

October 12, 2010

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 Romano  
Councilwoman Walowit  
Supervisor Barrett  
Town Clerk O'Donnell

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

**ANNOUNCEMENTS AND COMMUNICATIONS**

Councilman Hughes announced the town is holding a free Shredding Day by 3N Document Destruction on October 17<sup>th</sup> from 1:00 to 3:00 pm at the Clifton Park Center parking lot. He asked that a canned good donation be made with each bag to be shred.

Supervisor Barrett presented the following resolution to Noah Sausville in recognition of his outstanding accomplishments.

Resolution No. 247 of 2010, a resolution honoring 12-year-old Clifton Park resident Noah Sausville for hiking all forty-six high peaks in the Adirondack Mountains.

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

WHEREAS, Acadia seventh-grader Noah Sausville recently finished a nearly seven year effort to hike all forty-six peaks in the Adirondacks to become a Forty-Sixer, and

WHEREAS, the membership of the Adirondack Forty-Sixers Inc. consists of hikers who have climbed to the summits of the forty-six major peaks of the Adirondacks, and

WHEREAS, the club is dedicated to environmental protection, to education for proper usage of wilderness areas and to participation in work projects in cooperation with the New York State Department of Environmental Conservation to meet these objectives, and

WHEREAS, Noah's first hike was in September of 2003 at the age of five, and

WHEREAS, Noah became a Forty-Sixer on August 8, 2010 when he hiked the 4,960 foot Haystack Mountain along with his father, Chris Sausville, and family friends Bob DeSantis, Connor DeSantis and Ray Blair, and

WHEREAS, among the forty-six Adirondack peaks that Noah hiked is the 5,344-foot Mount Marcy, the highest peak in the Adirondacks, and

WHEREAS, the Town Board recognizes the value of active recreation and is a proponent of environmental conservation and stewardship; now, therefore, be it

RESOLVED, that the Town Board pauses in its deliberations to congratulate Noah Sausville for hiking all forty-six peaks in the Adirondacks and for becoming a member of the Adirondack Forty-Sixers and to encourage him to continue his endeavors.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Noah Sausville said this achievement means a lot to him as his dad is also a Forty-Sixer.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 248 of 2010, a resolution scheduling a public hearing to consider an application for the Conservation Easement (Historic Preservation) program.

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

WHEREAS, the Planning Board has reviewed the application for Conservation Easement (Historic Preservation) submitted by Denise Zumbo, 394 Vischer Ferry Road and voted unanimously to recommend that the Town Board accept the conservation easement as presented, and

WHEREAS, the Town's Conservation Easement program requires public comment on properties proposed to be included in the program; now, therefore, be it

RESOLVED, that a public hearing is scheduled for November 1, 2010 at 7:10 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider the property owned by Denise Zumbo, (SBL 277.-1-77) for inclusion in the Conservation Easement program for Historic Preservation, and be it further

RESOLVED, that the property owner give notice to all adjacent property owners and other entities as provided in the Town's Conservation Easement (Historic Preservation) legislation in advance of the public hearing and submit receipts of mailing to the Town Clerk's office prior to the date of the public hearing; and be it further

RESOLVED, that the Town Clerk is directed to publish appropriate notice of the same.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 249 of 2010, a resolution accepting a conveyance of the following streets and easements from Regatta View LLC.

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

WHEREAS, a condition of approval of the Bridlewood Ridge Subdivision the Town of Clifton Park Planning Board required that the developer convey roads and easements to the Town of Clifton Park, and

WHEREAS, a Bond has been provided to the Town Planning Department as security for the contractor to complete all remaining punch list items; now, therefore, be it

RESOLVED, that the Town Board accepts the conveyance of the following streets, and easements briefly described as follows:

<u>Street</u>	<u>Name of Owner</u>
• Lot No. 35-Open Space Area "C"-0.480± acres	Regatta View LLC
• Lot No. 36-Open Space Area "D"-7.466± acres	
• Road Conveyance-Bridlewood Loop-2.92± acres of land	
• Road Conveyance-Saddle Creek Circle (North Section Only) - 0.71± acres of land	
• Strips of Land for Utility and Multi-Use Path	
a. Strip A (15 feet wide; 435 square feet)-located along Crescent Road	
b. Strip B (15 feet wide;7,590 square feet)-located along Crescent Road	
c. Strip C (15 feet wide;11,978 square feet)-located along Crescent Road	

and be it further

RESOLVED, that this conveyance is expressly conditioned upon receipt of an approval by the Town Attorney, Highway Superintendent and Town Engineer of all necessary documents and upon payment of all taxes and assessments, and be it further

RESOLVED, that there be appended to the within resolution a copy of the recorded conveyance after it has been returned from the Saratoga County Clerk, and be it further

RESOLVED, that in accordance with the provision of Section 171 of the Highway Law of the State of New York, consent be and the same hereby is given to the Superintendent of Highways of the Town of Clifton Park to make an Order laying out the afore described Town Highways, said Town Highways to consist of the lands described in the aforesaid deed(s); and be it further

RESOLVED, that the Town Superintendent of Highways is hereby authorized to post a thirty (30) miles per hour speed limit for the herein described highway(s) together with all necessary regulatory signs for proper traffic control.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 250 of 2010, a resolution authorizing the Supervisor to execute an Intermunicipal Water Purchase Agreement with the Town of Glenville.

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

WHEREAS, the Rivercrest Water District continues to purchase water from the Town of Glenville, and

WHEREAS, the Clifton Park Water Authority and Town of Glenville no longer have a water purchase agreement for Rexford Water and the remaining areas in western Clifton Park, and

WHEREAS, the Town of Glenville has requested that the Town Board enter into a written water purchase agreement for the Rivercrest Water District users to clearly define the

rights and obligations of each party and to establish an appropriate contribution to debt service for the Glenville Water System, and

WHEREAS, the proposed agreement provides the same bulk water rate as the District currently pays, and provides for equivalency in water rates with Glenville residential users; and

WHEREAS, the Town Board wishes to ensure a supply of water for Rivercrest Water District users based on available service connections; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute this attached Intermunicipal Water Purchase Agreement with the Town of Glenville.

Supervisor Barrett stated currently there is no contract in place; however, the town has been working with the Town of Glenville to come up with a suitable agreement. He reported at some point the town would like to connect this small district of 18 homes to the larger district but at this time, it is more cost effective for the residents of the district to continue to buy water from Town of Glenville.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 251 of 2010, a resolution authorizing the Town Supervisor to enter into an agreement for the purchase of the Clifton Knolls Executive Golf Course.

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

WHEREAS, the Town Board recognizes the significant benefits that the Clifton Knolls Executive Golf Course, (also widely known as the Barney Road Golf Course) provides, both as an amenity to surrounding neighborhoods and as a recreation facility for residents of the town at large, and

WHEREAS, the Town Board also recognizes the significance of the natural resources within the 39+ acre golf course property from environmental wetlands, watershed and open space perspectives, and

WHEREAS the Clifton Knolls Golf Course has operated as a going concern for more than 40 years and has the potential to generate positive revenues and to add to the recreational assets and programs for the town on a year round basis, and

WHEREAS, Clifton Park Holding Company, owner of the golf course and surrounding property, has offered to sell the golf course as a going concern to the town for operation as a municipal golf course at a cost of \$1.075 million dollars, and

WHEREAS, the Town Board supports the acquisition of the 39+ acre parcel known as the Clifton Knolls Executive Golf Course, to be operated as a municipal golf course and to preserve the environmental, scenic and natural resources associated with the golf course property and watershed, and

WHEREAS, Clifton Park Holding Company will donate all equipment currently used to maintain and operate the golf course, and

WHEREAS, the Town wishes to enter into a renewable rental agreement with Robert Phillips for the maintenance equipment shed, greens keeper's office, rest rooms, and putting

green at the Barney Road Clubhouse, as well as a long term easement for golf course parking, at an annual cost not to exceed \$9,600, now, therefore, be it

RESOLVED, that the Supervisor is authorized to enter into the attached contract with Clifton Park Holding Company for the purchase of the Clifton Knolls Executive Golf Course at a cost of \$1.075 million dollars, and be it further

RESOLVED, the Town is authorized to accept the equipment as listed on the attached Equipment Inventory prepared by John M. McDonald Engineering, by gift, and be it further

RESOLVED, that the Supervisor is authorized to enter into the attached leasehold agreement with Robert Phillips for rental of the maintenance shed, putting green, Suite 150 at the Barney Road Clubhouse at 1 Barney Road, at \$1,200 per month from April 1 through November 30, for a total annual cost not to exceed \$9,600, and be it further

RESOLVED, that the Barney Road Clubhouse lease allows the town to terminate public use of any or all of the clubhouse assets upon sixty days written notice; and be it further

RESOLVED, that the Comptroller is authorized to transfer \$1,075,000 plus up to \$15,000 in associated closing costs, title search and title insurance from A-909 (Undesignated Fund Balance) to A-1940-200 (Open Space Development).

Supervisor Barrett stated this is an important environmental area. He said this golf course will not be competing with the private sector and would like to expand activities into the winter. He continued based on the numbers reported, he is confident the entity will generate revenue for the town in the amount of approximately \$50,000 in profit per year. Supervisor Barrett reported Bruce Tanski has offered his expertise as well as expertise of his staff at no cost to the town. Mr. Tanski offered checking all equipment in the fall and will pass on to the town whatever costs are incurred. Supervisor Barrett expressed appreciation to Mr. Tanski, stating the town will take him up on his offer.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 252 of 2010, a resolution authorizing the transfer of funds for the completion of the pedestrian/bicycle trail to connect the Clifton Park-Halfmoon Library and Arongen Elementary School and providing pedestrian connections between Moe Road, Wall Street, Clifton Park Center Road and Clifton Country Road.

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

WHEREAS, Resolution No. 210 of 2010 authorized Town employees to construct the remaining segment of the Library Trail and to authorize the transfer of \$8,122 for the purchase of construction materials for the project, and

WHEREAS, Town staff has substantially completed the Library Trail system at a cost of \$9,406.04, and

WHEREAS, the materials still needed to be purchased prior to completion of the library trail include approximately 120 tons of asphalt for the paving of the top coat, and

WHEREAS, based on the Saratoga County Unit Contract Price, Highway Superintendent Richard Kukuk estimates needed asphalt costs will not exceed \$10,000; now, therefore, be it

RESOLVED, that the Comptroller is authorized to transfer up to \$10,000 from Parkland Account to A-7629-135 (Trail Development) to cover the remaining cost for completion of the Library Trail after written quotes are received.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 253 of 2010, a resolution authorizing the Town Supervisor to sign a change order for Rivercrest Sewer District Extension No. 1, Part A-Contract No. 1, Niskayuna Central School District Sanitary Sewer.

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

WHEREAS, by Resolution No. 246 Of 2009, the Town Board accepted the bid of Jablonski Excavating Inc. for the Glenclyff-Rivercrest construction project, and

WHEREAS, by Resolution No. 169 of 2010, the Town Board accepted the bid of W.M. Schultz Construction Company Inc. for the Rivercrest-Olde Nott Farm Sewer construction project, and

WHEREAS, construction inspections have revealed an approximate 300 feet of existing sewer line in Rivercrest Drive in need of replacement, and

WHEREAS, McDonald Engineering recommends acceptance of a change order to the Jablonski Excavating contract while contractors remain mobilized in the field, and

WHEREAS, replacement of the Rivercrest line will add to efficiency in the system and decrease infiltration in the facilities; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign a change order approved by McDonald Engineering in an amount up to \$33,000 as per letter from John M. McDonald, attached; and be it further

RESOLVED, that the increase amount of up to \$33,000 be expended from H30-811-200 (Capital Projects - Rivercrest Sewer District Extension No. 1 Equipment)

Mr. Heggen explained the funds are coming from the District's capital account. Residents in the Olde Nott Farm and Rivercrest Sewer District Extension Districts will pay for the placement of the pipe. Supervisor Barrett reported there is a portion of line in the Rivercrest Sewer District that is subpar and if the town is going to complete a project of this type that will depend on the Rivercrest line, it is important to make sure the line works properly. He noted residents of the Rivercrest Sewer District will see a significant reduction in their sewer bills. As noted previously, the Supervisor stated the cost of this improvement will be borne by everyone who is benefitting from the project. The Supervisor further noted this price is less than half of other quotes received.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Ronald Spira, Lori Lane, spoke in favor of the purchase of the golf course.

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

Motion carried at 7:40 p.m.

Patricia O'Donnell  
Town Clerk