

**Clifton Park Town Board Meeting Minutes
February 27, 2006**

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 and Community Affairs
Michael Shahan, Town Administrator
Walter Smead, Assessor

MOTION by Councilman Roth, seconded by Councilman Speckhard, to approve the minutes of the February 6 and 13, 2006 meetings as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett, on behalf of the Town of Clifton Park, expressed get well wishes to Congressman John Sweeney.

Supervisor Barrett thanked town employees and volunteers and their efforts in connection with the windstorm and power outage on February 17, 2006. He reported CERT volunteers were activated for the first time, as was the RUOK Program. He noted town generators were hooked to traffic lights.

Town Safety Officer Pasquarell reviewed actions taken during and after the power outage.

Supervisor Barrett announced Operation Safe Child will take place in the town hall on March 2, 2006.

PRESENTATIONS

Awards were presented to 99 Restaurant and Bellini's Restaurant for being voted Best Soup in the Taste of Clifton Park contest held during the town's Winter Fest.

Supervisor Barrett welcomed the winner of the open space sign "Name the Woodpecker" contest, 1st grader Brendan McCue who submitted the name "Vischer" and the finalists and their submissions, J.T. Buttimer – Otto; Nick Cammarata – Woodsy the Woodpecker; and Sophia Seltenreich – Woodsey the Woodpecker. Anthony Reinemann, who submitted the name Polly the Pileated Woodpecker, was unable to attend.

Councilman Paolucci discussed the proposed skateboard park, Clifton Park Action Park, noting the mall has granted an easement to the site located behind Clifton Park Center near the pond, with trails, security and shopping nearby. He reported discussions were held with NYMIR, the town's insurance carrier, and they feel the risks imposed on skate parks were possibly less than those that were involved in other sports and can be mitigated with proper rules and regulations. Meetings were held with young residents and parents to get community input as to the design of the skate park. Councilman Paolucci asked that the two resolutions regarding the skate park on the agenda this evening be taken off until the next meeting in order to answer board members questions. There will be a waiver that park participants or parents will need to sign. Annual memberships will be encouraged; however, daily rates will be available.

Joe Grasso and Jim Boudreau, Clough, Harbour & Associates, presented the design plans for the proposed skateboard park to be known as Clifton Park Action Park. Mr. Grasso reported the design heavily involved users of the skate park community, as well as discussions with skate park vendors. He reviewed the bid process with the hopes of breaking ground in May and completion by July 1. There is a base bid with design alternates. There will be no impacts to the pond or parking lot. Mr. Grasso stated this will be a secure facility with an 8 foot high chain link fence with no access when the park is closed.

Mr. Boudreau, specialist in recreational facilities, reviewed various components of the proposed park, noting it is a 100 x 100 foot paved area with approximately 14 pieces of both concrete and modular skate equipment – the alternates will bring it up to 21 pieces. The park will consist of beginner and more advance equipment.

Councilman Paolucci estimated the park could accommodate 50 people at a time. Annual members would have access to the park via a lock system where the member would have a swiper card or fob system. No one will be allowed use of the park without a waiver. It was noted no bikes will be allowed.

Mr. Boudreau reviewed the base components and add alternates for the park.

Councilman Paolucci reported a July 1st opening is anticipated.

Mr. Grasso, on behalf of Clough, Harbour, thanked the skaters for their input to the design process.

REPORTS TO THE BOARD

Town Comptroller Heggen reported an extension until May 1st has been received from the State Comptroller's office for the filing of the Annual Financial Report. January revenues appear short due to the fact that the majority of revenues received in January are for the previous year but expenditures are for current year.

Town Administrator Shahan reported personnel from Buildings and Grounds and Highway Departments, Safety Officer, and Town Security were more than willing to stay after hours to help and be available during the windstorm. The town hall was closed at 10:30 p.m. but Security answered the phones until 11:00 p.m.

Supervisor Barrett emphasized the importance of contacting State Police or Sheriff's Department through 911 to report any emergencies.

Shenendehowa Superintendent of Schools Oliver Robinson reported construction of the new elementary school is anticipated to start within the next two months with a completion date of July 2007. He said the primary entrance to the new school will be the connection to Maxwell Road. Mr. Robinson said at some point he hopes there will be some collaboration between the town and school as to the town's involvement with the new road, as well as discussions regarding space behind the new school. He emphasized there is a short timeframe. He expressed appreciation to Messrs. Kemper and Bulger and Councilman Roth for their assistance.

Supervisor Barrett reviewed the original Maxwell Road South project, noting the direction was switched from the original intended destination so it could access the school property. He reported the town appropriated funds for the road direction change. The Supervisor said there are no plans at all for a Clifton Park Center Road connection.

Councilman Roth will give his questions to Attorney Trainor for discussion with the school's attorney.

PUBLIC PRIVILEGE ON RESOLUTIONS

With regard to the Clifton Knolls ponds, a speaker from the floor asked if there has been any work done toward reducing the nutrient loading into the ponds from the golf course and surrounding homes. He said, if reduced, this would eliminate the need for the algaecide and herbicide treatments. Supervisor Barrett recommended the speaker contact Environmental Specialist O'Brien.

Resolution No. 48 of 2006, a resolution adopting Local Law No. 3 of 2006, a local law amending Chapter 182, Taxation of the Town Code, authorizing a real property tax exemption for qualified volunteer firefighters and volunteer ambulance workers.

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

WHEREAS, the Town Board recognizes the role of the volunteer firefighters and ambulance workers in securing the safety and well being of our communities, and

WHEREAS, the New York State Legislature has amended the Real Property Tax Law in Section 466-g to authorize Counties and Towns to permit enrolled volunteer firefighters and ambulance workers to be eligible for a real property tax exemption, and

WHEREAS, the Town Board wishes to follow the criteria established by the Saratoga County Board of Supervisors, and

WHEREAS, a Public Hearing was conducted on February 13, 2006, to solicit the comments of the Town's residents regarding the proposed local law; now, therefore, be it

RESOLVED, that Local Law No. 3 of 2006, a local amending Chapter 182, Taxation of the Town Code, authorizing a real property tax exemption for qualified volunteer firefighters and volunteer ambulance workers, is hereby adopted, and be it further

RESOLVED, that the Town Clerk file said local law with the New York State Department of State as required by law; and be it further

RESOLVED, that this local law shall take effect immediately upon its adoption.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 49 of 2006, a resolution awarding a contract to Aquatic Control Technology for the control of aquatic vegetation in the Clifton Knolls ponds and authorizing the Supervisor to sign said contract.

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

WHEREAS, three quotes were solicited by the Town Environmental Specialist for aquatic vegetation control of the three Town owned ponds in Clifton Knolls, and

WHEREAS, Aquatic Control Technology was the only contractor that responded, and

WHEREAS, the Town Environmental Specialist has reviewed the proposal submitted for such professional services and recommends that Aquatic Control Technology be awarded the contract for Aquatic Vegetation Control; now, therefore, be it

RESOLVED, that the Town Board as Commissioners of the Clifton Knolls Park District hereby award the contract to perform professional services relating to aquatic vegetation control for the Clifton Knolls ponds to Aquatic Control Technology, Sutton, MA, at a cost for services not to exceed \$23,975.00, \$16,330.00 to be paid as budgeted from SP3-7131-200 (Clifton Knolls Park District-Capital Improvement) and \$7,645 to be transferred from SP-7131-24 (Clifton Knolls Park District-General Maintenance) to SP3-7131-200 (Clifton Knolls Park District-Capital Improvement); and be it further

RESOLVED, that the Supervisor is hereby authorized to sign a contract for services with Aquatic Control Technology.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 50 of 2006, a resolution donating two (2) free sheets of ice time for a Clifton Park Youth Hockey Association (CPYHA) Hockey tournament.

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

WHEREAS, the Clifton Park Youth Hockey Association will be hosting the “Mite House” March Madness Tournament, March 3-5th at the Clifton Park Arena, and

WHEREAS, Clifton Park Youth Hockey Association (CPYHA) has requested that the Town of Clifton Park donate ice time for this event, and

WHEREAS, the hosting of this event in the Town of Clifton Park confers a benefit to local businesses; now, therefore, be it

RESOLVED, that the Town of Clifton Park will donate two (2) free sheets of ice time for the Clifton Park Youth Hockey Association’s “Mite House” March Madness

Tournament.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 51 of 2006, a resolution awarding the quote for Electrical Work at Grooms Tavern in the Town of Clifton Park.

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

WHEREAS, on January 31, 2006 quotes were received for the above referenced contract, and

WHEREAS, the lowest bid was received by Brownell Electric Corporation in the amount of \$7,500.00, and

WHEREAS, as per a letter from McDonald Engineering dated February 1, 2006, McDonald Engineering has reviewed the quotes and has recommended to the Town Supervisor that the total bid in the amount of \$7,500.00, submitted by Brownell Electric Corporation be accepted as the lowest most responsible bidder; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced quotes to Brownell Electric Corporation, Fort Edward, NY in the amount of \$7,500.00, funds to come from money authorized by Resolution No. 301 of 2005 and from a Grant from New York State Parks and Recreation, transferred to A-1627-200 (Grooms Tavern-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 52 of 2006, a resolution authorizing Town Justice James Hughes to attend a one day seminar.

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

WHEREAS, Town Justice James Hughes has requested authorization to attend a one day seminar on “Strategies in Handling DWI Cases in New York”, and

WHEREAS, the Town Justice’s 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 authorization is hereby given to Town Justice James Hughes to attend a one day seminar on “Strategies in Handling DWI Cases in New York”, on March 8, 2006, at the Desmond Hotel, Albany, NY, at a cost not to exceed \$339, to be paid from A1110-001 (Justice Court-Travel & Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 53 of 2006, a resolution authorizing the Supervisor to sign an agreement with DR Construction Consultants, LLC (DRCC) in connection with litigation involving Moe Road.

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

WHEREAS, litigation is pending in connection with Moe Road, and

WHEREAS, Town Attorney James Trainor has recommended that the services of DR Construction Consultants, LLC (DRCC) be retained to provide expert opinion in connection with Moe Road litigation, on an as needed basis; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign an agreement with DR Construction Consultants, LLC (DRCC) in connection with litigation involving Moe Road, to be paid from A-1420-25 (Legal-Other Legal Fees).

Town Attorney Trainor reported this firm will address the proper calculation of damages.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 54 of 2006, a resolution authorizing the hiring of a Secretary to the Historic Preservation Commission.

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

WHEREAS, an opening exists on the Historic Preservation Commission for a Secretary to the Commission, and

WHEREAS, Mara Horsley has been recommended to fill the position; now, therefore, be it

RESOLVED, that authorization is given to hire Mara Horsley, 18 Ferry Road, Rexford as a Secretary to the Historic Preservation Commission for 2006, Grade 1, Step 1, \$10.87 per hour, to be paid from A-07511-E2200 (Historic Preservation Commission–Staff Salary), retroactive from January 1, 2006.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 55 of 2006, a resolution authorizing the hiring of Summer Recreation Camp Staff and initial Pool Staff for the 2006 Season.

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

WHEREAS, Myla Kramer, the Director of Parks, Recreation and Community Affairs has identified a need for Summer Recreation Camp Staff and initial Pool Staff for the summer recreation day camp program, and

WHEREAS, staff needs to be in place for the 2006 Summer Recreation Programs so that the Pool Managers and Site Directors can plan accordingly for the upcoming season; now, therefore, be it

RESOLVED, that the Director of Parks, Recreation and Community Affairs is hereby

authorized to hire Summer Recreation Camp Staff and initial Pool Staff for the 2006 Season, as per attached Schedule A, effective immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 56 of 2006, a resolution authorizing attendance at a course being offered for Pool Operators.

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

WHEREAS, Myla Kramer, Director of Parks and Recreation has requested permission to have Pool Managers, Jack Fitzpatrick (Barney Road Pool) and Duane Nichols (Locust Lane Pool), attend a course to update their Certification as Pool Operators, to be held in Albany, NY, March 23-24, 2006 at a cost of \$299.00 per person, and

WHEREAS, their attendance at the Seminar would provide a benefit to the Town citizens; now, therefore, be it

RESOLVED, that Jack Fitzpatrick and Duane Nichols are hereby authorized to attend the Pool and Spa Rx Pool Operator's Training Course in Albany, NY from March 23-24, 2006 at a cost not to exceed \$299.00 each, to be vouchered appropriately, and the Comptroller is authorized to pay the same from budget line item A-7150-045 (Barney Road-Supplies) with a transfer to A-7150-1 (Barney Road-Travel & Conferences) and from budget line item A-7152-045 (Locust Lane-Supplies), with a transfer to A-7152-1 (Locust Lane-Travel & Conferences).

Mrs. Kramer reported Pool Managers need to be recertified every five years.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 57 of 2006, a resolution appointing two new members to the Town of Clifton Park Open Space, Trails and Riverfront Committee.

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

WHEREAS, the Town of Clifton Park Town Board created a new Open Space, Trails and Riverfront Committee in January 2006, and

WHEREAS, Raymond Seymour, 7 Nadler Road, Clifton Park and Isabel Prescott, 667 Riverview Road, Rexford have been recommended to serve on the committee, and

WHEREAS, Raymond Seymour and Isabel Prescott each have a long history of being dedicated supporters of open space and farmland protection in the Town of Clifton Park, and

WHEREAS, Raymond Seymour was an outstanding contributor to the former open space plan committee and open space implementation committee and has demonstrated a long-term commitment to conservation in Clifton Park and the region, and

WHEREAS, Isabel Prescott has a strong connection to the farm community and there is no potential conflict of interest due to the fact that she and her family have already been working with the town on farmland and land protection for Riverview Orchards and her lands, and because the arrangements have been conceptually finalized; now, therefore, be it

RESOLVED, that Raymond Seymour and Isabel Prescott are hereby appointed to the Town of Clifton Park Open Space, Trails and Riverfront Committee for a two year term, term to expire December 31, 2007.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 58 of 2006, a resolution reappointing Louis Pasquarell to the position of Safety Officer on a provisional basis.

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

WHEREAS, the Clifton Park Town Board wishes to reappoint Louis Pasquarell to the position of Safety Officer on a provisional basis; now, therefore, be it

RESOLVED, that Louis Pasquarell, Vischer Ferry Road, Clifton Park is hereby reappointed to the position of Safety Officer, on a provisional basis, at Grade 5, Step 3, effective immediately, to be paid as budgeted from A-03010-E256 (Safety Office-Safety Officer).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 59 of 2006, a resolution accepting the bid for Seasonal/Restroom Cleaning during sports league play in Town Parks.

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

WHEREAS, it is both necessary and appropriate to hire Seasonal Rest Room Cleaners for Town Parks during sports league play from April 1, 2006, through October 31, 2006, and payment for these services has been budgeted for 2006, and

WHEREAS, bids were solicited and opened on February 24, 2006, and

WHEREAS, the bid of Mater's was the lowest responsible bid in a total amount of \$9,900.00, for the cleaning of the rest rooms at Clifton Common, Collins Park and Veteran's Park; now, therefore, be it

RESOLVED, that the bid of Mater's, 12 Garrison Lane, Ballston Lake, NY be accepted to provide janitorial services at Town Parks through the completion of sports league play, at a cost not to exceed \$9,900.00 for the year, to be paid as budgeted from A-7112-23 (Clifton Common-Cleaning), \$7,425.00, A-7113-23 (Collins Park-Cleaning), \$1,980.00, and A-7024-23 (Veteran's Park-Cleaning), \$495.00.

Mr. Shahan said he would like to review this bid with the Board and asked if it could be put off until next week.

MOTION TO TABLE by Councilwoman Walowit, seconded by Councilman Roth.

ROLL CALL VOTE ON MOTION

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

Noes: None

MOTION CARRIED

Resolution No. 60 of 2006, a resolution accepting the bid for cleaning Town Buildings and to authorize the Town Supervisor to sign an agreement with Building Care Systems for said services.

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

WHEREAS, it is both necessary and appropriate to hire cleaners for Town Buildings, and

WHEREAS, bids were solicited and opened on February 24, 2006, and

WHEREAS, the bid of Building Care Systems, was the lowest responsible bid in a total amount of \$34,287.00, for the cleaning of the Town Buildings; now, therefore, be it

RESOLVED, that the bid of Building Care Systems, P.O. Box 1696, Albany, New York, 12201 be accepted, to provide cleaning services for Town Buildings at a cost not to exceed \$34,287.00 per year for all six buildings, to be paid as follows:

Town Hall A1620-23 \$15,360.00 per year
Public Safety A1621-23 \$ 9,300.00 per year
Highway A5010-23 \$ 5,667.00 per year
Sheriff A1622-23 \$ 1,320.00 per year
Building & Grounds A7110-23 \$ 1,320.00 per year
Locust Lane Clubhouse A1625-23 \$ 1,320.00 per year

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Bill Lorenson, Hearthside Drive, 35 year resident, presented a petition to the Town Board that reads as follows: "One of the last undeveloped woodlands in northern Clifton Park,

with access off Longkill Road, is now imminently threatened with intensive development by Kain Development, LLC of New Jersey.....”. (Clerk’s note: The original petition was received in the Town Clerk’s office on February 17, 2006). Director of Planning Kemper explained the public hearing was adjourned on February 14 2006, however, the applicant will be back before the Planning Board to address the concerns brought up by the Planning Board and residents. He stated, as always, all appropriate procedures will be followed.

MOTION by Councilman Roth, 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 8:57 p.m.

Patricia O’Donnell
Town Clerk