

November 2, 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 Roth
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Absent: Councilman Hughes

Also Present: Town Attorney McCarthy
Michael Shahan, Town Administrator
Mark Heggen, Comptroller
John Scavo, Director of Planning

MOTION BY Councilman Roth seconded by Councilman Paolucci, to approve the minutes of the October 13 and 19, 2009 meetings as presented.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Hughes

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Councilman Roth announced that groundbreaking was held on October 29th for the new 70 unit middle income Clifton Park Senior Housing complex located on Route 146 and Waite Road. He thanked the Town Board for their support on this project, noting a ribbon cutting is anticipated in October 2010.

Supervisor Barrett thanked Councilman Roth for his diligence over the years in bringing affordable senior housing to town. He reported the Town Board established a Senior Housing Committee eight years ago and this project is a first of its kind in the immediate area.

Supervisor Barrett gave an update on the town's interest in purchasing the Stony Creek Reservoir from the Town of Colonie, reporting negotiations came to a standstill and Colonie went out for an RFP. The Town of Clifton Park was the only bidder at \$3.08 million. He explained once the NYSDOH restrictions have been lifted the offer would be \$3.27 million. The Town of Clifton Park is partnering with the Open Space Institute (OSI) which is a large organization with endowments that preserve properties around the state. Supervisor Barrett noted OSI is an expert in this field and can guide the town through the process. OSI would front the money for the purchase and the town would have an agreement with OSI where the town would pay them substantially less than the purchase price \$3.08 million over a period of years and eventually the town would take ownership of the property. He stated it is more than just OSI's expertise and guidance, they are a financial partner. The Supervisor said the town will continue to work towards acquiring the property and turning it into a recreational showplace for kayaking, canoeing, and fishing. He noted current state restrictions on the property would have to be lifted.

PRESENTATIONS

Supervisor Barrett, noting he is the Chairman of the Saratoga County Board of Supervisors Veteran's Committee, explained a dinner was held for World War II veterans from the county and many were from Town of Clifton Park. He said medals are being distributed to all World War II veterans in the county and this evening to Frederick A. Bessette, Alexander F. Rem, Jr. and Lester A. Stay.

Supervisor Barrett recognized town resident US Air Force Staff Sergeant Ann Marie Leifer by adding her name to the town's Hometown Hero Plaque. He said Staff Sergeant Leifer served in Operation Iraqi Freedom and will re-enlist in February 2010.

PUBLIC HEARING, 7:10 PM
TO RECEIVE COMMENT ON THE PUBLIC HOUSING ASSISTANCE PLAN FOR 2010
SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on September 14, 2009.

Jim Mastrianni, Joseph E. Mastrianni, Inc, administrator of the Section 8 Program, distributed Summary Statistics and Financial Review, attached. He reported this also serves as the five-year plan. He explained this is a federally funded program through Housing and Urban Development which helps low income, elderly and disabled members of the community afford safe, sanitary and decent housing by having a portion of their rent subsidized. Mr. Mastrianni stated also offered is a Family Self Sufficiency Program that allows participants to work toward goals and move off of assisted housing, out of welfare and into employment.

The public hearing was opened for comments from the audience at 7:40 p.m.

Norman Goldman, London Square Drive, said he plans to give a list of his questions to the Town Clerk to share with Mr. Mastrianni. He asked how many people are active on the program in Clifton Park and how many are on the waiting list. Mr. Mastrianni explained the program also operates in the Town of Halfmoon. He said he can get that information to Mr. Goldman. In response to a question from Mr., Goldman, Mr. Mastrianni explained anyone can apply to the waiting list at any time but people who live or work in Clifton Park or Halfmoon will be given a preference. He said funding is handled by the federal government and there has been no new notice of funding availability for about nine years.

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one else wished to be heard. Supervisor Barrett declared the public hearing closed at 7:45 p.m.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 296 of 2009, a resolution authorizing the installation of stop signs at the intersection of Damask Drive and Plaid Place.

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

WHEREAS, residents in the Calico Colony Subdivision have expressed concerns about the traffic pattern at the intersection of Damask Drive and Plaid Place, and

WHEREAS, Highway Superintendent Richard Kukuk, in an effort to improve traffic patterns at the intersection, recommends that the two existing yield signs be replaced with two stop signs and that two additional stop signs be installed at the intersection of Damask Drive and Plaid Place; now, therefore, be it

11/02/2009

RESOLVED, that the Highway Superintendent is hereby authorized to install stop signs at Plaid Place at the intersection of Damask Drive and to replace the two yield signs at each end of Damask Drive with stop signs making a four-way stop.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Hughes

DECLARED ADOPTED

Resolution No. 297 of 2009, a resolution authorizing the Supervisor to sign Change Order No. 2 for Eastside Drive storm water improvements.

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

WHEREAS, Resolution No. 109 of 2009 authorized a contract for the Eastside Drive storm water improvements in an amount of \$137,822, and

WHEREAS, Resolution No. 256 of 2009 authorized the Supervisor to sign Change Order No. 1, prepared by John M. McDonald, Engineering, P.C., in an amount of \$134,479.94 which provided for a \$3,342.06 decrease in contract price, and

WHEREAS, Change Order No. 2 was prepared by John M. McDonald, Engineering, P.C. in an amount of \$869.68, which provides for an increase in the contract price from \$134,479.94, to a new contract amount of \$135,349.62; now, therefore, be it

RESOLVED, that Supervisor Barrett is hereby authorized to sign Change Order No. 2 dated October 2, 2009, to Bombard Excavating Corp. for Eastside Drive storm water improvements; and be it further

RESOLVED, that the increase amount of \$869.68 be paid from A-8540-200 (General Fund-Drainage Equipment).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Hughes

DECLARED ADOPTED

Resolution No. 298 of 2009, a resolution authorizing Michael Montague and John Scavo to attend a seminar on Wetland Regulation in New York.

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

WHEREAS, Michael Montague, Town Environmentalist and John Scavo, Planning Director, have requested authorization to attend a seminar on Wetland Regulation in New York to be held at the Hilton Garden Inn, Albany Airport, Albany, New York, on November 12, 2009, and

11/02/2009

WHEREAS, attendance at this conference will confer a benefit upon and be in the best interest of the Town of Clifton Park; now, therefore, be it

RESOLVED, that Michael Montague and John Scavo are hereby authorized to attend the seminar on Wetland Regulation in New York, November 12, 2009, in Albany, New York, at a cost not to exceed \$538 for both attendees, \$369 to be paid from A-8090-001(Environmental - Training & Conference) and \$169 to be paid from A-8021-001(Planning -Training and Conference).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Hughes

DECLARED ADOPTED

Resolution No. 299 of 2009, a resolution awarding the bid for the Englemore Road Culvert Replacement.

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

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

WHEREAS, the low bidder for the base bid and alternate bid for Englemore Road Culvert Replacement, Gallo Construction Corporation in the amount of \$39,700 and \$2,600, withdrew their bid based on a mistake and omission of a material item, and

WHEREAS, Engineering estimates for the cost of the work are in line with the second low bid submitted by Peckham Road Corporation, Hudson Falls, New York; and

WHEREAS, McDonald Engineering has confirmed the reasonableness of the Peckham Road Corporation, and the qualifications of the company to perform the work, and

WHEREAS, as per letter from McDonald Engineering, dated November 2, 2009, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that Peckham Road Corporation, Hudson Falls, New York, be accepted as the lowest most responsible bidder in the amount of \$70,000; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the alternate bid in the amount of \$70,000 to Peckham Road Corporation, to be paid with a transfer of \$70,000 from Undesignated Fund Balance to DA-5110-024. (Highway-Repair-Maintenance).

Letter from Gallo Construction Corp. dated November 2, 2009 withdrawing their bid is attached.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Hughes

DECLARED ADOPTED

11/02/2009

Resolution No. 300 of 2009, a resolution to support a 2009 TIP Application and town maintenance for Route 146 and Clifton Country Road enhancements.

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

WHEREAS, the Clifton Park Town Board previously adopted the Exit 9 Land Use and Transportation Study that had been conducted by consultants, BFJ Planning, through a public planning process in 2007-2008, and

WHEREAS, feedback from study participants indicated strong public support for creating safety and traffic flow improvements for the Route 146 corridor and for improving traffic light signal synchronization, as well as complete street enhancements for pedestrians and bicyclists in the Route 146 corridor at Exit 9 and at corresponding intersections including Clifton Country Road, and

WHEREAS, the Town's Highway Safety Advisory Committee has offered further detailed recommendations for enhancements of the Route 146, Clifton Country Road and corresponding areas to the Town Board for their consideration, and

WHEREAS, the Town's Trails Subcommittee submitted a letter of support to the Town Board for this project, and

WHEREAS, the Capital District Transportation Committee (CDTC) is soliciting Project Justification Packages for the selection of new projects for the 2010-2015 Transportation Improvement Program due November 9, 2009, a significant source of potential federal funding that flows to the state and regions, and

WHEREAS, currently the New York State Department of Transportation Region One is preparing said Project Justification Package for proposed enhancements requested by the Town of Clifton Park and will require a commitment from the Town of Clifton Park to take responsibility for the maintenance of any improvements, such as new sidewalks, landscaping and plantings along roads and/or medians, and any lighting energy costs as may be proposed and included in future design, as part of the preparation of documents package to CDTC; now, therefore, be it

RESOLVED, that the Town Board supports actions to be taken within town jurisdiction to improve traffic flow and safety within the Route 146 corridor; and be it further

RESOLVED, that the Clifton Park Town Board hereby authorizes the Town Supervisor to sign the attached letter of commitment for maintenance of requested future enhancements, and authorizing town staff to provide any necessary additional information as needed to prepare the TIP application package.

Supervisor Barrett explained these enhancements came from the Exit 9 Study conducted jointly with the Town of Halfmoon. He stated the Town of Clifton Park would take responsibility of any new sidewalks and lighting fixtures.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Hughes

DECLARED ADOPTED

11/02/2009

Resolution No. 301 of 2009, a resolution authorizing the acceptance of sealed bids for equipment declared surplus by the Town Administrator.

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

WHEREAS, the Clifton Park Town Board adopted Resolution No. 273 of 2009 authorizing the Town Clerk to advertise and accept sealed bids for the sale of equipment declared surplus, and

WHEREAS, said bid was advertised in the Daily Gazette on October 9, 2009 soliciting bids for this sale, and

WHEREAS, all bids were opened and publicly read on October 22, 2009; now, therefore, be it

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

<u>Item</u>	<u>Description</u>	<u>Serial/VIN number</u>	<u>Name</u>	<u>Amount</u>
1	1996 Ford F-250	2FTHF26HXTCA40948	Dado	\$276.00
2	1996 Ford F -250	2FTHF26HXTCA40947	Dado	\$576.00
3	To be awarded at a later date			
4	1999 Dodge 2500	3B7KF26Z9XM570791	Dado	\$476.00
5	1999 Dodge 2500	3B6KF26Z9XM570790	Dado	\$576.00
6	To be awarded at a later date			
7	Florescent light bulbs	Approx. 200- 4 foot and Utube 32watt		no bid
8	15 light fixtures	250 watt Metal Halide	Deming	\$250.00
9	1997 Jacobsen t428d mower	66139 1970	Dado	\$176.00
10	1997 Jacobsen t428d mower	66139 1971	Dado	\$576.00

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Hughes

DECLARED ADOPTED

Resolution No. 302 of 2009, a resolution appointing a member to the Open Space, Trails and Riverfront Committee.

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

WHEREAS, due to the resignation of David Miller, an opening exists on the Open Space, Trails and Riverfront Committee, and

11/02/2009

WHEREAS, Daniel Hartnett, 32 Southbury Road, Clifton Park, has been recommended to fill the position, and

WHEREAS, the appointment of Daniel Hartnett would confer a benefit to the Open Space, Trails and Riverfront Committee; now, therefore, be it

RESOLVED, that Daniel Hartnett is hereby appointed to the Open Space, Trails and Riverfront Committee to fill the unexpired term of David Miller, term to expire December 31, 2010.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Hughes

DECLARED ADOPTED

Resolution No. 303 of 2009, a resolution adopting the Section 8 Housing Choice Voucher Program PHA Plan for 2010.

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

WHEREAS, the Town of Clifton Park operates a Section 8 Housing Choice Voucher Program funded by the U. S. Department of Housing and Urban Development, and

WHEREAS, the Town of Clifton Park is required by the U. S. Department of Housing and Urban Development to prepare and adopt a written PHA Plan that establishes local policies for administration of the Section 8 Housing Choice Voucher Program in accordance with regulations of the U. S. Department of Housing and Urban Development, and

WHEREAS, the Clifton Park Town Board has caused a written PHA Plan for 2010 to be prepared establishing local policies for administration of the Section 8 Housing Choice Voucher Program in accordance with regulations of the U. S. Department of Housing and Urban Development, and has reviewed such written plan; now, therefore, be it

RESOLVED, that the Clifton Park Town Board hereby adopts the PHA Plan for 2010 for operation of the Town of Clifton Park Section 8 Housing Choice Voucher Program.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Hughes

DECLARED ADOPTED

PUBLIC PRIVILEGE

Paul Amedore, Addison Way, speaking with regard to the trail behind his home, said there is limited sight distance on the trail which is dangerous as cars have been seen driving on it. He asked that the either the trail be relocated or that particular section of it be eliminated.

11/02/2009

Supervisor Barrett responded he has received emails from Mr. Amedore and one of his neighbors.

Frank Berlin, Main St. Jonesville, reported on various species and habitats that in town. He said the Dwaaskill stream is a “gem” and noted there are 20 tributaries to the stream. He stressed the importance of protecting these unique features and suggested volunteers to be stewards.

Supervisor Barrett acknowledged the Open Space Committee, Environmental Specialist, Open Space Coordinator, Trout Unlimited, students and teachers from Shenendehowa, DEC and the BioBlitz as examples of volunteers protecting the land.

Norman Goldman, London Square Drive, thanked Councilman Roth for his efforts in bringing affordable senior housing to town, though he’s not convinced the location is the best site. He asked if anything has been decided regarding the building demolition on Fire Road.

Regarding the demolition, Director of Planning Scavo responded the applicants are coming to the second Planning Board meeting in November. Supervisor Barrett asked that the applicants appear at the first Planning Board meeting in November to explain themselves.

With regard to the Shenendehowa Senior Citizens contract, Mr. Goldman stated required annual reports have not been submitted.

Jean Haug, Torrero Drive, noting she is a member of the Skano Elementary School PTA, asked if there is a discussion or plan regarding a crosswalk or sidewalk on Clifton Park Center Road across from the Clifton Knolls development.

Supervisor Barrett responded the school has received a Safe Route to Schools Grant that will enhance that area as well as other connections on the school campus. The town helped in writing the grant and has helped with the execution. Mr. Scavo said the town Highway Safety Committee met with the representatives of the school district who received the NYSDOT grant. He continued, the town also provided NYSDOT with right-a-way maps and DOT is designing the trail system for the school district. DOT has completed the design and the next step is for the school district to actually implement construction of the trail system. Mr. Scavo reported as part of the towns Recreation Master Plan, town officials met with school officials and once the Safe Route to Schools Project is complete, there is the possibility of a walking school bus volunteer program with the parents of Clifton Knolls. Mr. Scavo explained the town cannot authorize construction as the grant award is with the school. Supervisor Barrett said there is not enough room for trails on Clifton Park Center Road.

MOTION by Councilwoman Walowit, seconded by Councilman Roth, to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of Town business.

Motion carried at 8:28 p.m.

Patricia O’Donnell
Town Clerk