

September 6, 2011

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
Richard Kukuk, Superintendent of Highways
Mark Heggen, Comptroller
Myla Kramer, Director of Parks, Recreation and Community Affairs
Michael O'Brien, Collection System Manager

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett reported the town will be holding a 9/11 Tenth Anniversary Remembrance Ceremony at 3:00 pm on the Common on September 11th.

The Supervisor announced Farm Fest will be held on September 17 and 18.

Parks and Recreation fall and winter brochure has been mailed to residents.

Supervisor Barrett reminded residents of Hazardous Waste Day to be held September 10th and the Bulk Waste pickup beginning September 11th.

Councilman Romano said the Stewardship Walk scheduled for September 9th at the Vischer Ferry Preserve has been cancelled due to flooding and tree damage.

Supervisor Barrett thanked first responders and firemen for their work due to Hurricane Irene, noting there was extensive flooding and trees down, as well as power outages. He reported reverse 911 was used to advise residents of information. He expressed appreciation to town employees that responded to the emergency.

Information Specialist Hazard explained people can sign up to receive text messages and the messages have been merged into the County system. There is a link on the town website to add text messages.

Supervisor Barrett reported the Highway Department is picking up storm debris that is left at curbside.

The Supervisor congratulated the Clifton Park Babe Ruth team on their tremendous accomplishments in coming in second place in the Babe Ruth World Series.

**PUBLIC HEARING, 7:10 PM
TO CONSIDER AN APPLICATION FOR A HISTORIC CONSERVATION EASEMENT
4 BALSAM WAY**

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on August 25, 2011.

The public hearing was opened for comments from the audience at 7:17 pm.

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one wished to be heard. Supervisor Barrett declared the public hearing closed at 7:18 pm.

Supervisor Barrett thanked Paul and Joann Coons, owners of the property, for their dedication to the preservation of town history.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 230 of 2011, a resolution authorizing Derek Miller and Steven Myers from the Building Department to attend the Capital District Building Officials 19th Annual Educational Conference to be held in Albany, New York, October 17-19, 2011.

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

WHEREAS, conferences are designed to give their members the needed hours to complete the New York State twenty-four hours requirement for in service education for all Code Enforcement Officers per year, in order to maintain their certification, and

WHEREAS, attendance at these seminars would provide a benefit to the residents of the Town and is necessary to maintain building officials credentials; now, therefore, be it

RESOLVED, that the Building Department is authorized to send Derek Miller for three days at \$265 and Steven Myers for one day at \$110 to the Capital District Building Officials 19th Annual Educational Conference from October 17-19, 2011 in Albany, New York, at a total cost for both attendees not to exceed \$375, as budgeted from A-3620-001 (Training and Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 231 of 2011, a resolution appointing a member to the Community Arts and Culture Commission.

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

WHEREAS, due to the resignation of Laura Andruski an opening exists on the Community Arts and Culture Commission, and

WHEREAS, Dorothy S. Donlon, 36 Lincoln Avenue, Clifton Park, has been recommended to fill the position; now, therefore, be it

RESOLVED, that Dorothy S. Donlon, 36 Lincoln Avenue, Clifton Park, is hereby appointed to the Community Arts and Culture Commission to fill the unexpired term of Laura Andruski, term to expire December 31, 2012.

Supervisor Barrett thanked Laura Andruski for her work with the Arts and Culture Commission.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 232 of 2011, a resolution allowing for the consumption of alcoholic beverages at a softball game/picnic at Collins Park on October 1, 2011.

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

WHEREAS, Louis Savalli, 17 Oakwood Boulevard, Clifton Park, has requested a waiver of the town's "No Alcohol" policy for the consumption of alcoholic beverages during a softball game/picnic on October 1, 2011 at Collins Park from 12:00 - 4:00 p.m., and

WHEREAS, it is the town's policy to require the using group 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 attendees at a softball game/picnic are authorized to consume alcoholic beverages on October 1, 2011 at Collins Park from 12:00 - 4:00 p.m. 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.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 233 of 2011, a resolution authorizing the hiring of a group leader and an assistant for the fall 2011 Fitness Counts Program.

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

WHEREAS, the fall 2011 Fitness Counts Program will be conducted September 8-27, 2011, and

WHEREAS, it is necessary to hire a group leader and an assistant for the program, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that Doreen Basile, 4 Sundial Place, Clifton Park, be hired as a group leader for the program and Daniel Shockley, 20 Evergreen Avenue, Clifton Park, as an assistant; now, therefore, be it

RESOLVED, that authorization is given to hire Doreen Basile, Clifton Park, at a rate of \$20 per session and Daniel Shockley, Clifton Park, at a rate of \$12 per session for the fall 2011 Fitness Counts Program, to be paid from A-7330-E4000 (Youth Recreational Program-Staff).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 234 of 2011, a resolution approving the Clifton Park Water Authority provision of water to a certain location in the Town of Ballston.

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

WHEREAS, per a letter from Water Authority Administrator Donald Austin, the Clifton Park Water Authority (CPWA) has granted access to the public water supply for the property of Gregory and Theresa Jarrabet, at 139 Eastline Road in the Town of Ballston, by Resolution No. 133 of 2011, and

WHEREAS, Gregory and Theresa Jarrabet, 139 East Line Road, (SBL# 249.-3-20.2) Town of Ballston, have requested that the Town Board of the Town of Clifton Park approve the extension of services, as per Public Authority Law Section 1120-d (18); now, therefore, be it

RESOLVED, that the Town Board approves the extension of the Clifton Park Water Authority's services to 139 Eastline Road in the Town of Ballston, contingent upon such extension being consistent with Public Authorities Law Section 1120-d (18).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 235 of 2011, a resolution dedicating Round Lake sewer line to Saratoga County Sewer District No.1.

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

WHEREAS, a portion of the former CK Sanitary Sewer line existing within the Town of Malta, as shown in Exhibit A, was acquired by the Town of Clifton Park by deed dated December 29, 2005, and

WHEREAS, by an Intermunicipal Agreement dated December 14, 2005, the sewer line was to be brought up to county sewer district standards through joint efforts of the Village of Round Lake, Town of Malta and interested developers with real property benefited by the line, and

WHEREAS, improvements and upgrades to the Round Lake sewer line, as well as sanitary sewer connection to the Victoria Landing subdivision have been accomplished by Farina-Amedore LLC pursuant to a Memorandum of Understanding between the Village of Round Lake, Farina-Amedore and the town dated November 10, 2010, and

WHEREAS, the Town now wishes to dedicate the Round Lake sewer line and appurtenances to Saratoga County Sewer District No. 1 pursuant to county law; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign a deed to Saratoga County Sewer District No. 1, consistent with the attached Quitclaim Deed, for the Round Lake sewer line, as shown in Exhibit A, and be it further

RESOLVED, that the Supervisor is authorized to execute the accompanying One Year Guaranty to Saratoga County Sewer District No. 1.

Collection System Supervisor O'Brien explained this sewer line used to be the main line for Northway Eleven Apts. which was disconnected a long time ago. This is a long line with very few customers on it and is a large liability for the towns and small customer base. There has been an opportunity to work with developers in the Town of Ballston to turn the line over to the county so it can be expanded to provide to people in the Town of Ballston. Mr. O'Brien stated this works for the towns and the developers. He said the repairs are in the final phase, at mostly the developers' costs, and the line is ready for the county to take it over.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 236 of 2011, a resolution approving an outside user connection to the Clifton Country Road Sewer District No. 1 for 54 Clifton Country Road, Clifton Park.

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

WHEREAS, a request has been received from Park Plaza of Clifton Park, LLC, 10 Maxwell Drive, Clifton Park owner of 54 Clifton Country Road, for the Town Board, as Commissioners of the Clifton Country Road Sewer District No. 1, to extend service from their sewer main located on Clifton Country Road across from Zaika Restaurant to the building at 54 Clifton Country Road, and

WHEREAS, the property to be connected is an existing commercial parcel at 54 Clifton Country Road, and

WHEREAS, the Clifton Country Road Sewer District No. 1 has been approved by the New York State Comptroller's Department of Audit and Control, and

WHEREAS, a request has been received by the Town Board, as Commissioners of the Sewer District, to approve an outside user connection for SBL 271.-3-47.122 (54 Clifton Country Road), and

WHEREAS, the Town Board recognizes that connection to the facilities of Clifton Country Road Sewer District No. 1 represents the most efficient method of connection to public sewers from the applicant's location, and

WHEREAS, the current expansion of Clifton Park Center has consumed the excess capacity of Clifton Country Road Sewer District No. 1, and

WHEREAS, DCG Development has agreed to make the required upgrades to the pump station which will allow adequate capacity to be restored; now, therefore, be it

RESOLVED, that connection to the Town of Clifton Park Sewer District No. 1, by Park Plaza of Clifton Park, LLC (Zaika Restaurant) will not be completed until upgrades have been completed by DCG Development to the town's system and subject to approval by the Town of Clifton Park and the Saratoga County Sewer District No. 1, and be it further

RESOLVED, that the Town Board, as Commissioners of the Clifton Park Sewer District No. 1, hereby approves an outside user connection to the District's facilities for an existing commercial parcel at 54 Clifton Country Road, Clifton Park, New York.

Collection Systems Manager O'Brien explained Zaika Restaurant is located across the road from the sewer system but is served by the group of office buildings next to it. The owner would like to subdivide and can't with the way the sewer system is designed in that area. The town was approached with the possibility of the restaurant tying in and there is capacity to accept the restaurant but not the office complex. Mr. O'Brien said this will allow the developer to achieve his goals and at the same time provide a closer connection for the restaurant, as well as offset the levy for the other users. He reported DCG Development, owner of Clifton Park Center, is in the process of upgrading the system one more time due to the mall expansion.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 237 of 2011, a resolution awarding the bid for Uniform Rentals and Service for all town employees and mats for multiple locations in the Town of Clifton Park to sole bidder Unifirst Corporation effective retroactive to April 5, 2011.

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

WHEREAS, on March 17, 2011 bids were opened for uniform rentals and service for all town employees and for mats for multiple locations in the Town of Clifton Park, and

WHEREAS, Unifirst Corporation, Watervliet, New York, was the sole bidder in an amount of \$4.80 per employee, for uniform rentals and service and for mats in the following amounts:

| | |
|---------------|-------------|
| 3 x 5 Scraper | \$1.60 each |
| 3 x 5 Mats | \$1.90 each |
| 3 x 10 Mats | \$3.50 each |
| 4 x 6 Mats | \$3.25 each |
| 4 x 8 Mats | \$3.50 each |

and

WHEREAS, Richard Kukuk, Superintendent of Highways, has recommended that the bid of sole bidder Unifirst Corporation, 157 Troy-Schenectady Rd., Watervliet, NY, be accepted in an amount of \$4.80 per employee and in the amounts for the mats as indicated above, retroactive to April 5, 2011, cost of uniforms and mats to come from various departmental budgets; now, therefore, be it

RESOLVED, that the bid for Uniform Rentals and Service is hereby awarded to Unifirst Corporation, 157 Troy-Schenectady Rd., Watervliet, NY, at a cost of \$4.80 per employee, and mats as per the above amounts, cost of uniforms and mats to come from various departmental budgets.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 238 of 2011, a resolution in connection with a block party to be held in the Hunter Meadow Subdivision.

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

WHEREAS, the residents of the Hunter Meadow Subdivision plan to conduct a block party within the subdivision on September 17, 2011, from 1:00-9:00 P.M. and have requested

permission to use Hunter Meadow off Pine Hill Bend 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 Hunter Meadow off Pine Hill Bend, September 17, 2011 from 1:00-9:00 P.M. for their party activities but must not block off the streets 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 Romano,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 239 of 2011, a resolution authorizing the Albany Running Exchange to use town roadways for a 10K race event.

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

WHEREAS, the Albany Running Exchange is sponsoring a 10K race event on Sunday, November 6, 2011 starting at 9:00 a.m. and ending at 10:45 a.m., and

WHEREAS, the event will begin on the Shenendehowa school campus, proceed to Moe Road, Grooms Road, Vischer Ferry Road, Clifton Park Center Road and end back on the Shenendehowa school campus track, and

WHEREAS, Joseph C. Ritchey, Commissioner of Public Works for Saratoga County, has no objection to the request for use of Grooms Road (CR 91) and Vischer Ferry Road (CR 90) and defers to the authority of the Town Board for issuance of consent for the use of town roads for a 10K race, in accordance with Vehicle and Traffic Law Section 1660-6; now, therefore, be it

RESOLVED, that authorization is given to Albany Running Exchange to use town roadways for a 10K race event on November 6, 2011; and be it further

RESOLVED, that Albany Running Exchange volunteers be permitted to temporarily stop traffic at each intersection that a vehicle and a 10K participant arrive at, at the same time.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Sanford Roth, former Town Councilman, gave an update on Hazardous Waste Day, scheduled for September 10th, noting 700 registrations have been received to date.

Jim Ruhl, Wood Dale Drive, expressed appreciation for the reverse 911 notification of storm information.

Frank Berlin, Main Street, Jonesville, thanked all involved in the safe removal of the honeybee hive, noting it was a great cooperative effort. He stated this tree is on town property.

MOTION by Councilman Paolucci, 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 7:50 p.m.

Patricia O'Donnell
Town Clerk