

Clifton Park Town Board Meeting Minutes

June 16, 2003

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 Speckhard
Councilman Roth
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Also Present: Town Attorney Trainor
Louis Gerard, Superintendent of Highways
Mark Heggen, Comptroller
Jason Kemper, Director of Planning
Barbara McHugh, Director of Community Development
Michael Shahan, Town Administrator

MOTION by Councilman Paolucci, seconded by Councilman Roth, to approve the minutes of the June 2, 2003 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett asked for comments from the Town Board within the next 2 weeks regarding the proposed historic preservation legislation.

Supervisor Barrett acknowledged two individuals leaving CAPTAIN - Susan Allen who is retiring and Eileen Riordan who is leaving to become the Red Cross Executive Director for the Adirondack region. He congratulated and thanked them for their dedication to the community over the years.

Supervisor Barrett congratulated Mark McQuade, Coach of the Shenendehowa Varsity Boys Lacrosse Team and players for their outstanding season and recognized their achievement in Resolution No. 146 adopted this evening.

Supervisor Barrett congratulated Dan D'Amboise, Coach of the Class A State Champion Shenendehowa Varsity Softball Team and team members on their outstanding season and recognized their achievements in Resolution No. 147 adopted this evening.

REPORTS TO THE BOARD

Tom Werner, NYS DOT Regional Director, reviewed various impending state road projects including the Exit 9W Ramp Route 146 area, which is expected to be completed this year. Highway Superintendent Gerard said work on the Clifton Country Road Extension should be completed before the DOT project begins. Mr. Werner said improvements are being looked at from River Road in Niskayuna, across the Rexford Bridge, up to Glenridge Road, as well as improvements on Glenridge Road from Route 146 to Maple Avenue involving the two railroad underpasses. Both projects are anticipated to begin in 2008. Mr. Werner recommended the town having a liaison with the Town of Glenville with regard to improvements on Glenridge Road as this will improve Route 146 to Exit 9 as an east/west corridor for traffic.

Mr. Gerard asked if any consideration is being given to the pedestrian crossing at Route 146 and Clifton Country Road, e.g. a bridge over Route 146 or tunnel. Mr. Werner responded it is difficult to get pedestrians to use overpasses and due to security concerns tunnels are not done anymore. He said DOT can look at the crossing to make sure lights are correct. Councilman Roth asked if islands in the middle of the road can be considered. Mr. Werner said if DOT were to look at a major reconstruction/improvement on Route 146, a raised median or island type treatment would be an option to look at.

Town Administrator Shahan noted plans are in the place for the 4th of July. He reported summer patrol hours are in effect for town security with extended hours and three cars patrolling on Thursdays, Fridays and Saturdays.

Town Comptroller Heggen reported Marvin & Co auditors have started the 12/31/02 audit. Sales tax distribution is at \$613,000 for the month of June which is based on estimates of May and April and at this time the town is \$600,000 ahead of last year.

Resolution No. 146 of 2003, a resolution honoring the Shenendehowa Varsity Boys Lacrosse Team.

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

WHEREAS, the Shenendehowa Lacrosse Team has excelled in the 2003 school year and has compiled an outstanding record, and

WHEREAS, the Town Board recognizes the value of athletics to the high school students of our Town, and further recognizes the hard work and dedication of these athletes and their coaches, and

WHEREAS, the Town Board further recognizes the tremendous commitment of time expended by the Shenendehowa Lacrosse Team and their coaches in preparation for their exemplary season, and

WHEREAS, the Town Board further recognizes and supports the outstanding leadership skills of these athletes as exemplified by their captains; now, therefore, be it

RESOLVED, that the Town Board honors the members of the Shenendehowa Boys Varsity Lacrosse Team for their history making second appearance in the New York State Lacrosse Semi-final Championships, the only Section 2 Team to ever advance as far in State Finals, capturing the Section and Regional titles on the way with two players designated as "All Americans" and commends them for their outstanding dedication to their sport, school and community.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 147 of 2003, a resolution honoring the Shenendehowa Girls 2003 Class A State Champion Softball Team.

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

WHEREAS, the Shenendehowa Girls Softball Team has excelled in the 2003 school year and has compiled an outstanding record, and

WHEREAS, the Town Board recognizes the value of athletics to the high school students of our Town, and further recognizes the hard work and dedication of these athletes and their coaches, and

WHEREAS, the Town Board further recognizes the tremendous commitment of time expended by the Shenendehowa Team and their coaches in preparation for their exemplary season, and

WHEREAS, the Town Board further recognizes and supports the outstanding leadership skills of these athletes as exemplified by their captains; now, therefore, be it

RESOLVED, that the Town Board honors the members of the Shenendehowa Girls Softball Team for attaining the First Section II Title since 1989 and the First State Championship for Shenendehowa Girls Softball, ending a remarkable season and commends them for their dedication to their sport, school and community.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 148 of 2003, a resolution authorizing the Alplaus Residents' Association to use a section of Riverview Road on July 4, 2003.

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

WHEREAS, the Alplaus Residents' Association wishes to conduct a parade on a portion of Riverview Road on July 4, 2003, and

WHEREAS, it is anticipated that the Alplaus Residents' Association will receive the full cooperation and assistance of the Schenectady County Sheriff's Department and the Town of Glenville Police Department to aid in traffic control as these law enforcement agencies have done in past years; now, therefore, be it

RESOLVED, that the Alplaus Residents' Association shall be permitted to use a portion of Riverview Road within the Town of Clifton Park on Friday, July 4, 2003 for the 2003 Alplaus Fourth of July Parade which shall commence at approximately 10:30 a.m. at the Glenclyff School; and be it further

RESOLVED, that the Alplaus Residents' Association shall obtain and file a certificate of insurance, in the amount of \$1,000,000.00, naming the Town of Clifton Park as an insured, shall indemnify and hold the Town of Clifton Park harmless for injuries or damages and employ all relevant traffic enforcement agencies and Emergency Corps.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 149 of 2003, a resolution allocating \$158,000 from Undesignated, Unused Surplus to be used for Expenditures of \$140,000 for a vehicle storage building for the Highway Department and \$18,000 for a vehicle to be purchased for the Town.

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

WHEREAS, the existing storage building requires the replacement of exterior metal paneling in various areas, repainting of the entire structure, replacement of the sliding doors and installing a pavement milling floor in the facility at a cost of approximately \$22,000, and

WHEREAS, two existing storage buildings are in poor condition both interior and exterior and do not accommodate many of the existing highway department vehicles due to the large size of the vehicles, and

WHEREAS, a 50 foot deep by 105 foot long storage building consisting of seven bays would be constructed at a cost of approximately \$118,000, and

WHEREAS, demolition of the two existing buildings, and finishing the floors in all buildings with pavement millings would be completed by Highway Department personnel, and

WHEREAS, the town has received insurance proceeds in a previous year in the amount of \$6,200 for the damage to the existing building and that these funds will be used for this project, and

WHEREAS, the lease of the Town's Buick Century expires July 21, 2003 and this vehicle will be returned to General Motors, and there exists a need to replace this vehicle, and

WHEREAS, leasing is not available for this purchase in New York State at this time, and

WHEREAS, the cost of a new vehicle is estimated at \$20,000, and

WHEREAS, \$2,000 remains in the budget for this purchase with an additional \$18,000 needed to replace the vehicle, and

WHEREAS, the Town of Clifton Park has realized surplus funds for the calendar year ended December 31, 2002, and

WHEREAS, the Town Board desires to allocate some of this surplus for the expenditures indicated above; now, therefore, be it

RESOLVED, that the Town Comptroller is hereby authorized to allocate \$158,000 of the 2002 Undesignated, Unused Surplus Funds to pay \$140,000 for a new Highway

Department vehicle storage building and \$18,000 to purchase a new Town vehicle.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 150 of 2003, a resolution to authorize Behan Planning Associates to prepare and submit a grant application to the New York State Office of Parks, Recreation, and Historic Preservation.

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

WHEREAS, the Town of Clifton Park Town Board adopted the Clifton Park Open Space Plan in May 2003, based upon broad public support for protecting open space in the town as clearly expressed throughout a two-year public outreach and participation process that included numerous public meetings and two surveys that were mailed to every landowner in town, and

WHEREAS, the Clifton Park Open Space Plan cited the importance of the protection of wildlife nature preserves and watersheds including the enhanced protection of drinking water resources, and

WHEREAS, the Clifton Park Open Space Plan calls specifically for obtaining additional lands near the Vischer Ferry Nature & Historic Preserve near water supplies, and

WHEREAS, State matching grant funding opportunities are available for the Town of Clifton Park to make applications, and

WHEREAS, the Landowner has indicated a willingness to negotiate an agreement with the Town of Clifton Park for lands involving a 15-acre property near the Vischer Ferry Nature & Historic Preserve, with the understanding that the town's actions are contingent upon the town's receipt of grant funding, and

WHEREAS, the planning consultants, Behan Planning Associates, LLC have a successful track record in obtaining grant funding on behalf of municipalities and performing plan implementation services, and have both provided and donated services in the preparation of the open space plan and its related documentation including the SEQRA documentation, and

WHEREAS, the Town of Clifton Park is authorized by New York State to acquire land or easements through purchase or donation for park and recreation purpose under Section 247 of the General Municipal Law, which further provides that open space may be acquired for its natural scenic beauty, for the purpose of maintaining or enhancing the conservation of natural or scenic resources; now, therefore, be it

RESOLVED, that Philip Barrett, as Supervisor of the Town of Clifton Park is hereby authorized and directed to execute all applicable documents related to the grant application for the lands of the 15-acre property near the Vischer Ferry Nature & Historic Preserve near water supplies; and to sign and file an application for grant funds from the New York State Department of Environmental Conservation small project grants

program, in an amount not to exceed \$31,500 for the 15-acre property near the Vischer Ferry Nature & Historic Preserve, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Clifton Park for land acquisition within the 15-acre parcel near the Vischer Ferry Nature & Historic Preserve near water supplies, and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property; and be it further RESOLVED that Philip Barrett, as Supervisor of the Town of Clifton Park is hereby authorized and directed to sign a contract amendment with Behan Planning Associates, LLC to prepare the applicable grant application and documentation for funds from the New York State Department of Environmental Conservation small project grants program, for such financial assistance to the Town of Clifton Park for land acquisition within the 15-acre property near the Vischer Ferry Nature & Historic Preserve near water supplies. Such services shall be provided at no cost to the town unless grant funding is awarded to the town. The fee for such grant application services is set at 5% of the grant to be paid upon award notification.

Supervisor Barrett said this is the Van Vranken property. Mr. Kemper noted this is an aquifer recharge area and does not have direct access to the river but does abut the Preserve. He noted these are matching grants but can be matched by inkind services.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 151 of 2003, a resolution to authorize Behan Planning Associates to prepare and submit a grant application to the New York State Office of Parks, Recreation, and Historic Preservation.

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

WHEREAS, the Town of Clifton Park Town Board adopted the Clifton Park Open Space Plan in May 2003, based upon broad public support for protecting open space in the town as clearly expressed throughout a two-year public outreach and participation process that included numerous public meetings and two surveys that were mailed to every landowner in town, and

WHEREAS, the Clifton Park Open Space Plan cited the importance of the protection of wildlife nature preserves and watersheds including the enhanced protection of drinking water resources, and

WHEREAS, State and federal matching grant funding opportunities are available for the Town of Clifton Park to make applications by the deadline of June 20, 2003, and

WHEREAS, the planning consultants, Behan Planning Associates, LLC have a successful track record in obtaining grant funding on behalf of municipalities and performing plan implementation services, and have both provided and donated services in the preparation of the open space plan and its related documentation including the

SEQRA documentation, and

WHEREAS, The Town of Clifton Park is authorized by New York State to acquire land or easements through purchase or donation for park and recreation purpose under Section 247 of the General Municipal Law, which further provides that open space may be acquired for its natural scenic beauty, for the purpose of maintaining or enhancing the conservation of natural or scenic resources; now, therefore, be it

RESOLVED, that Philip Barrett, as Supervisor of the Town of Clifton Park, is hereby authorized and directed to execute all applicable documents related to the grant application for acquisition of open space lands; and to sign and file an application for grant funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 and the Federal Land and Water Conservation Fund Act of 1965, in an amount not to exceed \$350,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Clifton Park for open space land acquisition and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property; and be it further RESOLVED, that Philip Barrett, as Supervisor of the Town of Clifton Park, is hereby authorized and directed to sign a contract amendment with Behan Planning Associates, LLC to prepare the applicable grant application and documentation for funds from the New York State Department of Environmental Conservation small project grants program, for such financial assistance to the Town of Clifton Park for an open space land acquisition. Such services shall be provided at no cost to the town unless grant funding is awarded to the town. The fee for rendering such grant application services is set at 5% of the grant to be paid upon award notification.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 152 of 2003, a resolution authorizing additional funding for fall performances of the “Queen of Hearts Play”.

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

WHEREAS, in a continuing effort to celebrate the 175th Anniversary of the Town of Clifton Park, additional performances of the play “Queen of Hearts”, written to commemorate this historic event, are being scheduled for the Fall of 2003, and

WHEREAS, \$1,500 is needed to fund the additional performances; now, therefore, be it

RESOLVED, that \$1,500 is authorized for the additional performances of “Queen of Hearts”, said performances to be paid for from a transfer from contingency to A-7550-56 (Recreation Programs-Community Arts & Culture).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 153 of 2003, a resolution awarding the bid for the construction of the Van Patten Multi-Use Trail.

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

WHEREAS, on June 12, 2003, bids were received for the above referenced contract, and

WHEREAS, the low bidder for this contract is White Oak Construction Company in the amount of \$238,459, and

WHEREAS, as per letter from Clough, Harbour and Associates dated June 13, 2003, Clough, Harbour & Associates has reviewed the bids and has recommended to the Town Supervisor that White Oak Construction Company be accepted as the lowest responsible bidder; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid to White Oak Construction Company in the amount of \$238,459, to be paid with a transfer from Unappropriated Fund Balance to A-7629-200 (Trails Equipment) .

It was noted this is the Trails Committee’s number one project.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 154 of 2003, a resolution authorizing Phoenix Digital to design a Town of Clifton Park map.

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

WHEREAS, a need exists for a Town of Clifton Park Map identifying State, County and Local Roads along with Town wide Facilities and services as well as Recreational facilities, and

WHEREAS, a proposal was submitted by Phoenix Digital Services in the amount of \$2,625.00 for 70 hours, additional hours to be billed at \$37.50 per hour; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes Phoenix Digital to proceed with the design of a map of the Town of Clifton Park at an estimated cost of \$2,625.00 for 70 hours plus \$37.50 for additional hours to be paid from Contingency with a transfer to A-1620-15 (Town Hall-Other Contract).

It was noted the town will own the file.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 155 of 2003, a resolution awarding the bid for the CAPTAIN'S Building, Contract No. 1 – General Construction.

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

WHEREAS, on June 12, 2003 bids were received for the above referenced contract, and

WHEREAS, the low bidder for Contract No. 1 – General Construction is Dutch Valley Contracting, Inc. in the amount of \$389,793.00, and

WHEREAS, as per a letter from McDonald Engineering, dated June 13, 2003, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that Dutch Valley Contracting, 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 in the amount of \$389,793.00 to Dutch Valley Contracting, Inc., to be paid with a transfer

from Unappropriated Fund Balance to A-1621-200 (Public Safety Building-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Norman Goldman, London Square Drive, said pedestrian crossings need to be looked at at other locations on Route 146 as well as at Clifton Park Center Road.

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

Motion carried at 8:38 p.m.

Patricia O'Donnell
Town Clerk