

Clifton Park Town Board Meeting Minutes

November 1, 2004

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
Michael Shahan, Town Administrator

MOTION by Councilman Roth, seconded by Councilman Paolucci, to approve the minutes of the October 12 and 18, 2004 meetings as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Councilman Paolucci gave an update on the Vischer Ferry, Ushers and Longkill Roads reconstruction plans. He said the utility agreements are being negotiated before going out to bid and there will be a strict schedule with the utility companies. Supervisor Barrett noted this project is 95 percent is funded by state and federal governments. Councilman Paolucci said funds have been appropriated for the Sherwood Dawson Trail, a conceptual trail along Route 146A but intersection improvements on Route 146/146A and Vischer Ferry Road will be needed. The town has received a CDTC spot grant for these intersection improvements in order to connect the trail on Vischer Ferry Road and the Dawson Trail.

Roscoe Lilly, Pastor of Northstar Church, was recognized for his church members' volunteer efforts in the town. Pastor Lilly noted in their first year of existence over 48

community service projects have been done for residents of the community.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 281 of 2004, a resolution authorizing the acceptance of sealed bids for surplus equipment in the Buildings and Grounds Department.

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

WHEREAS, certain items were declared surplus in the Buildings and Grounds Department, and

WHEREAS, Michael Handerhan advertised to accept sealed bids for the sale of surplus equipment in the Buildings and Grounds Department, and

WHEREAS, said bid was advertised in the Daily Gazette on October 8, 2004 soliciting bids for this sale, and

WHEREAS, all bids were opened and publicly read on October 22, 2004; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park accepts the highest bids for the following items;

ITEM NAME AMOUNT

1995 Dodge Van DADO'S, Inc. \$156.00
2B4HB15X5SK547515

1993 Plymouth Acclaim DADO'S, Inc. \$ 26.00
3P3XA46K6PT649343

1995 Oldsmobile Don McCune \$300.00
1G3AJ55M9S6411259

1987 Jeep Pick-Up Jeff Vedder \$552.75
1JTNE27Y4HT164214

(2) Toro Grounds Master DADO'S, Inc. \$576.00

John Deere AMT (622) Frank Daloia \$450.00

Madvac R.H.Algas Cty Equip. Co. \$427.04

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 282 of 2004, a resolution authorizing the purchase of a Traffic Safety Radar Sign from State Contract.

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

WHEREAS, a need has been identified for a Traffic Safety Radar Sign for use in the Town of Clifton Park; now, therefore, be it

RESOLVED, that authorization is given to purchase a Traffic Safety Radar Sign, Model RT50, manufactured by Galaxy, a product of Decatur Electronics, Inc., as per NYS Contract No. PO52299, at a cost not to exceed \$8,000, to be budgeted from A-3310-215 (Highway Traffic Safety/Signs).

Supervisor Barrett said he feels this will be a great reminder and a useful tool in neighborhoods.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 283 of 2004, a resolution authorizing the Supervisor to accept the Final Design Report and sign the Design Approval Request Memo for the Vischer Ferry Road, Ushers Road and Longkill Road Rehabilitation project which was prepared by Clough, Harbour & Associates, LLP and has previously been signed by the New York State Department of Transportation.

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

WHEREAS, a public hearing was conducted on June 17, 2002, and

WHEREAS, everyone was given the opportunity to be heard, and

WHEREAS, The Draft Design Report was accepted by the Town Board on July 6, 2004, and

WHEREAS, approval of the Final Design Report and by signing the Design Approval Request Memo marks the completion of the New York State Department of Transportation's Preliminary Design Process, Phases I-IV and begins the Final Design process, Phases V and VI, and,

WHEREAS, the acceptance of the Final Design Report and by signing the Design Approval Request Memo certifies that the project has been developed in conformance with the applicable environmental laws, design standards, and acceptable engineering and/or architectural practice, and

WHEREAS, this will also begin the necessary right-of-way appropriation process which is required to be commenced prior to letting of the project, and

WHEREAS, the Town, along with the New York State Department of Transportation and Saratoga County Department of Public Works, will have additional opportunity to accept the final design and contract documents prior to letting and construction; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to accept the Final Design Report and sign the Design Approval Request Memo for the Vischer Ferry Road, Ushers Road and Longkill Road Rehabilitation project attached hereto, as prepared by Clough, Harbour & Associates, LLP, and previously signed by the New York State Department of Transportation.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 284 of 2004, a resolution authorizing the Town Supervisor to file commitment documents with Saratoga County for collection of sales tax receipts.

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

WHEREAS, the Town of Clifton Park is required to file commitment papers regarding the collection of sales tax receipts for 2005; now, therefore, be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the collection of sales tax to be paid in cash for 2005 from Saratoga County and the Town Supervisor to file the appropriate documents of commitment with Saratoga County.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 285 of 2004, a resolution authorizing John M. McDonald Engineering, PC to conduct a study regarding Chelsea Place.

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

WHEREAS, the property owners adjacent to Chelsea Place have requested that the Town consider accepting the road as a Town road, and

WHEREAS, all parties are aware that an eminent domain proceeding will be necessary to clear existing liens and that upgrades in the road will be required to meet Town specifications, and

WHEREAS, the adjacent property owners, through their agent MRK Real Property LLC, have agreed to pay and or reimburse all fees and expenses incurred for the above mentioned study, legal proceedings, road upgrades and lien payoffs; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes John McDonald Engineering, PC to conduct a study to determine what improvements are needed to bring Chelsea Place up to Town specifications; and be it further

RESOLVED, that the cost of the study is to be paid for by the property owners adjacent to Chelsea Place through and including their agent, MRK Real Property LLC.

It is Councilman Speckhard's understanding that this road was brought up to town standards a couple of years ago. He asked if the adjacent property owners have been advised of expenses involved. Town Attorney said it is his understanding, through the MRK representative, that all the property owners are on board. Supervisor Barrett said he would like to see written acknowledgement from the adjacent property owners that they are aware of the fees and expenses. Mr. Shahan will follow up with the Highway Department and McDonald Engineering and Mr. Trainor will follow up with MRK Real Property LLC.

MOTION TO TABLE by Supervisor Barrett, seconded by Councilwoman Walowit.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

Resolution No. 286 of 2004, a resolution authorizing the hiring of poll clerks for Election Day, November 2, 2004.

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

WHEREAS, the Town of Clifton Park has purchased seven AVC electronic voting machines to be used in Election Districts 18 and 19, King of Kings Church, Election District 20, at Vischer Ferry Main Station, Election Districts 22 and 23, Clifton Park Community Church, and Election District 24, at Okte School.

WHEREAS, voter education has been offered to Town residents, and in particular residents of the above mentioned Districts, and

WHEREAS, the State Board of Elections has requested poll clerks be at these Election Districts in order to offer assistance to the electorate, and

WHEREAS, it is necessary to hire poll clerks for the above polling sites from 6:00 a.m. to 9:00 p.m. at the hourly rate of \$8.00 per hour; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the hiring of poll clerks at \$8.00 per hour, all as budgeted.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Norman Goldman, London Square Drive, questioned the proposed conservation

residential zones in the draft GEIS for the Western part of town. He doesn't believe this is clear to the people in that area as to how they will be effected by this. Supervisor Barrett said just because people are not coming to Town Board meetings doesn't mean they are not in touch with town officials. Councilman Speckhard noted that any zoning changes will require public hearings and the process is just beginning. Mr. Goldman reminded the Board that the "Welcome" signs should read "Town of". Mr. Shahen said this will be looked at.

Barbara Hartman, Hillcrest Drive, spoke of the Ushers Road design report. Councilman Paolucci said there have been many changes to the report from the original and there is no impact to Ms. Hartman's property. He reported a sidewalk will be in place rather than a multi-use path. It was noted there is much less impact to private property owners.

Gretchen Ruhl, Wood Dale Drive, expressed appreciation to the Town Board for their help regarding the proposed Exxon Mobil station at Exit 10 but is concerned about Exxon Mobil placing fuel tanks above ground and the fire hazard this will present. Ms. Ruhl said the 250 acres the town has recently purchased near the Dwaaskill is in very close proximity to the proposed station. She asked the Town Board to continue their vigilance to make sure the permit is refused.

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 8:05 p.m.

Patricia O'Donnell
Town Clerk