were turned in.

Town Clerk O'Donnell announced the 2003 Tentative Budget has been filed with the Town Board.

REPORTS

Reports for September from the Transfer Station and Highway Department were filed with the Town Clerk.

Resolution No. 245 of 2002, a resolution authorizing the Town Historian to attend the Association of Public Historians of NY State Fall 2002 Conference from October 13 - 15, 2002. Introduced by Councilman Roth, who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, it is the intention of the Town Board to have the Town Historian attend the Association of Public Historians of NY State Fall 2002 Conference from October 13 - 15, 2002 in Chautauqua, New York, and

WHEREAS, the attendance of the Town Historian at this conference will confer a benefit upon the Town and its residents; now, therefore, be it RESOLVED, that the Town Historian is hereby authorized to attend the Association of Public Historians of NY State Fall 2002 Conference from October 13 - 15, 2002 in Chautauqua, New York at a cost not to exceed \$258, with funds to be allocated from A7510-001 (Historian-Travel & Conference). ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 246 of 2002, a resolution hiring Steven McNaughton, to the position of Junior CPR Coordinator and Health Director for 2002. Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Roth.

WHEREAS, due to the resignation of Gail Mayle a need exists for a coordinator for the Junior CPR program, and WHEREAS, said position is a budgeted item in the 2002 fiscal plan; now, therefore, be it RESOLVED, that authorization is hereby granted to hire Steven McNaughton, 6 Front Street, Waterford, as Junior CPR Coordinator and Health Director for the office of Parks, Recreation and Community Affairs, at Grade 5, Step 1 as per part-time matrix, effective immediately, as budgeted from lines A7309-83

(Community Programs-Jr. CPR Grant Exp.) and A7310-E4500 (Summer Rec.-
Staff/Counselors).

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No.247 of 2002, a resolution extending the Transfer Station hours for Fall Cleanup. Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, the Transfer Station Supervisor has requested that the Transfer Station be open on Sundays, October 20th, 27th and on November 3, and 10th, 2002 between the hours of 10 AM and 4 PM, for Fall Cleanup of leaves and brush, and WHEREAS, the Transfer Station Supervisor has proposed the attached schedule to support the extended hours of operation; now, therefore, be it RESOLVED, that the Transfer Station be open for extended hours on Sundays between October 20 through November 10, 2002 (weather permitting) for Fall Cleanup of leaves and brush and that the Comptroller is authorized to expend funds for the same per the attached schedule from budget line item A-8160-074 Solid Waste Management-CTS Overtime).

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 248 of 2002, a resolution appointing two Laborers in the Buildings and Grounds Department. Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Speckhard. WHEREAS, openings exists in the Buildings and Grounds Department for two Laborers, and WHEREAS, Michael Handerhan, Director of Buildings and Grounds, has recommended that Dominique Scott Fraser, 28 Dunsbach Road, Clifton Park, and Todd Patrick Kirchofer, 1046 Forest Road, Schenectady, be appointed to fill the positions; now, therefore, be it RESOLVED, that Dominique Scott Fraser, 28 Dunsbach Road, Clifton Park, and Todd Patrick Kirchofer, 1046 Forest Road, Schenectady, are hereby appointed to the positions of Laborers in the Buildings and Grounds Department, Grade 3, Step 1, \$22,203 per year, effective October 8, 2002, to be budgeted from A-7110-E3000 (Buildings & Grounds-MEO Light). ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 249 of 2002, a resolution proclaiming October 31, 2002 “Trick-or Treat for UNICEF” Day. Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Roth.

WHEREAS, “Trick-or-Treat for UNICEF” began in Philadelphia in 1950 when a youth group collected seventeen dollars in decorated milk cartons on Halloween to help children overseas, and WHEREAS, since that time, the children of the United States have collected more than \$115 million by going door-to-door with the U.S. Fund for UNICEF’s trademark orange collection boxes on Halloween, and WHEREAS, today, “Trick-or-Treat for UNICEF” provides the opportunity for school children and young adults to learn about their peers in the developing world, while also raising funds to help improve their lives, and WHEREAS, fund raising efforts like “Trick-or-Treat for UNICEF” have helped 80 percent of the world’s children become immunized against the top six deadliest diseases, saving three million lives each year, making way for the two-thirds of world children that now have completed primary school, and WHEREAS, in 2001, \$4 million was collected in the nearly five million “Trick-or-Treat for UNICEF” collection boxes that were distributed across the United States, in every state, and WHEREAS, the “Trick-or Treat for UNICEF” program provides children of the United States the chance to perform a selfless deed and gain a valuable educational experience, giving them a better sense of the world in which they live and the lives of other children around the world; now, therefore, be it RESOLVED, that the Town of Clifton Park hereby proclaims October 31, 2002 to be “Trick-or-Treat for UNICEF” Day and urges all the citizens of the Town of Clifton Park to recognize this event and participate fittingly in its observance.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 250 of 2002, a resolution authorizing the Town Supervisor to enter into an agreement with Water Pollution Control Services to operate and maintain the Olde Nott Farm Wastewater Treatment System. Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Roth.

WHEREAS, quotes were solicited and received for Wastewater Treatment Services for Olde Nott Farm Sewer District, and WHEREAS, Water Pollution Control Services was the lowest conforming bidder at \$1500 per month to provide for the Operation and General Maintenance Services for the Olde Nott Farm Wastewater Treatment System,

and \$300 per month for the Collection System, and WHEREAS, the Town Board of the Town of Clifton Park acting as Commissioners of the Olde Nott Farm Sewer District No. 1 wishes to contract with Water Pollution Control Services for the Operation and General Maintenance Services of the Olde Nott Farm Wastewater Treatment System, and WHEREAS, such an agreement with Water Pollution Control Services is consistent with the Town Board's efforts to protect the health, safety and welfare of the community; now, therefore, be it RESOLVED, that the Town Board, acting as Commissioners of the Olde Nott Farm Sewer District, is hereby authorized to enter into an agreement with Water Pollution Control Services to provide for the Operation and General Maintenance of the Olde Nott Farm Wastewater Treatment System at a total monthly cost of \$1800 as budgeted, effective November 1, 2002.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 251 of 2002, a resolution authorizing the Town Supervisor to enter into an agreement with Water Pollution Control Services to operate and maintain the Riverview Landing Water Treatment System. Introduced by Councilman Roth, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, quotes were solicited and received for Wastewater Treatment Services for the Riverview Landing Sewer District, and WHEREAS, Water Pollution Control Services was the lowest conforming bidder at \$100 per month to provide operation and general maintenance services for the Riverview Landing Wastewater Treatment System, and WHEREAS, the Town Board of the Town of Clifton Park acting as Commissioners of the Riverview Landing Sewer District No. 1 wishes to contract with Water Pollution Control Services for the operation and maintenance of the Riverview Landing Wastewater Treatment System, and WHEREAS, such an agreement with Water Pollution Control Services is consistent with the Town Board's efforts to protect the health, safety and welfare of the community; now, therefore, be it RESOLVED, that the Town Board, acting as Commissioner of the Riverview Landing Sewer District, is hereby authorized to enter into an agreement with Water Pollution Control Services to provide for the operation and general maintenance of the Riverview Landing Wastewater Treatment System at a monthly cost of \$100 as budgeted, effective November 1, 2002.

Supervisor Barrett expressed appreciation to the Clifton Park Water Authority for operating and maintaining these sewer systems in the interim.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 252 of 2002, a resolution accepting a bid for the purchase of trees and shrubs and authorizing a budget transfer within the Clifton Knolls Park District. Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Speckhard.

WHEREAS, the Clifton Knolls Park District has requested that Michael Handerhan, Supervisor of Buildings and Grounds, obtain estimates for the purchase and installation of trees and shrubs for the Clifton Knolls Park District, and WHEREAS, quotes were received and the quote of Kulak's Nursery for \$9830 was the lowest conforming quote for the purchase and installation of trees and shrubs, and WHEREAS, Michael Handerhan, Supervisor of Buildings and Grounds has recommended that the quote of Kulak's Nursery in the amount of \$9830 for the purchase and installation of trees and shrubs be accepted; now, therefore, be it RESOLVED, that the quote of Kulak's Nursery in the amount of \$9830 be accepted for the purchase and installation of trees and shrubs for the Clifton Knolls Park District; and be it further RESOLVED, that the Supervisor of Buildings and Grounds and the Comptroller are authorized to transfer from the Clifton Knolls Park District (SP3-909) \$9830 to Clifton Knolls Park District (SP3-7131-200) for the purchase and installation of trees and shrubs for the Clifton Knolls Park District . It was noted this is at the request of the Clifton Knolls Park District.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No.253 of 2002, a resolution authorizing the Highway Superintendent to install a stop sign at the intersection of Birch Hill Court and Birch Hill Road and remove a dead end sign. Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilman Roth.

WHEREAS, a study of the intersection of Birch Hill Court and Birch Hill Road has been conducted by McDonald Engineering, and WHEREAS, McDonald Engineering has recommended that a stop sign be installed at the intersection of Birch Hill Court and Birch Hill Road, and WHEREAS, the Highway Superintendent agrees with McDonald Engineering's recommendation; now, therefore, be it RESOLVED, that the Highway Superintendent is hereby authorized to install a stop sign at the intersection of Birch Hill Court and Birch Hill Road and to remove the dead end sign that is no longer needed.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 254 of 2002, a resolution authorizing the Comptroller and the Assistant Comptroller to attend the NYS-GFOA Conference October 10 - 11, 2002. Introduced by Councilman Speckhard, who moved its adoption, seconded by Councilman Roth. WHEREAS, the New York State Government Finance Officers Association (NYS-GFOA) Conference will be held in Bolton Landing, New York, October 10 - 11, 2002, and WHEREAS, Mark Heggen, Comptroller for the Town of Clifton Park has requested authorization to attend this conference along with the Assistant Comptroller James Tunney, and WHEREAS, Mr. Heggen's and Mr. Tunney's attendance at this conference will confer a benefit upon the Town of Clifton Park; now, therefore, be it RESOLVED, that Mark Heggen, Comptroller for the Town of Clifton Park, and James Tunney, Assistant Comptroller for the Town, are hereby authorized to attend the NYS-GFOA Conference in Bolton Landing, New York, October 10 - 11, 2002, at a total cost not to exceed \$211.00 to be paid from A-1315-1 (Comptroller-travel and conference).

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 255 of 2002, a resolution approving the purchase of a voice mail system for the Public Safety Building. Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilman Paolucci. WHEREAS, a need exists to upgrade the Voice Mail System for the Public Safety Building, and WHEREAS, the Town Supervisor has recommended that a system be purchased from Allied Telcom; now, therefore, be it RESOLVED, that the Town Supervisor is hereby authorized to purchase a voice mail system for the Public Safety Building from Allied Telcom at a cost of \$3095 to be paid for with a transfer from the Contingency Fund to A-1621-200 (Equipment).

It was noted this system is for the NY State Police and can include the courts should they decide to use the system.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 256 of 2002, a resolution setting a public hearing to consider Local Law No. ___ of 2002, a local law Regulating Noise in the Town of Clifton Park.

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

WHEREAS, a public concern has arisen from excessive or unreasonable noises within the Town, and

WHEREAS, public hearings were held on May 6, 2002 and August 19, 2002 and the comments of the public were duly considered, and

WHEREAS, the Town Board wishes to solicit additional comments from the public regarding the proposed enactment of the attached local law; now, therefore, be it;

RESOLVED; that a public hearing be set for Tuesday, October 15, 2002 at 7:10 p.m. in the Wood Memorial Room, 1 Town Hall Plaza, to consider the adoption of Local Law No. ____ of 2002, a local law Regulating Noise in the Town of Clifton Park.

Councilman Paolucci said the Board's intent has not changed. The hours remain 10:00 p.m. to 7:00 a.m. There have been some language changes to make it the legislation clearer.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 257 of 2002, a resolution transferring three mechanical voting machines to the City of Saratoga Springs.

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

WHEREAS, due to the purchase of electronic voting machines, the Town of Clifton Park has excess mechanical voting machines which have exceeded their useful life to the Town, and

WHEREAS, storage space and repair parts for the excess machines is both limited and expensive such that transferring the machines will result in a financial savings to the Town, and

WHEREAS, the City of Saratoga Springs is in need of three mechanical voting machines and has requested same from the Town of Clifton Park, and

WHEREAS, the City of Saratoga Springs will arrange for pickup of these machines “as is”; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park hereby authorizes the transfer of three mechanical voting machines to the City of Saratoga Springs, at no charge.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 258 of 2002, a resolution regarding Eminent Domain Procedure Law Determination and Findings. PIN 1753.43 COUNTY ROAD 90/VISCHER FERRY ROAD (CLIFTON PARK CENTER ROAD TO PLAID PLACE) AND USHERS ROAD (COUNTY ROAD 82/LONG KILL ROAD TO U.S.ROUTE 9) TOWN OF CLIFTON PARK SARATOGA COUNTY Introduced by Councilman Roth, who moved its adoption, seconded by Councilman Paolucci.

WHEREAS, in February 1991, the Town of Clifton Park caused the Town of Clifton Park’s Planning Board to prepare and present a Generic Environmental impact Statement (GEIS) for the Vischer Ferry Corridor. The Vischer Ferry Road Corridor is bounded by Miller Road, New York State Route 146, Vischer Ferry Road, and Grooms Road; and WHEREAS, the Generic Environmental Impact Statement (GEIS) identified the need for infrastructure improvements based on existing deficiencies and projected traffic growth; and WHEREAS, in November 1992, the Town of Clifton Park requested that the Capital District Transportation Committee (CDTC) consider including Clifton Park Center Road, Vischer Ferry Road, and Ushers Road to the New York State Department of Transportation (NYSDOT) Region 1’s Five-Year Capital Program as a roadway in need of rehabilitation; and WHEREAS, in February 1995, an Initial Project Proposal (IPP) was prepared and approved by the New York State Department of Transportation (NYS DOT); and WHEREAS, in October 1997, at the Project Scoping Meeting the Town of Clifton Park requested that the eastern project limit for roadway improvements along Clifton Park Center Road be reduced from the Clifton Country Road intersection to the Moe Road intersection and that the inclusion of bicycle and pedestrian facilities from the

then stated project limits to Clifton Country Road be evaluated as a separate Town of Clifton Park project and that the then project limit for the evaluation of pedestrian facilities on Ushers Road be extended from Van Patten Drive east to U. S. Route 9; and WHEREAS, in March 1999, an Expanded Project Proposal (EPP) was prepared and approved by the New York State Department of Transportation (NYSDOT); and WHEREAS, the Expanded Project Proposal (EPP) identified deficiencies throughout the project area and evaluated economic, engineering, environmental, historical, and social issues; and WHEREAS, the Expanded Project Proposal (EPP) recommended the Resurfacing, Restoration, and Rehabilitation (3R) Alternative as the preferred alternative; and WHEREAS, on May 4, 2000 for Clifton Park Center Road and Vischer Ferry Road and on May 11, 2000 for Ushers Road, public information meetings were held to introduce interested parties to the proposed project and gather comments and concerns from local residents and property owners; and WHEREAS, based on the analysis of comments received and a public review of the project and comments received at or following the project's two public information meetings, the Town of Clifton Park deemed that, due to the complexity associated with developing a new alignment of Clifton Park Center Road, that the project would be divided into two separate projects. The Town of Clifton Park and the Capital District Transportation Committee (CDTC) decided to progress Vischer Ferry Road and Ushers Road as one project and to evaluate Clifton Park Center Road as a separate project; and WHEREAS, in December 2000, the Town of Clifton Park and the New York State Department of transportation (NYS DOT) agreed to construct a sidewalk along Ushers Road between Van Patten Drive and U.S. Route 9 and a sidewalk and multi-use path along Long Kill Road between Hatlee Road and Ushers Road; and WHEREAS, in July 2001, the Clifton Park Center Road project was deleted from the Capital District Transportation Committee's (CDTC) Transportation Improvement Plan (TIP); and WHEREAS, on June 17, 2002 and in accordance with Article 2 of the Eminent Domain Procedure Law, the oral presentation and comment phase of a public hearing was held at the Clifton Park Town Hall, One Town Hall Plaza, Clifton Park, New York, for the purpose of informing the public and to review the public use to be served and the public benefit to be obtained by the aforementioned proposed public project, and to consider all other matters appropriate to that project; and WHEREAS, during the course of the aforementioned oral presentation phase of the public hearing, all matters required by the Eminent Domain procedure law appropriate to such public hearing were identified and explained to persons in attendance, and such persons in attendance were given an opportunity to, and did, speak and comment on the proposed public project and to examine documents presented; and WHEREAS, at the conclusion of the oral presentation phase of the aforementioned public hearing, the hearing was adjourned and continued for thirty days, for the purpose of receiving written comments on the proposed public project; and WHEREAS, during the continuation of the hearing, the Town of Clifton Park received written comments on the proposed public project; and WHEREAS, at the close of business on July 17, 2002 the aforementioned public hearing concluded, and the record closed; and WHEREAS, the minutes of such public hearing were transcribed and made available together with the exhibits and other documents, if any, which were identified or made available during the oral presentation phase thereof, for inspection and examination by the public at the office of the Clifton Park town Clerk and the office of the Saratoga County Clerk; and

WHEREAS, based on the analysis of comments received and a public review of the project and comments received at or following the project's Eminent Domain Procedure Law public hearing, the Town of Clifton Park requested that the Capital District Transportation Committee (CDTC) reduce the project scope as follows: Vischer Ferry Road, no change requested; Long Kill Road, modify the scope of the pedestrian improvement between Ushers Road and Long Kill Road from a multi-path to a concrete sidewalk and extend the rehabilitation limits of Long Kill Road to the north to Long Kill Park and to incorporate incremental geometric improvements; Ushers Road, improvements at the intersection of Ushers Road and Long Kill Road to include incremental geometric improvements on the Ushers Road approach with pedestrian accommodations (sidewalk) for the length of the approach reconstruction and pedestrian accommodations (sidewalk) along Ushers Road from Van Patten Road to U.S. Route 9; and WHEREAS, the Town of Clifton Park, acting as lead State Environmental Quality Review Act (SEQRA) agency, completed all appropriate SEQRA processing in accordance with applicable laws, rules and regulations, and otherwise considered the general effect of the proposed project on the environment; and WHEREAS, the Town of Clifton Park considered the general effect of the proposed project on the residents and businesses of the locality in which the proposed project is to be undertaken; and WHEREAS, the Town of Clifton Park representatives met with persons who may be affected by the proposed public project and made every effort to minimize the impact that the proposed public project will have on adjacent properties; and WHEREAS, the following alternatives were considered: 1. No Build, 2. Resurfacing, Restoration, and Rehabilitation (3R), and 3. Reconstruction; now, therefore, be it RESOLVED, that the following constitutes the Determination and Findings of this Body with respect to the proposed County Road 90/Vischer Ferry Road (Clifton Park Center Road to Plaid Place) and Usher Road (County Road 82/Long Kill Road to U.S. Route 9), Town of Clifton Park, Saratoga County, New York project: 1. The public use, benefit or purpose to be served by the proposed public project is the rehabilitation of Vischer Ferry Road beginning approximately 50 meters (165 feet) to the north of the Clifton Park Center Road intersection and terminating at a point approximately 30 meters (98 feet) north of the Plaid Place intersection and the construction of a multi-use path from the intersection of Clifton Park Center Road to Plaid Place; the rehabilitation of Long Kill Road beginning at its intersection with Hatlee Road and terminating to the north at Long Kill Park and the construction of a concrete sidewalk from Hatlee Road to Long Kill Park; and intersection improvements at Ushers Road and Long Kill Road including the construction of a concrete sidewalk and the construction of a concrete sidewalk along Ushers Road from Van Patten Drive to U.S. Route 9. 2. The proposed public project will resurface, restore, and rehabilitate (3R), Vischer Ferry Road to a typical section of one 3.3 meter (11 feet) travel lane and a 1.2 meter (4 feet) shoulder in each direction. A 3.3 meter (11 feet) southbound left turn lane will be included at the Clifton Common Boulevard intersection. The proposed improvement will generally follow the existing roadway centerline and the vertical profile will be raised approximately 80 millimeters (3 inches) above the existing profile. Other improvements include the installation of edge drains for subsurface drainage, improvements to roadside surface drainage, sign upgrades and pavement stripes, and addressing other roadside issues, as needed. The construction of a 3 meter (10 feet) multi-use path on a separate off road facility from the intersection

of Clifton Park Center Road to Plaid Place. 3. The proposed public project will resurface, restore, and rehabilitate (3R), Long Kill Road beginning at its intersection with Hatlee Road and terminating to the north at Long Kill Park. The roadway section will consist of 3.0 meter (10 feet) travel lane and a 1.2 meter (4 feet) shoulder in each direction. The non-standard 96 meter (315 feet) horizontal curve will be flattened to provide a non-standard 125 meter (410 feet) horizontal curve. Other improvements will include the installation of a traffic signal at the Ushers Road intersection, reconstruction of the driveway at Stewart's, the installation of edge drains, improvements to roadside side surface drainage, sign upgrades and pavement stripes, and addressing other roadside issues, as needed. The construction of a 1.5 meter (5 feet) concrete sidewalk from Hatlee Road to Long Kill Park. 4. The proposed public project will make intersection improvements at Ushers Road and Long Kill Road including improvements to the Ushers Road approach profile, installation of a traffic signal and the construction of a 1.5 meter (5 feet) concrete sidewalk along the north side of Ushers Road to Windsor Point. The project will also include the construction along Ushers Road from Van Patten Drive across the Interchange 10 over Interstate 87 to U.S. Route 9. 5. The Determination and Findings are based on the following benefits, purposes, and statements as they relate to the proposed public project:

a. Geometrics:

1. Vischer Ferry Road: The proposed roadway complies with the 3R Standards (Non-Freeway) Design Criteria based on an Urban Collector Functional Classification and off-peak 85th percentile speeds. The proposed multi-use path complies with the American Association of State Highway and Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities.
2. Long Kill Road: The proposed roadway complies with the 3R Standards (Non-Freeway) Design Criteria based on an Urban Collector Functional Classification and off-peak 85th percentile speeds. The proposed sidewalks comply with the Federal Register, Part II, Architectural and Transportation Barriers Compliance Board, 36 (FR Part 1191 American with Disabilities Act Accessibility Guidelines for Buildings and Facilities; State and Local Government Facilities; Final Rule.
3. Ushers Road: The proposed roadway complies with the 3R Standards (Non-Freeway) Design Criteria based on an Urban Collector Functional Classification and off-peak 85th percentile speeds. The proposed sidewalks comply with the Federal Register, Part II, Architectural and Transportation Barriers Compliance Board, 36 (FR Part 1191 American with Disabilities Act Accessibility Guidelines for Buildings and Facilities; State and Local Government Facilities; Final Rule.

b. Traffic Forecasts, Level of Service, and Safety Considerations:

1. Vischer Ferry Road: The forecasted build condition traffic volumes are the same as the forecasted no build traffic volumes. A storage length of at least 60 meters (200 feet) will be provided for the southbound left-turn at the intersection of Vischer Ferry Road and Clifton Commons Boulevard. Accident data do not indicate any specific safety deficient locations.
2. Long Kill Road: The forecasted build condition traffic volumes are the same as the forecasted no build traffic volumes. Accident data do not indicate any specific safety deficient locations.
3. Ushers Road: The forecasted build condition traffic volumes are the same as the forecasted no build traffic volumes. Accident data do not indicate any specific safety deficient locations.

c. Pavement:

1. Vischer Ferry Road: Milling and patching high severity cracks, cleaning and filling cracks, and overlay with a 40 millimeter (1.5 inches) asphalt concrete binder course and a 40 millimeter (1.5 inches) top course. A full depth asphalt pavement section will be constructed on both sides to

provide 1.2 meters (4 feet) wide shoulders and a 3.3 meter (11 feet) southbound left turn lane at Clifton Commons Boulevard. The full depth asphalt concrete pavement section will include 40 millimeter (1.5 inches) asphalt concrete top course, 40 millimeter (1.5 inches) asphalt concrete binder course, 100 millimeter (4 inches) asphalt concrete base course, and 300 millimeter (12 inches) subbase material. 2. Long Kill Road: Milling and patching high severity cracks, cleaning and filling cracks, and overlay with a 40 millimeter (1.5 inches) asphalt concrete binder course and a 40 millimeter (1.5 inches) top course. A full depth asphalt pavement section will be constructed on both sides to provide 1.2 meters (4 feet) wide shoulders. The full depth asphalt concrete pavement section will include 40 millimeter (1.5 inches) asphalt concrete top course, 40 millimeter (1.5 inches) asphalt concrete binder course, 100 millimeter (4 inches) asphalt concrete base course, and 300 millimeter (12 inches) subbase material. 3. Ushers Road: Milling and patching high severity cracks, cleaning and filling cracks, and overlay with a 40 millimeter (1.5 inches) asphalt concrete binder course and a 40 millimeter (1.5 inches) top course. A full depth asphalt pavement section will be constructed on both sides to provide 1.2 meters (4 feet) wide shoulders. The full depth asphalt concrete pavement section will include 40 millimeter (1.5 inches) asphalt concrete top course, 40 millimeter (1.5 inches) asphalt concrete binder course, 100 millimeter (4 inches) asphalt concrete base course, and 300 millimeter (12 inches) subbase material. d. Structures: 1. Vischer Ferry Road: No structure or large culvert involvement. 2. Long Kill Road: No structure or large culvert involvement. 3. Ushers Road: No structure or large culvert involvement. e. Hydraulics: 1. Vischer Ferry Road: No hydraulics study required. 2. Long Kill Road: No hydraulics study required. 3. Ushers Road: No hydraulics study required. f. Drainage: 1. Vischer Ferry Road: Surface drainage will be improved by regrading existing ditchlines and constructing new ditches, where practical. Edge drains will be installed. The installation of gutters, adjacent to the multi-use path, will be considered in areas where the topography restricts ditch construction and where right of way is limited. Existing driveway pipes will be replaced, as necessary. Existing drainage patterns will be maintained, where possible. 2. Long Kill Road: Surface drainage will be improved by the construction of a closed drainage system along the curb lines and by regrading existing ditchlines and constructing new ditches, where practical. Edge drains will be installed. Existing driveway pipes will be replaced, as necessary. Existing drainage patterns will be maintained, where possible. 3. Ushers Road: Surface drainage will be improved by the construction of a closed drainage system along the curb lines and by regrading existing ditchlines and constructing new ditches, where practical. Edge drains will be installed. Existing driveway pipes will be replaced, as necessary. Existing drainage patterns will be maintained, where possible. g. Maintenance Responsibility: 1. Vischer Ferry Road: Continued as before the proposed project. The Town of Clifton Park will be responsible for maintaining the multi-use path. 2. Long Kill Road: Continued as before the proposed project. 3. Ushers Road: Continued as before the proposed project. h. Maintenance and Protection of Traffic: 1. Vischer Ferry Road: Traffic will be maintained during construction operations through staged construction and through the use of methods established in accordance with the New York State Department Manual of Uniform Traffic Control Devices (NYSMUTCD). Special provisions for peak hour, special event or seasonal restrictions and coordination with other projects in the area will be included in the contract plans. The construction will not require off-site detours. All construction

activities will be coordinated with local emergency response services. 2. Long Kill Road: Traffic will be maintained during construction operations through staged construction and through the use of methods established in accordance with the New York State Department Manual of Uniform Traffic Control Devices (NYSMUTCD). Special provisions for peak hour, special event or seasonal restrictions and coordination with other projects in the area will be included in the contract plans. The construction will not require off-site detours. All construction activities will be coordinated with local emergency response services. 3. Ushers Road: Traffic will be maintained during construction operations through staged construction and through the use of methods established in accordance with the New York State Department Manual of Uniform Traffic Control Devices (NYSMUTCD). Special provisions for peak hour, special event or seasonal restrictions and coordination with other projects in the area will be included in the contract plans. The construction will not require off-site detours. All construction activities will be coordinated with local emergency response services. i. Soils and Foundations: 1. Vischer Ferry Road: In order of increasing depth, the current conditions are asphalt concrete pavement, gravel fill, sandy fill, and natural sand. 2. Long Kill Road: In order of increasing depth, the current conditions are asphalt concrete pavement, gravel fill, sandy fill, and natural sand. 3. Ushers Road: In order of increasing depth, the current conditions are asphalt concrete pavement, gravel fill, sandy fill, and natural sand. j. Utilities: 1. Vischer Ferry Road: The project will require relocation of aboveground public utilities owned by Verizon, Time Warner, and Niagara Mohawk Power Corporation. This project will require the relocation of portions of the municipally owned and operated water and sewer systems. 2. Long Kill Road: The project will require relocation of aboveground and underground public utilities owned by Verizon, Time Warner, and Niagara Mohawk Power Corporation. 3. Ushers Road: The project will require relocation of aboveground and underground public utilities owned by Verizon, Time Warner, and Niagara Mohawk Power Corporation. k. Railroads: 1. Vischer Ferry Road: There are no railroads. 2. Long Kill Road: There are no railroads. 3. Ushers Road: There are no railroads. l. Right of way: 1. Vischer Ferry Road: Approximately 12 fee acquisitions (strip) and 0 temporary and permanent easement will be required. 2. Long Kill Road: Approximately 4 fee acquisitions (strip) and 0 temporary and permanent easement will be required. 3. Ushers Road: Approximately 1 fee acquisition (strip) and 0 temporary and permanent easement will be required. m. Landscaping Development 1. Vischer Ferry Road: The project will involve the disturbance to the landscaping abutting the roadway for grading, drainage, and for the construction of the multi-use path. Landscaping will be incorporated to mitigate any perceived impacts, where practical. 2. Long Kill Road: The project will involve the removal of trees and overgrowth and the disturbance to the landscaping abutting the roadway for grading and drainage. Landscaping will be incorporated to mitigate any perceived impacts, where practical. 3. Ushers Road: The project will involve the disturbance to the landscaping abutting the roadway for grading and drainage. Landscaping will be incorporated to mitigate any perceived impacts, where practical. n. Provisions for Pedestrians, Including Persons with Disabilities: 1. Vischer Ferry Road: A 3 meter (10 feet) asphalt concrete multi-use path for pedestrian and bicycle use will be constructed. 2. Long Kill Road: A 1.5 meter (5 feet) concrete sidewalk for pedestrian use from Hatlee Road to Long Kill Park will be constructed. 3. Ushers Road: A 1.5 meter (5 feet) concrete sidewalk for pedestrian use at

Ushers Road and Long Kill Road and at Van Patten Drive to U.S. Route 9 will be constructed. 6. The proposed public project underwent a thorough and proper State Environmental Quality Review Act (SEQRA) environmental review, during which environmental concerns were addressed. The project is being progressed as an Unlisted Action, per Title 6 of the New York Codes, Rules, and Regulations, Part 617 (6NYCCR61 7). The Town of Clifton Park is the lead agency. 7. The proposed public project is being progressed as a Categorical Exclusion with Documentation subject to the Federal Highway Administration (FHWA) approval, Class II NEPA Action, in accordance with New York State Department of Transportation (NYS DOT) Environmental Action Plan, and Title 23, Part 771 of the Code of Federal Regulations (Regulations 23 CFR771.115(b) and 23CFR771 .117(d)). 8. The proposed public project will have, among other, the following effects upon the residents or businesses of the locality or upon the traveling public. a. The proposed public project will improve current pavement conditions through the use of an approved, cost-effective treatment strategy that will provide a service life of at least ten years. b. The proposed public project will include the installation of edge drains for subsurface drainage, roadside surface drainage improvements, sign and pavement stripes upgrades, and address roadside hazard issues, as needed. c. The proposed public project at Vischer Ferry Road will include box widening and a multi-use path, in selected areas. d. The proposed public project will include a concrete sidewalk, in selected areas. e. The proposed public project at Vischer Ferry Road will include an additional turn lane at Clifton Commons Boulevard. f. The proposed public project will provide a safer environment for residents and businesses of the locality and for the traveling public. g. The proposed public project will require strip acquisitions, but will not affect land uses, change travel patterns, nor have any permanent effect on local planning. h. The proposed public project will not have a substantial negative impact on the aesthetics of the area. Rather, various elements of the project may enhance the appearance of the area. i. The proposed public project will not have any long-term impacts on any local residents or businesses. There will be no detrimental impacts to any district social, ethnic, economic group, including the elderly, the disabled, or the economically disadvantaged. j. The proposed public project will require right of way acquisitions. In some areas, construction may impact business driveway entrances. There will be no residential or business relocations. k. The proposed public project will complement the Town of Clifton Park Comprehensive Plan and no long term adverse environmental impacts are anticipated.

Supervisor Barrett explained the Town is looking to change the scope of the Ushers Road project to something smaller in scope. He said improving the intersection at Longkill and Ushers and making it easier for pedestrians to get to Longkill Park from neighborhoods would be money well spent.

Tom Karis, Clough Harbour & Associates, reviewed the process which started in 1995. Regarding the Ushers Road project, he said based on public comment the direction of the project has changed. A new proposal is being submitted to the Capital District Transportation Committee to reduce the scope of the project and it is believed this will be approved by CDTC. Mr. Karis said the Vischer Ferry Road project will remain as proposed, which will be a roadway improvement project with a turning lane,

rehabilitation of the pavement surface and construction of a multi-use path paralleling the road. Depending on CDTC approval, Mr. Karis reviewed the process to final design, noting construction could start in Spring 2004. In response to the Supervisor's question, Mr. Karis said changes can still be made even after this resolution is passed. Regarding public informational meetings, Mr. Karis said the town has satisfied the state and federal requirements for public involvement but the town can choose to hold informational sessions. Councilman Roth spoke in favor of a traffic light at Longkill and Ushers Roads. He asked if any consideration was given to turning lanes. Mr. Karis said a study has shown that a traffic signal will give acceptable levels of service without adding a turning lane. Councilman Paolucci also spoke in favor of a traffic light.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

No one wished to be heard.

MOTION by Councilman Roth, 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 8:25 p.m.

Patricia O'Donnell
Town Clerk