

July 23, 2012

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 Whalen
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
Barbara McHugh, Director of Community Development
Michael Montague, Environmental Specialist
John Scavo, Director of Planning

MOTION by Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the July 9, 2012 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett congratulated the Not So Common Players on their production of "Oliver".

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 181 of 2012, a resolution authorizing the Southern Saratoga YMCA to use town roadways for a 5K Run/3K Walk/Kids Fun Run.

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

WHEREAS, the Southern Saratoga YMCA is holding their 17th annual 5KRun/3K Walk/Kids Fun Run on Tuesday, August 14, 2012 and are requesting use of the Clifton Park roadways starting at 6:20 pm and ending when the last participant arrives back at the YMCA, and

WHEREAS, the event will begin at the YMCA, proceed through Hollandale into Clifton Gardens and back to the YMCA; now, therefore, be it

RESOLVED, that authorization is given for the Southern Saratoga YMCA to use town roadways for a 5K Run/3K Walk/Kids Fun Run; and be it further

RESOLVED, that the Saratoga County Sheriff's department, local fire departments and YMCA volunteers will be on the course to provide traffic control and direct the race participants in the right direction.

Supervisor Barrett said he has asked the YMCA to place signage along the route at least a week prior to the event as in the past residents along the route said they were not aware the event was taking place.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 182 of 2012, a resolution in connection with a block party to be held in the Clifton Knolls subdivision.

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

WHEREAS, the residents of Clifton Knolls wish to conduct a block party within the subdivision on Saturday, September 8, 2012 (rain date September 15th) between 11:00 A.M and 5:00 P.M, and have requested permission to use a portion of Valencia Lane between Granada Drive to Guadalupe Pass 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 a portion of Valencia Lane between Granada Drive to Guadalupe Pass Saturday, September 8, 2012 (rain date September 15th) from 11:00 A.M. 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 Whalen, Councilman Hughes, Councilman Romano,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 183 of 2012, a resolution in connection with a block party to be held in the Country Knolls subdivision.

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

WHEREAS, the residents of Country Knolls subdivision wish to conduct a block party within the subdivision on Saturday, August 11, 2012 (rain date August 12th) between the hours of 9:00 am and 8:00 pm and have requested permission to use Woodstead Road between the corners of Hearthside Drive and Woodridge Court 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 Woodstead Road between the corners of Hearthside Drive and Woodridge Court, August 11, 2012 (rain date August 12th) from 9:00 am to 8:00 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 Whalen, Councilman Hughes, Councilman Romano,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 184 of 2012, a resolution authorizing a contract for the recycling of bulbs and lamps from various town buildings.

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

WHEREAS, the town replaces anywhere between ten to thirty fluorescent bulbs per week, and

WHEREAS, Environmental Specialist Michael Montague has identified a need to contract for the recycling of light bulbs from all town buildings, and

WHEREAS, Michael Montague has solicited and received pricing for the recycling of bulbs and lamps from the various town buildings, and

WHEREAS, Michael Montague has requested authorization to contract with Tech Valley Recycling Inc., 767 Pierce Road, Clifton Park, for bulb and lamp recycling from all town buildings off of Saratoga County contract, as described in the attached contract provided by Saratoga County; now, therefore, be it

RESOLVED, that authorization is hereby given to contract with Tech Valley Recycling Inc. for the recycling of bulbs and lamps from various town buildings, pricing for disposal as indicated in the attached Saratoga County contract, estimated cost of \$500 through the end of 2012 to be paid from A-1620-15 (Town Hall-Other Contractual).

Mr. Montague said currently lamps and bulbs are being mailed to Glens Falls which is expensive as they are considered hazardous waste.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 185 of 2012, a resolution authorizing the Director of Community Development to attend a FEMA Region 1 Conference.

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

WHEREAS, Barbara McHugh, Director of Community Development, has requested authorization to attend a one day FEMA Region 1 Conference, sponsored by the International Association of Emergency Managers, entitled "Community Preparedness, the First 72 Hours", designed to assist the town and its residents to plan and prepare for emergencies, and

WHEREAS, Barbara McHugh's attendance at this conference will confer a benefit to the town and its residents; now, therefore, be it

RESOLVED, that Barbara McHugh is authorized to attend the FEMA Region 1 Conference entitled "Community Preparedness, the First 72 Hours" in Bennington, Vermont on August 16, 2012, registration fee of \$50 to be paid from A-8989-001. (Training and Conferences)

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 186 of 2012, a resolution accepting grant funds from the Capital District Transportation Committee (CDTC) to conduct the Clifton Park Town Center Strategic Zoning Code Revisions.

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

WHEREAS, the Town Board wishes to advance the concepts outlined in the Exit 9 Land Use and Transportation Study of 2008 and the subsequent Town Center Plan adopted on June 11, 2012, and

WHEREAS the Town of Clifton Park has been awarded \$50,000 from the Capital District Transportation Committee (CDTC), the Metropolitan Planning Organization for the Capital District, through the Community and Transportation Linkage Program for its 2012-2014 Planning Program, and

WHEREAS, this grant will assist the town in conducting the Clifton Park Town Center Strategic Zoning Code Revisions project, to advance the town center land use vision, and

WHEREAS, the program approves a consultant cost of \$70,000, \$50,000 of which shall be paid for with federal planning funds (CDTC Linkage Funds) and \$20,000 by local cash match, and

WHEREAS, the town and CDTC jointly select a consultant who will invoice the Town of Clifton Park for the cash match according to program guidelines, and

WHEREAS, pursuant to program guidelines, the town's cash match will be used prior to the expenditures of the federal funds; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to sign a Memorandum of Understanding (attached) with the CDTC and work with town staff and CDTC staff to advance this project in a timely manner, and be it further

RESOLVED, that \$20,000 for the local cash match to assist the town in conducting the Clifton Park Town Center Strategic Zoning Code Revisions project is authorized to be transferred from Contingency to A-6989-135. (Economic Development-Engineer)

Director of Planning Scavo explained the grant application is for Phase II which is to take the vision and goals outlined in the Town Center Plan and update town zoning as an implementation tool to achieve the vision. Many of the mixed use suggestions in the plan cannot be achieved

under the current zoning within the town center. He said the town will be looking at the potential to come up with a form base code or hybrid. Mr. Scavo said form based code is more graphic and looks at building and design instead of allowed/not allowed uses and bulk standards and is more user friendly. He noted this is a new type of zoning and positive results from this zoning have been received.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 187 of 2012, a resolution authorizing the hiring of summer help for the Clifton Knolls Park District.

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

WHEREAS, a need has been identified for summer help at the Clifton Knolls Park District to do light landscape work, and

WHEREAS, Michael Handerhan, Supervisor of Buildings & Grounds, has recommended that Alan Gaines, 21 Evergreen Avenue, Clifton Park, be hired to do light landscape work for the Clifton Knolls Park District; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Clifton Knolls Park District, hereby authorizes the hiring of Alan Gaines to do light landscaping work for the Clifton Knolls Park District, at \$7.50 per hour, to be paid from SP37131-24 (Clifton Knolls Park District-Maintenance), effective immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 188 of 2012, a resolution approving an agreement with Clifton Park Water Authority (CPWA) for cost-sharing on a project to connect Rivercrest Water District customers to CPWA facilities through Rexford Water District.

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

WHEREAS, the Town of Clifton Park operates the Rivercrest Water District (RWD), consisting of eighteen (18) single family homes on Rivercrest Drive in western Clifton Park, and

WHEREAS, the CPWA maintains and operates the Rexford Water District with public water distribution facilities within the immediate vicinity of the Rivercrest Water District on Riverview Road at Rivercrest Drive, and

WHEREAS, the town desires to construct a connection between the CPWA distribution facilities and those of the Rivercrest Water District in order to facilitate the supply of customers of the RWD water users through the CPWA, and

WHEREAS, the CPWA desires to acquire the current users of the Rivercrest Water District as customers for the CPWA, and

WHEREAS, the Town of Clifton Park has retained McDonald Engineering to prepare the attached project manual and bid specifications for the Interconnection Construction Project, and

WHEREAS, McDonald Engineering solicited quotes for the attached project pursuant to General Municipal Law § 104 (b), and

WHEREAS, Tom Kubricky Co. Inc. has submitted a quote for the work pursuant to the attached project manual in the amount of \$14,222 which constitute low bids for the project, and

WHEREAS, on July 16, 2012, the CPWA passed a resolution (attached), authorizing to jointly fund the Rivercrest-Rexford Interconnection project in conjunction with the Town of Clifton Park; now, therefore, be it

RESOLVED, that the Town Board, acting for itself and as commissioners of the Rivercrest Water District, approves the Rivercrest-Rexford Interconnection Project pursuant to the project manual, revised July 2012, and authorizes a 50% cost sharing agreement with the CPWA regarding construction and design costs, and be it further

RESOLVED, that the Town Board authorizes the Supervisor to execute any agreements necessary to implement the cost-sharing agreement with the CPWA; and be it further

RESOLVED, that the Comptroller is authorized to expend sums to McDonald Engineering for the design, construction inspection and supervision of the project, to be paid with a transfer of funds from Contingency to A-8310-200 (Water Distribution).

Supervisor Barrett reported currently Rivercrest Water District customers are buying water from the Town of Glenville. He said a meeting with the users has been held and their support was unanimous. The Supervisor said a fund for water connections in the western part of town was established in 2003, under then Councilman Speckhard's initiative, and there is still a small amount of money available which will more than cover the cost of this construction project.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 189 of 2012, a resolution awarding the bid for the Rivercrest and Rexford Water District Interconnection Project to Tom Kubricky Co. Inc. in the amount of \$14,222.

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

WHEREAS, the Clifton Park Town Board and Clifton Park Water Authority (CPWA) have agreed to participate in a project to connect current users of the Rivercrest Water District to CPWA facilities through the Rexford Water District, and

WHEREAS, McDonald Engineering has prepared bid specifications and project manual for the Rivercrest and Rexford Interconnection Project, and

WHEREAS, McDonald Engineering has solicited quotes pursuant to General Municipal Law Section 104 (b) and recommends awarding the project to the Tom Kubricky Co. Inc., Gansevoort, New York, in the amount of \$14,222; now, therefore, be it

RESOLVED, that McDonald Engineering is authorized to award the project to Tom Kubricky Co. Inc. pursuant to the attached correspondence; and be it further

RESOLVED, that the Town of Clifton Park share the cost of the engineering, design, construction and inspection of the project on a 50% basis with the CPWA, to be paid from A-8310-200 (Water Distribution).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 190 of 2012, a resolution scheduling a public hearing regarding the application of funds from the Water Development Capital Reserve Funds for the Rivercrest and Rexford Water Districts Interconnection Project.

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

WHEREAS, by Resolution No. 169 of 2003, the Town Board established the Water Development Capital Reserve Fund dedicated to the extension of water distribution facilities within western Clifton Park, and

WHEREAS, the Town Board has approved the Rivercrest and Rexford Interconnection Project to connect the Rivercrest Water District to Clifton Park Water District through the Rexford Water District, and

WHEREAS, the Town Board wishes to hold a public hearing to solicit comment from the public regarding utilization of the Water Development Capital Reserve Account to offset the town share of the interconnection project; now, therefore, be it

RESOLVED, that a public hearing is scheduled for August 6, 2012 at 7:05 PM, regarding the application of up to \$20,000 from the Water Development Capital Reserve Funds toward the design, engineering, construction and inspection costs associated with the project; and be it further

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 191 of 2012, a resolution authorizing the purchase of a 2012 Chevrolet One-Ton Crew Cab Truck for use by the Highway Department.

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

WHEREAS, Richard Kukuk, Superintendent of Highways, has identified a need for a new vehicle for the use by the Highway Department, and

WHEREAS, Richard Kukuk has requested authorization to purchase a 2012 Chevrolet One Ton Crew Cab Truck under New York State Contract, as described in Schedule A; now, therefore, be it

RESOLVED, that Highway Superintendent Richard Kukuk is hereby authorized to purchase a 2012 Chevrolet One Ton Crew Cab Truck under State Contract No. PC 63529, from Robert Green Auto and Truck Dealership, Route 17 East, Rock Hill, New York, as described in the attached documents, at a cost not to exceed \$37,548.68, to be paid from DA-5130-219 (Highway - Highway Machinery - Highway Truck).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

REPORT TO THE BOARD

Tim Kimball, Clifton Park Soccer Club, thanked the Town Board for their support of the International Soccer Tournament, noting 120 teams participated, including six teams from Canada. Mr. Kimball thanked the Buildings and Grounds Department for their work on the soccer fields.

PUBLIC PRIVILEGE

Richard Harlow, Grooms Road, distributed a log to the Town Board listing times of noise disturbances of ATVs, dirt bikes since late 2008. He said over the years he has contacted the Sheriff's Department and Town Security. Mr. Harlow expressed concern that the town Noise Ordinance doesn't cover daytime hours or there is no zoning control regarding race tracks. Supervisor Barrett stated he will follow up with Mr. Harlow.

Howard Hickin, Grooms Road, speaking from the floor, said he is also disturbed by the noise of the vehicles.

Beverly Czub, Miller Road, asked Superintendent of Highways Kukuk what will happen to the truck being replaced. Mr. Kukuk responded normally vehicle is declared surplus and put up for auction where it may be bought for parts. This money goes back into the equipment budget.

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 7:50 p.m.

Patricia O'Donnell
Town Clerk