

**Clifton Park Town Board Meeting Minutes  
July 18, 2005**

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  
Mark Heggen, Comptroller  
Myla Kramer, Director of Parks, Recreation & Community Affairs  
Richard Kukuk, Superintendent of Highways  
Michael Shahan, Town Administrator

MOTION by Councilman Roth, seconded by Councilman Paolucci, to approve the minutes of the July 5, 2005 meeting as presented.

**ROLL CALL VOTE**

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

Noes: None

**MOTION CARRIED**

**ANNOUNCEMENTS AND COMMUNICATIONS**

Councilman Roth said he will propose a resolution this evening regarding bulk waste collection to be held in the fall. Scott Earl, President of County Waste said this service has been provided in many communities throughout the capital region and most communities do it on an annual basis. He said scrap metal will be done as a rebate to the town. He asked for the town's help in policing the areas to discourage scavenging. Supervisor Barrett said it is important to confirm that town security can write tickets in this regard. Mr. Earl said for pick up purposes, the town will be divided into quadrants

and there will be a direct mailing to residents with detailed information. Discussion ensued regarding charging for tire pick up and how this would be done. Mr. Earl suggested residents purchase tickets and tag tires. Councilman Speckhard asked if there was a way usable goods could be given to those in need. Mr. Earl responded his company would not be able to do this. Supervisor Barrett said if there is an organization that will pick up useable goods, Mr. Earl could put that telephone number in his letter.

Councilman Speckhard asked that the resolution regarding Rexford Water District fees be pulled as the language does not clearly distinguish between users' fees and hookup fees.

## REPORTS TO THE BOARD

Town Comptroller Heggen said the draft 2004 financial report has been distributed to the Board for review. Darryl Purinten of Marvin & Co. will attend an August Town Board meeting to go over the financial statement. He reported for the second year in a row the town is using the State Comptroller's method of accounting rather than GASB. Mr. Heggen reviewed the June financial report, noting revenues in the general fund are ahead of 2004 and expenditures are comparable to 2004 and are under budget.

Town Administrator Shahan reported three video cameras, purchased with the \$10,000 grant from Senator Bruno, are being installed in the security cars and noted it is a safety issue when security officers are out in the middle of the night. A meeting will be held with the security officers before the cameras are put into use. He further reported a wrap-up meeting on the 4th of July was held and it was determined it all went well with the exception of some traffic and parking problems. Mr. Shahan reported that Donald Clemens, Director of Building and Development is retiring as of August 27, 2005, thereby creating a job opening. This position is being advertised in the Times Union and Daily Gazette newspapers. With regard to bulk pickup, he said the security officers could issue tickets for scavenging and littering on town property.

Councilman Speckhard said a use policy for the cameras should be adopted. Mr. Shahan said a plan will be submitted to the Town Board.

Supervisor Barrett commended Highway Superintendent Kukuk for the signage in the neighborhoods regarding parking regulations for the 4th of July.

Supervisor Barrett noted Mr. Clemens's retirement is a loss to the town and he will be difficult to replace. He asked Mr. Shahan to review the salary for the position.

Councilman Speckhard said complaints have been received about smoking at the town pools. He asked a resolution be put on the agenda this evening discouraging smoking at the pools and putting up signage in this regard.

Supervisor Barrett said he is also aware of numerous complaints. He doesn't think "suggesting" no smoking will be effective and there should either be a smoking area or banned from inside the fence.

Director of Parks, Recreation and Community Affairs, Myla Kramer, said she is also aware of complaints and recommends prohibiting smoking in the fenced in area at the pools.

Councilman Roth questioned if the Country Knolls pool has any regulation since it is under a park district. Supervisor Barrett said he is sure they would go along with town regulations. Councilman Roth said he would like to see smoking outside of the fenced area.

#### PUBLIC PRIVILEGE

No one wished to be heard.

Resolution No.186 of 2005, a resolution hiring additional staff for the summer recreation program.

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

WHEREAS, it is necessary that additional staff be hired by the Department of Parks and Recreation to operate the Town of Clifton Park summer recreation programs; and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs has recommended that the individuals listed in Schedule A hereto be hired for such purpose; now therefore be it

RESOLVED, that the individuals listed in Schedule A attached hereto shall be hired to staff the Town of Clifton Park's summer recreation programs, effective immediately to August 19, 2005, to be paid from A-7310-E4560 (Summer Recreation - Collins Park Counselor) and A7320-E4900 (Summer Recreation – Full Day Counselor).

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

Resolution No. 187 of 2005, a resolution to update returning summer recreation staff

salaries, retroactive to June 27, 2005, per Schedule A.

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

WHEREAS, summer recreation staff were rehired for the summer recreation program, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs submitted a lower rate of pay on her previous resolution; now, therefore, be it

RESOLVED, that a salary correction be made as per Schedule A attached, retroactive to June 27, 2005.

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

Resolution No. 188 of 2005, to adopt a resolution for Marchiselli funding of Ushers Road, Vischer Ferry Road – Construction Phase. Total amount to appropriate \$4,130,000.00.

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

WHEREAS, a Project for the Reconstruction of Clifton Park Center Road, Ushers Road and Vischer Ferry Road from Miller Road to Moe Road, Van Patten Drive to CR 82 and Route 146 to Clifton Park Center Road, P.I.N. 1753.43 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the Town of Clifton Park desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering and ROW Incidentals.

NOW, THEREFORE, the Town Board, duly convened does hereby

RESOLVE, that the Town Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Town Board hereby authorizes the Town of Clifton Park to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering and ROW Incidentals work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$935,000.00 (Nine hundred thirty five thousand dollars and no cents) has already been appropriated from Highway Department funds and made available to cover the cost of participation in the Preliminary Engineering and ROW Incidentals phases of the Project; and it is further

RESOLVED, that the sum of \$361,500.00 (Three hundred sixty one thousand five hundred dollars and no cents) has already been appropriated from H9-3310-140 and made available to cover the additional cost of participation in the Preliminary Engineering and ROW Acquisition phase of the Project; and it is further

RESOLVED, that an additional sum of \$4,130,000.00 (Four million one hundred thirty thousand dollars and no cents) is hereby appropriated from H9-5112-200, and made available to cover the cost of participation in the Construction phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Town Board of the Town of Clifton Park shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Town Supervisor of the Town of Clifton Park be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Town of Clifton Park with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid-and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

Councilman Paolucci reported the bid opening for the road reconstruction project is scheduled for August 8, 2005. Councilman Speckhard asked that the minutes read the anticipated town balance for the construction portion of this project is approximately \$200,000.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 189 of 2005, a resolution authorizing the hiring of Jeff Patnode as contractor to perform audio engineering and repairs during the Performing Arts series at the Common for the 2005 season.

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

WHEREAS, the need exists to employ a contractor to perform audio engineering and repairs; and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs has recommended Jeff Patnode, 127 D&R Village, Halfmoon for the position; now therefore be it

RESOLVED, that Jeff Patnode, 127 D&R Village, Halfmoon is hereby hired as a contractor to perform audio engineering and repairs during the Performing Arts series at the Common not to exceed \$1,000 for the 2005 season to be paid from budget line A-7550-058.

Director of Parks, Recreation and Community Affairs, Myla Kramer, said there is an increasing need for expertise regarding the sound equipment.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 190 of 2005, a resolution authorizing the Comptroller and Assistant Comptroller to attend NYS Government Finance Officers Association Northeast Summer Seminar at Fort William Henry Resort & Conference Center.

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

WHEREAS, Mark Heggen, Comptroller and Denise Burrall, Assistant Comptroller have requested authorization to attend the NYSGFOA Northeast Summer Seminar at Fort William Henry Resort & Conference Center on August 3-4, 2005; and

WHEREAS, their 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 Mark Heggen, Comptroller and Denise Burrall, Assistant Comptroller are authorized to attend NYSGFOA Northeast Summer Seminar at Fort William Henry Resort & Conference Center on August 3-4, 2005, at a cost of \$140 per person to be paid from A-1315-1 (Comptroller Travel & Conferences).

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

Resolution No. 191 of 2005, a resolution authorizing payment to Music Theatre International and authorizing the Supervisor to sign the Production Contract with same.

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

WHEREAS, the Town sponsored theater group, Not So Common Players, would like to present a production of "Little Shop of Horrors" for Fall 2005, and

WHEREAS, it is necessary to secure the rights and sign the Production Contract with Music Theater International (MTI) for the show in the amount of \$1510, which includes a \$400 returnable security fee, as early as possible so as not to lose the opportunity, and

WHEREAS, this event is budgeted in the 2005 Budget; now, therefore, be it

RESOLVED, that the Town Board, in order to secure the rights, authorizes the expenditure of \$1510.00 from the 2005 Budget for the rights and fees for "Little Shop of Horrors", to be performed in October 2005 at the Little Theater in Shenendehowa East High School; and be it further

RESOLVED, that the Supervisor be authorized to sign the Production Contract with Musical Theater International (MTI).

#### ROLL CALL VOTE

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

Noes: None

**DECLARED ADOPTED**

Resolution No. 192 of 2005, a resolution authorizing additional funds for the production of "Guys & Dolls" on the Clifton Common.

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

WHEREAS, the town sponsored theater group, Not So Common Players, is producing the musical "Guys & Dolls" on the outdoor stage on the Clifton Common for seven performances; and

WHEREAS, additional expenses in the amount of \$1700 have arisen since budget preparations in 2004 per the attached letter from the Not So Common Players, and

WHEREAS, in addition to the \$1700 the theater group is also requesting \$275 to cover the cost of tent rental for protection of musical equipment per the attached memo dated July 13, 2005 bringing the total additional funds requested to \$1975; now, therefore, be it

RESOLVED that the Town Board of the Town of Clifton Park, in anticipation of additional expenses, hereby authorizes additional funding for the town sponsored theater group, Not So Common Players, in the amount of \$2500 for the summer production on the Clifton Common of "Guys & Dolls", with a transfer of funds from Contingency fund to A-7550-58 (Summer Show on Common).

MOTION BY Councilman Speckhard, seconded by Councilwoman Walowit, to amend the resolution by requesting an additional \$525 for a total of \$2500 for expenses of the summer production.

**ROLL CALL VOTE ON MOTION**

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

Noes: None

**MOTION CARRIED**

**ROLL CALL VOTE ON RESOLUTION**



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

Noes: None

DECLARED ADOPTED

Resolution No. 193 of 2005, a resolution authorizing the appointment of a Laborer in the Highway Department.

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

WHEREAS, an opening exists in the Highway Department for the position of Laborer; and

WHEREAS, Richard Kukuk, Highway Superintendent, recommends that Cory Schumacher, 7 Fallen Tree Lane, Clifton Park, be hired to fill this position; now therefore, be it

RESOLVED, that effective immediately, Cory Schumacher, 7 Fallen Tree Lane, Clifton Park, be appointed to the position of Laborer in the Highway Department, at Grade 4, Step 1, effective July 25, 2005, to be budged from DA05110-E3000 (Highway General Repairs-Laborer) and DA05142-E3000 (Highway Snow Removal-Laborer).

Superintendent of Highways Kukuk said because of a number of conditions the Highway Department is overwhelmed with work at this time and can use as many laborers or operators as the budget permits.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 194 of 2005, a resolution related to the Sherwood Forest Park District Drainage Improvement Project.

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

WHEREAS, the Sherwood Forest Park District owns and maintains a park located at the intersection of Nottingham Way South and Route 146A in the Town of Clifton Park, and

WHEREAS, many years ago a storm sewer pipe was installed diagonally through the ball field in the park to collect runoff from sections of NYS Route 146A and convey it through the park into the Town drainage system on Nottingham Way South, and

WHEREAS, this culvert pipe is no longer functioning as originally installed and needs to be replaced in its entirety, and

WHEREAS, the storm water that is collected in the pipe is the responsibility of both the Town of Clifton Park and the Park District, and an agreement has been reached between the two parties to share the cost equally, and

WHEREAS, the Town of Clifton Park Highway Department has agreed to complete the required drainage improvements through the park as part of other related drainage work at the intersection of Nottingham Way North and Nottingham Way South, and

WHEREAS, it is estimated that the cost of the culvert replacement through the park is \$12,000, of which \$6,000 would be paid by the Park District and \$6,000 by the Town of Clifton Park, and these funds would be used to reimburse the Highway Department for the labor, materials and equipment used to complete the project; now therefore be it

RESOLVED, that the Town Board of the Town of Clifton Park hereby authorizes the expenditure of \$6,000 toward the Park District Storm Sewer Replacement Project from Account Number DA-5110-24 (Highway Maintenance-General Maintenance); and be it further

RESOLVED, that the Town Board, acting as Commissioners of the Sherwood Forest Park District, hereby authorizes the expenditure of \$6,000 of Park District funds from SP8-7125-200 (Sherwood Forest-Equipment) for the Storm Sewer Replacement Project.

This resolution shall take effect immediately.

Councilman Speckhard explained this drainage situation happened in the late '90s when the state did some work on Route 146A and has gotten worse. He said the cost to the park district is \$6000, to the town \$6000 and the Highway Department will pick up the remaining cost. This plan should reduce the drainage problems not only in the park district but in the subdivision as a whole. Mr. Kukuk said he has worked with town engineer McDonald and this can be done cost effectively.

ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

Resolution No.195 of 2005, a resolution awarding a contract for “fall bulk trash pick up” for all residents of the Town of Clifton Park.

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

WHEREAS, a proposal was sent to four (4) vendors requesting price quotes to perform a “fall bulk trash pick up” for all town residents; and

WHEREAS, one vendor was unable to provide a proposal, two vendors did not respond and County Waste prepared a detailed response indicating the following information:

- scope of work/tasks
- examples of acceptable bulk items
- pricing, and
- 

WHEREAS, the details of the County Waste proposal is attached, and

WHEREAS, an estimate of costs as outlined in the attached proposal will require an allocation of \$25,000 from undesignated surplus; now, therefore, be it

RESOLVED, that the Town Board awards the contract to County Waste and \$25,000 be allocated from undesignated surplus.

Councilman Roth said the \$25,000 is a number based on what has been incurred in other communities.

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

Resolution No. 196 of 2005, a resolution banning smoking at the Barney Road, Locust Lane and Country Knolls pools.

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

WHEREAS, smoking at pool facilities endangers the health of pool users, particularly children; and

WHEREAS, parking lots are available at each of the town affiliated pools to accommodate smokers while protecting pool users; now, therefore, be it

RESOLVED, that smoking within the fenced-in area at the Barney Road pool facility, the Locust Lane pool facility and the Country Knolls pool facility is hereby prohibited; and be it further

RESOLVED, that the Town's Facility Use Policy shall be so amended.

Signs will be posted at the pools in this regard. Ms. Kramer will call Glenn Valle, Country Knolls Park District Chairman, to notify him of this resolution.

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

#### PUBLIC PRIVILEGE

Fred Ross, West Side Drive, Ballston, asked Supervisors Barrett and Daly to fix the budget problem at Maplewood Manor, the county nursing home.

Norman Goldman, London Square Drive, requested that apartment dwellers receive notice of bulk pickup. Councilman Roth said he will look into it. Mr. Goldman asked when the town's report on the Aging will be available. Councilman Paolucci responded it is anticipated the report will be available around the 1st of August.

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