

8/3/2009

August 3, 2009

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 Roth  
Councilwoman Walowit  
Supervisor Barrett  
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy  
Michael Shahen, Town Administrator  
Richard Kukuk, Superintendent of Highways  
Mark Heggen, Comptroller  
Myla Kramer, Director of Parks, Recreation and Community Affairs  
Barbara McHugh, Director of Community Development  
Michael O'Brien, Supervisor of Facilities

MOTION BY Councilman Hughes, seconded by Councilman Roth, to approve the minutes of the July 20, 2009 meeting as presented.

**ROLL CALL VOTE**

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

Noes: None

**MOTION CARRIED**

**ANNOUNCEMENTS AND COMMUNICATIONS**

Councilman Roth asked that the Town Board proceed cautiously regarding the energy measures at the landfill proposed at the last meeting by Energenics as there are a lot of unanswered questions. He said the information to review had mostly to do with buildings and not the landfills. He asked that the town engineer and GREEN Committee be involved. Councilman Roth said there is nothing in the information that the company has done this type of operation before. Supervisor Barrett noted there are a lot of unanswered questions and a lot of work to be done on this issue that engineers would have to review.

Speaking with regard to the Kids Corner on the Common, Supervisor Barrett said a few different visuals of various types of playgrounds and options will be set up at the Kids Corner for residents to review and comment on. He said there will be no replacement or major upgrades this year but minor improvements and painting of the current structure will be done by the Buildings and Grounds Department after school starts.

Councilman Hughes reported there have been 1130 responses to the recreational survey, noting 400 of which were received after the mailing of the newsletter.

**PRESENTATIONS**

Supervisor Barrett presented the following resolution to the town's newest "Hometown Hero", Lieutenant Colonel William B. Pomeroy in recognition of his service to his country.

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Resolution No. 218 of 2009, a resolution recognizing Lieutenant Colonel William B. Pomeroy III, "Trip", for twenty-seven years of exceptional meritorious service, and outstanding performance of duties in the United States Army.

Introduced by Supervisor Barrett, who moved its adoption, seconded by the entire Town Board.

WHEREAS, Lieutenant Colonel William B. Pomeroy III is one of four children in his family and a 1977 graduate of Shenendehowa, having attended First Grade at the Jonesville School on Main Street in Jonesville, and a 1981 graduate of St. Bonaventure University, and

WHEREAS, Lieutenant Colonel Pomeroy served in Desert Storm with the 1<sup>st</sup> Calvary Division and received a Bronze star for Meritorious Achievement, and

WHEREAS, Lieutenant Colonel William B. Pomeroy's career performance has been brilliant, and his accomplishments numerous, having served in positions of increasing responsibility culminating in direct support to the President of the United States, George W. Bush, and

WHEREAS, in December of 2000, Lieutenant Colonel Pomeroy was selected by the III Corps Commander to be the Chief of Presidential Support for III Corps and Fort Hood, responsible for providing support to the President of the United States while traveling in the State of Texas, and

WHEREAS, Lieutenant Colonel Pomeroy successfully planned and executed over one-hundred presidential visits to the State of Texas, receiving numerous verbal and written accolades from the President of the United States, and

WHEREAS, Lieutenant Colonel Pomeroy assisted the White House Director of Special Projects, the United States Secret Service, and the White House Staff with daily operations at the President's Prairie Chapel Ranch, and

WHEREAS, prior to his arrival at Fort Hood, Lieutenant Colonel Pomeroy served as the Eighth Army Commanding General's representative on the Combatant Commander's Strategic Deployment Management Team, providing invaluable advice and insight to the Combatant Commander, and the commanders of each subordinate component command; now, therefore, be it

RESOLVED, that Lieutenant Colonel William B. Pomeroy's exceptional leadership, professionalism, and relentless pursuit of excellence has made the Army a better place to serve, and has made every organization he served in highly successful, and be it further

RESOLVED, that Lieutenant Colonel Pomeroy's outstanding performance of duty reflects great credit upon himself, the III Armored Corps and the United States Army; and be it further

RESOLVED, that the Clifton Park Town Board pauses in its deliberations to recognize Lieutenant Colonel William B. Pomeroy III for exceptional meritorious service and outstanding performance of duties, a brilliant career performance and numerous accomplishments.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett presented the following resolution to Albert "Bud" Taylor in recognition of his service to his country and community.

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Resolution No. 219 of 2009, a resolution recognizing Albert “Bud” Taylor of American Legion Mohawk Post 1450 and congratulating him for being selected as Saratoga County Legionnaire of the Year.

Introduced by Supervisor Barrett, who moved its adoption, seconded by the entire Town Board.

WHEREAS, Albert “Bud” Taylor, 38 Woodstead Road, Ballston Lake, New York has been a member of American Legion Mohawk Post 1450 for thirteen years and has served as Sergeant-at-Arms for the past six years, and

WHEREAS, Mr. Taylor has faithfully served as Color Guard for thirteen years, five of which have been in the capacity of Captain, and

WHEREAS, Mr. Taylor has done an outstanding job of organizing members for parades and other functions as well as helping to decorate the graves of Veterans at five cemeteries for Memorial Day, and

WHEREAS, Mr. Taylor has represented the Post at the Rural Preservation Society for Homeless Veterans for four years, and

WHEREAS, Mr. Taylor has attended Department Conventions in Albany, Binghamton, Buffalo, Rochester and Syracuse and has served as a delegate many times at the County, District and Department levels, and

WHEREAS, Mr. Taylor has many times picked up members who are unable to drive at night, so they could attend Post meetings, and

WHEREAS, Mr. Taylor is a charter member of the Saratoga National Cemetery Honor Guard Association and has served eight years as a squad leader, honoring our deceased veterans; now, therefore, be it

RESOLVED, that the Clifton Park Town Board recognizes and congratulates Albert “Bud” Taylor of American Legion Mohawk Post 1450 for being selected as Saratoga County Legionnaire of the Year.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 220 of 2009, a resolution proclaiming the first week of August 2009 as International Clown Week.

Introduced by Supervisor Barrett, who moved its adoption, seconded by the entire Town Board.

WHEREAS, the people of the Town of Clifton Park recognize the importance of laughter in their lives, and

WHEREAS, Clowns are recognized the world over as messengers of good tidings, bringing happiness and joy to all those whose lives they touch, and

WHEREAS, it is universally known that laughter is the best medicine, and

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WHEREAS, Clowns have helped us preserve our sense of humor and ability to laugh at ourselves, and

WHEREAS, Clowns encourage laughter in the young and old, and rich and poor alike, and

WHEREAS, Clowns can dissolve thoughts of prejudice, and intolerance of others; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park, do hereby proclaim that the week of August 1-7, 2009, shall be recognized as International Clown Week within the Town of Clifton Park, and shall encourage all citizens to give fitting recognition to the Clowns of the world.

#### ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

#### PRESENTATIONS TO THE BOARD

Robin Lyle, Alcohol/Substance Abuse Prevention Council of Saratoga County, reported she facilitates a Community Coalition for the Shenendehowa School District to address alcohol and substance use within the school district. She reviewed results of surveys conducted through grades 6 to 12 that identify risk factors and the level of alcohol and substance use. Ms. Lyle reviewed accomplishments and action plan for the 2009-2010 school year. Marti Burnley of CAPTAIN, a member of the Coalition, reported District Attorney Murphy has addressed adults and students of results of risky behavior.

Paul Olund, Environmental Design Partnership, gave a project review and status update on the 48 acre town-owned Stony Creek Park. He reviewed the trails design and requested the town to authorize further work and SEQRA determination. He noted the features of the park and displayed a map noting access points and trail. Mr. Olund reported DEC has concurred with the wetlands delineation and application has been made to DEC for a wetland crossing permit. He said a determination of no significance has been received from NYS Office of Parks and Recreation. Mr. Olund reported the access on Moe Road with parking for six cars has the approval of Superintendent of Highways Kukuk. In response to Mr. Olund's comments about the adverse possession issue, Town Attorney McCarthy said if this goes forward, a concept will be presented to the Town Board basically to allow pedestrian and bicycle access. He said this piece will have to be subdivided and the homeowner will do the physical delineation - landscaping or fencing to separate the parcels. Mr. Olund said plans are for a six-foot wide crushed stone trail.

Supervisor Barrett said he is aware of a couple of homeowners that had some concerns regarding the access points and asked if there has been any change. Mr. Olund said there hasn't been any real change but will be done with the least impact. He said the existing plant material will be augmented. Supervisor Barrett said he would like to walk the area again and he and other board members would like to be included in the Park District meetings. He wants to make sure residents of the Park District know exactly what is going on with the area.

In response to Councilman Paolucci's question, the cost of the six-foot wide crushed stone trail is estimated to be \$130,000.

#### PUBLIC PRIVILEGE ON RESOLUTIONS

Comment from the floor that the agenda be more detailed.

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Supervisor Barrett noted plans for the Stony Creek Park will come before the Town Board for further review.

In response to a question from the floor regarding the resolution approving of alcohol use, Director of Parks & Recreation Kramer said there is a letter on file stating no persons under 21 will be present at the tournament, a responsible individual will be designated to serve the alcohol and there will be someone whose sole responsibility will be to ensure that no attendees are served alcohol in excess. There will also be a taxi service available. Supervisor Barrett also noted that Town Security will be stopping by.

Resolution No. 221 of 2009, a resolution awarding the bid for Contract No. 2, PTO Generator for Clifton Park Sewer District No. 1.

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

WHEREAS, on July 9, 2009 bids were received for the above referenced contract, and

WHEREAS, the low bidder for the PTO Generator is Wilde Ent., Inc. in the amount of \$21,280.50, and

WHEREAS, as per letter from McDonald Engineering, dated July 15, 2009, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that the total bid in the amount of \$21,280.50 submitted by Wilde Ent., Inc., be accepted as the lowest most responsible bidder; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid to Wilde Ent., Inc., Mayfield, New York in the amount of \$21,280.50 for Contract No. 2-PTO Generator, to be paid from G7-8111-200 (Clifton Park Sewer District No. 1-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 222 of 2009, a resolution authorizing Judge James F. Hughes to attend the New York State Magistrates' Association Centennial Conference October 18-21, 2009.

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

WHEREAS, Judge Hughes has requested authorization to attend the 100<sup>th</sup> Conference of the New York State Magistrates' Association to be held at the High Peaks Resort, Lake Placid, New York, October 18-21, 2009, and

WHEREAS, attendance at this conference will confer a benefit to the residents of the Town of Clifton Park; now, therefore, be it

RESOLVED, that authorization is hereby given for Judge James F. Hughes to attend the New York State Magistrates' Association Centennial Conference October 18-21, 2009, at a cost not to exceed \$1000.00, to be paid from A-1110-001 (Justice Court-Training and Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

8/3/2009

Resolution No. 223 of 2009, a resolution permitting Timothy Ward and “Dig Deep” to serve alcohol during a fundraising softball tournament at Veteran’s Park on September 5, 2009.

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

WHEREAS, Timothy Ward and Dig Deep, 42 Sweet Brier Drive, Ballston Lake has requested a waiver of the Town’s “No Alcohol” policy for the consumption of alcohol during a fundraising softball tournament at Veteran’s Park on September 5, 2009, 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 September 5, 2009 at Veterans 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.

Councilman Roth asked if there is a time frame set for this event. (Clerk’s note: application states 10:00 a.m. to 7:00 p.m.)

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 224 of 2009, a resolution authorizing the hiring of additional lifeguards to cover end of summer “shifts”

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

WHEREAS, the Director of Parks and Recreation has identified a need to hire additional lifeguards to fill the vacancies of those lifeguards leaving for college, and

WHEREAS, Myla Kramer has recommended that the lifeguards listed in Schedule “A”, be hired for the three Town-owned pools as needed; now, therefore, be it

RESOLVED, that the Director of Parks and Recreation is authorized to hire the lifeguards listed in Schedule “A”, effective immediately through September 8, 2009, at a rate of \$7.50 per hour, to be paid from A-7150-4690 (Barney Rd. Pool-Guards), A-7152-4690 (Locust Lane Pool-Guards)and SP5-7151-4690 (Longkill I Country Knolls Pool-Guards).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

8/3/2009

Resolution No. 225 of 2009, a resolution modifying the Full Day Camp budget.

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

WHEREAS, due to increased enrollment for the Full Day Camp (A-2050) revenue increased by \$15,000, and

WHEREAS, it is necessary to increase the Full Day Camp expenditures (A-7320) by \$15,000 to account for the increased activities; now, therefore, be it

RESOLVED, that the Full Day Camp budget (A-2050) revenue is hereby increased by \$15,000 and expenditures (A-7320) are also increased by \$15,000, per Schedule "A".

Ms. Kramer reported there are 192 children registered for the full Day Camp.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 226 of 2009, a resolution awarding the bid for the Unsafe Building Demolition at 113 Blue Barns Road, Rexford, New York (Tax Parcel No. 263.-2-64.1).

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

WHEREAS, Resolution No. 181 of 2009, adopted the final order for Demolition and Removal of an Unsafe Building at 113 Blue Barns Road, Rexford pursuant to Section 77-10 of the Town Code, and

WHEREAS, on July 30, 2009, bids were received for the above referenced contract, and

WHEREAS, the low bidder for all three bid components (Base Bid, Alternate Bid A, and Alternate Bid B) combined for the Unsafe Building Demolition at 113 Blue Barns Road, Rexford, is Champagne Demolition LLC in the amount of \$13,400, and

WHEREAS, as per letter from McDonald Engineering, dated July 31, 2009, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that Champagne Demolition LLC be accepted as the lowest most responsible bidder; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced combined three bid components in the amount of \$13,400 to Champagne Demolition LLC; and be it further

RESOLVED, that if necessary, the Town will advance the necessary funds to pay for the demolition of the building and will assess all expenses thereof against the land on which it is located.

Town Attorney McCarthy said McDonald Engineering prepared the bid specifications. He reported speaking with the homeowner in early July and she was agreeable to the demolition in August. Mr. McCarthy said he will keep the homeowner apprised as to when the demolition will be taking place.

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ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 227 of 2009, a resolution authorizing the Supervisor to sign an agreement with Ellis Hospital regarding the donation of three Automated External Defibrillators (AEDS).

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

WHEREAS, Ellis Hospital of Schenectady has offered to donate in conjunction with a Matching Grant from Clifton Park-Halfmoon Ambulance Corps three Automated External Defibrillators (AEDS), and

WHEREAS, the Town of Clifton Park wishes to accept the matched donation of AED'S for placement on the baseball and softball fields at Clifton Common, and

WHEREAS, Ellis hospital has requested that the Town provide Indemnification to Ellis Hospital against any potential liability arising out of use or operation of the AEDS donated through the program; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to sign the attached Indemnification and Hold Harmless Agreement to protect Ellis Hospital against liability arising out of use or operation of AEDS so donated.

Town Attorney McCarthy said Clifton Park/Halfmoon Ambulance has offered training sessions for board members and coaches of both leagues and may make training available to the public as well.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 228 of 2009, a resolution authorizing the Highway Superintendent to attend the New York State Association of Town Superintendents of Highways Conference September 22-25, 2009.

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

WHEREAS, Highway Superintendent, Richard Kukuk, has requested authorization to attend the NYS Association of Town Superintendents of Highways Conference in Lake Placid, N.Y. on September 22-25, 2009, at a cost not to exceed \$1000, and

WHEREAS, Mr. Kukuk's attendance at the conference would provide a benefit to the Town; now, therefore, be it

RESOLVED, that Highway Superintendent Richard Kukuk, is hereby authorized to attend the NYS Association of Town Superintendents of Highway Conference in Lake Placid, N.Y. on September 22-25, 2009, at a cost not to exceed \$1000.00, to be paid from A05010-00001 (Highway-Training and Conferences).

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ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 229 of 2009, a resolution awarding the bid for a Yard Waste Collector for the Clifton Knolls Leaf District.

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

WHEREAS, Highway Superintendent, Richard Kukuk, has identified a need for a new Yard Waste Collector for the Clifton Knolls Leaf District, and

WHEREAS, on July 16, 2009, bids were received for the above referenced contract, and

WHEREAS, Richard Kukuk has reviewed the bid and has recommended that the bid of ODB Municipal Products, 5118 Glen Alden Drive, Richmond VA, be accepted in the amount of \$29,961, over the lower bid of Loughberry Manufacturing for \$28,895, which does not meet one specified criteria in the bid specification; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid in the amount of \$29,961 to ODB Municipal Products, to be paid from SR-2376-200 (Clifton Knolls-Equipment) and with a transfer of \$9,961 from SR-909 (Clifton Knolls Refuse Unreserved Fund Balance) to SR-2376-200 (Clifton Knolls-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 230 of 2009, a resolution to declare the Town Board Lead Agency and issue a Negative Declaration under the State Environmental Quality Review Act (SEQRA) for the Stony Creek Trail Project.

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

WHEREAS, the Town of Clifton Park proposes to construct a six (6) foot wide walking trail system in Stony Creek Park for recreational purposes and to link Town park open space lands to adjoining neighborhoods as a component of the Town Trail system, and

WHEREAS, the Town Board desires to review the proposal pursuant to the State Environmental Quality Review Act, and

WHEREAS, Paul Olund, of Environmental Design Partners, acting as consultant to the town, has prepared a Short Environmental Assessment Form recommending designating consideration of the Stony Creek Trail Project as an Unlisted Action; now, therefore, be it

RESOLVED, that the Town Board as Commissioners of the Stony Creek Park District declares itself to be lead agent for SEQRA Determinations relative to the Stony Creek Trail

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Project, and adopts the recommendation of Environmental Design Partners regarding SEQRA determination; and be it further

RESOLVED, that after considering the potential Environmental Impacts of the Proposed Project, the Town Board determines that the proposal would have no significant adverse impact on the environment, and issues a Negative Declaration with regard to the proposal.

Mr. Olund said this completes the application that will now be sent to DEC.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 231 of 2009, a resolution authorizing Environmental Design Partnership, LLP (EDP) to conduct relevant engineering design, construction administration and inspection-related services for the Stony Creek Park District.

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

WHEREAS, the Town of Clifton Park owns approximately 48± acres of unutilized parkland located within the Stony Creek I Park District that has been acquired through the subdivision review process located primarily off of Moe Road, with smaller lengths of frontage on Thoroughbred Way, Liberty Way, and Huntwood Drive, and

WHEREAS, the Stony Creek I Park District has undertaken a planning and design process for the past two years including conducting a State and Federal wetlands delineation, and the engineering analysis and design of a site plan has been conducted for this site through the professional engineering services of EDP, and

WHEREAS, the project has been coordinated for permitting and approvals from the NYS Department of Environmental Conservation, and

WHEREAS the Town's consultant has prepared the Short Environmental Assessment Form for Town Board review and use in making a SEQR determination, and

WHEREAS, upon Town's acceptance of the preliminary site plan, the next steps are to develop detailed design-related plans for the site, and prepare contract documents and specifications for a public bidding process; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes additional work to be completed by Environmental Design Partnership, LLP (EDP) in an amount not to exceed \$13,000, to be paid from the Stony Creek Park District Budget Undesignated Fund Balance (SP9-909) with a transfer to SP9-7145-135 (Stony Creek I -Countryman Estates-Engineering) to conduct relevant engineering design and construction administration and inspection-related services outlined in a scope of services provided by EDP.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

8/3/2009

Resolution No. 232 of 2009, a resolution authorizing a neighborhood block party to be held in Crescent Estates Subdivision.

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

WHEREAS, the residents of Crescent Estates wish to conduct a block party within the subdivision on Sunday August 30, 2009, between the hours of 1:00 pm and 5:00 pm and have requested permission to use Walnut Drive from No. 55 to the intersection of Irene Drive for their party activities; now, therefore, be it

RESOLVED, that the residents with the approval and advice of the Town Highway Superintendent, have permission to use Walnut Drive from No. 55 to the intersection of Irene Drive, August 30, 2009 from 1:00 pm to 5:00 pm for their party activities, but must not block off the street and make sure emergency vehicles can gain access to the street if needed, and be it further

RESOLVED, that the residents 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 applicable Fire Department, the Ambulance Corps, the Sheriff's Department and the State Police.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 233 of 2009, a resolution authorizing the transfer of funds from Highway Undesignated Funds in the amount of \$235,000 for additional paving and \$15,000 for parts.

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

WHEREAS, Richard Kukuk, Highway Superintendent, has identified several roads in Town that are in need of paving, some of which are approaching advanced deterioration, and

WHEREAS, by Resolution No. 214 of 2009, the Town Board authorized the transfer of \$235,000 from Undesignated Fund Balance to Highway for supplemental paving of the roads, and

WHEREAS, Highway Superintendent Kukuk, has requested that \$235,000 be transferred from the Highway Undesignated Fund Account into the Highway Paving Account for the additional paving; now, therefore, be it

RESOLVED, that authorization is hereby granted to the Comptroller to transfer \$235,000 from Highway Undesignated Fund Balance (DA-909) into Highway Paving Account (DA-5110-00030); and be it further

RESOLVED, that \$15,000 is authorized to be transferred from Highway Undesignated Fund Balance (DA-909) into Highway Account DA5130-00231 (Parts).

Superintendent of Highways Kukuk reported plans are being finalized to put in the storm drain system on Plaid Place at an estimated cost of \$250,000-\$275,000. He stated what isn't completed this year in Calico Colony will definitely be in next year's plans to be completed.

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ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 234 of 2009, a resolution authorizing the Town Supervisor to sign a grant application on behalf of the Justice Court, for the purchase of equipment for the Justice Court.

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

WHEREAS, the 2009 Justice Court Assistance Program provides state funding for local Courts to purchase necessary equipment, and

WHEREAS, Town Justices Robert A. Rybak and James F. Hughes would like to file an application to purchase furniture, a security system, including panic buttons and a bullet proof window, and

WHEREAS, such equipment will enable the Justice Court to better serve the needs of the public; now, therefore, be it

RESOLVED, that the Clifton Park Town Board supports the submission of a grant application to purchase furniture, a security system, including panic buttons and a bullet proof window as well as miscellaneous items for the Court; and be it further

RESOLVED, that the Town Supervisor is authorized to sign a grant application on behalf of the Justice Court, for the purchase of equipment for the Justice Court.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 235 of 2009, a resolution authorizing expenditures on January 9, 2009 and April 23, 2009 to be reimbursed and to accept the lowest quote for the repair of a RS 64 Compressor at the Town side of the Ice Arena.

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

WHEREAS, the Arena Management Group has identified expenditures that were made for repairs and replacement of equipment on the Town side of the Arena on January 9, and April 23, 2009, per Exhibit "A", at a cost of \$6,105, and

WHEREAS, quotes were received for repairs to be made to the RS64 Compressor and the lowest quote was received from Johnson Controls at a cost of \$7,150; now, therefore, be it

RESOLVED, that authorization is given to pay the expenditures of January 9 and April 23, 2009 for repairs and replacements of equipment on the Town side of the Ice Arena in an amount of \$6,105 from Arena Rainy Day Fund; and be it further

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RESOLVED, that the lowest quote of Johnson Controls for the repair of the RS 64 Compressor in an amount of \$7,150 is hereby accepted, expenditure to come from the Rainy Day Fund.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Jean Haug, Torrero Drive, stated it is an excellent idea to repair the Kids Corner and to wait until 2010 for a replacement. She said Leathers Company will come and evaluate the present playground and hopes Leathers' playground options will be included in the visuals to be posted at the Kids Corner. Ms. Haug said there were 21 adults and 22 children were in the audience earlier this evening in support of the current playground. She reiterated her request for a public forum. She read children's' requests for types of activities to be included in the playground. Noting she attended the Recreational Meetings, Ms. Haug said it is apparent teenagers need an activity center.

Katherine Ophardt, Daniel Lill Court, read comments regarding the Kids Corner, noting the pressure treated lumber contains lead and arsenic and the equipment has weathered. She reviewed various detriments to the current playground, noting the area is not ADA compliant and it is difficult to find replacement parts.

Bob Gauvreau, Oakwood Blvd., thanked the Highway Department for the cleanup efforts after the ice storm, noting it was an excellent job.

Sara Coons, Vischer Ferry Road, spoke in support of the rebuilding of the Kids Corner playground. She recommended having fencing around the structure. She is pleased the Board is planning on repairing the current structure this year and encouraged the Board to look at rebuilding with Leathers Company in the future. Ms. Coons stated after visuals are presented she would like an active public forum for people to present their thoughts on the visuals. She displayed pictures of childrens' visions of a playground and presented petitions requesting a public forum regarding the playground.

Supervisor Barrett stated the flooring of the playground definitely needs to be changed.

Denise McCann, Crescent Road, spoke in favor of showing the visuals at the park and asked if one will be similar to the current structure. Supervisor Barrett responded yes, something similar.

Norman Goldman, London Square Drive, reiterated the following concerns: the change of name from Shenendehowa Senior Center to Shenendehowa Adult Community Center; discontinuance of the private wildlife rehabilitation site; and the new Town of Clifton Park Newsletter.

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 9:20 p.m.

Patricia O'Donnell  
Town Clerk