

**Clifton Park Town Board Meeting Minutes
July 17, 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 – left at 8:15 p.m.
Councilman Roth – arrived at 7:10 p.m.
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Also Present: Town Attorney Trainor
Michael Handerhan, Supervisor of Buildings and Grounds
Mark Heggen, Comptroller
Richard Kukuk, Superintendent of Highways
Michael O'Brien, Environmental Specialist
Michael Shahan, Town Administrator

MOTION by Councilman Paolucci, seconded by Councilman Speckhard, to approve the minutes of the July 3, 2006 meeting as presented.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Roth

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett expressed appreciation to Supervisor of Buildings and Grounds Handerhan, Town Administrator Shahan, Security Officers, CERT teams, Sheriff's Department and State Police for an excellent job during the July 4th celebration.

Councilman Paolucci noted due to inclement weather the planned opening of the Clifton Park Action Park was delayed, however, a Grand Opening is now planned for July 29th

at 10 a.m.

Councilman Speckhard announced the town blood drive is scheduled for August 9th from noon to 6:00 p.m.

Town Attorney Trainor gave an update on the 15 year old Clifton Park Babe Ruth World Series beginning August 17th.

MOTION by Councilwoman Walowit, seconded by Councilman Speckhard, to go into Executive Session for the purpose of discussing negotiations as well as a legal matter. Motion unanimously carried at 7:10 p.m.

In Attendance: Supervisor Barrett
Councilman Paolucci
Councilman Speckhard
Councilman Roth – arrived at 7:12 p.m.
Councilman Walowit
Town Attorney Trainor
Town Administrator Shahen
Town Clerk O'Donnell
Open Space, Riverfront, Trails Co-Chairs David Miller and James Romano

Discussion was held with regard to open space purchases and contracts.

MOTION by Councilwoman Walowit, seconded by Councilman Roth, to return to the regular meeting. Motion unanimously carried at 7:25.

Supervisor Barrett presented the following resolution to David Miller and expressed appreciation for his hard work on behalf of the Town of Clifton Park and Saratoga County over the past several years, noting Mr. Miller has been involved with the open space planning process from the beginning and to the subsequent execution of those plans and goals. Supervisor Barrett stated the town wouldn't be where it is today, with over 700 acres permanently protected and 3000 acres protected under the Conservation Easement program, without Mr. Miller's work.

Resolution No. 243 of 2006, a resolution congratulating Town resident David Miller for having received the National Audubon Society's highest award for excellence, for his outstanding contributions to conservation.

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

WHEREAS, David Miller, executive director of Audubon New York was presented with the Charles H. Callison Award for his "remarkable contributions to conservation through creativity, coalition building outreach, perseverance, patience and a positive attitude", and

WHEREAS, some of David Miller's involvements include co-chairing the Town's Open Space, Trails and Riverfront Committee and developing its new open space plan, serving on the Saratoga County Land Preservation Committee and serving as Executive Vice President of the Clifton Park Baseball League, and

WHEREAS, David Miller actively pursued a \$320,000 Federal Grant to help the Town purchase two hundred fifty (250) acres in the Dwaaskill Natural Area of Ushers Road, and

WHEREAS, the Dwaaskill purchase was the largest open space acquisition in the immediate Capital Region in decades; now, therefore, be it

RESOLVED, that the Clifton Park Town Board hereby recognizes and congratulates Town resident David Miller for having received the National Audubon Society's highest award for excellence, for his outstanding contributions to conservation.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC HEARING, 7:10 PM
TO CONSIDER A LOCAL LAW AMENDING
LOCAL LAW NO. 8 OF 2005
ALTERNATE MEMBERS FOR PLANNING BOARD AND ZONING BOARD OF
APPEALS

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on July 10, 2006.

Supervisor Barrett summarized the proposed local law explaining the current legislation reads if a member is missing, an alternate automatically fills in. The new legislation reads the alternate would fill in only to fulfill a quorum.

Councilman Paolucci questioned the need for an alternate, noting in the past several years a meeting has seldom been cancelled due to lack of a quorum. He noted, however, both Zoning and Planning Board Chairmen requested the original legislation, explaining it would be a tool to give residents better service. Councilman Paolucci said he doesn't feel it has been misused, wonders why it should now be restricted and isn't sure this is in the best interest of the town.

Councilman Roth explained the original intent and purpose was to make sure there was a quorum, and even though over the past 20-30 years there were perhaps only 2 or 3 instances where there was no quorum, this is not fair for applicants who come before the Board. He stated his intent was never to have an alternate fill in just because a member is absent. One of the other purposes was to have someone with knowledge and background ready to be appointed if a member had to leave the Board. Councilman Roth said the proposed legislation this evening is what was originally intended.

The public hearing was opened for comments from the audience at 7:40 p.m.

Norman Goldman, London Square Drive, said he is generally opposed to alternates on a Board and since there have been so few instances when a quorum isn't present, doesn't feel alternates are necessary. He would rather see continuity on the Board as he doesn't think an alternate can be prepared for every meeting on every issue that could come up. He wonders if members will be absent knowing there is an alternate. Mr. Goldman said if alternates are used, it should only be for lack of a quorum.

Michael Hale, Ballston Lake Road, spoke in favor of the proposed legislation. He said this also affords an opportunity for an individual who is interested in serving to become involved over a period of time to learn the process.

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one else wished to be heard. Supervisor Barrett declared the public hearing closed at 7:52 p.m.

REPORTS TO THE BOARD

Town Comptroller Heggen reported the draft financials from Marvin & Co. are ready for Town Board distribution. It is expected that Darryl Purinton, Marvin & Co., will present the report at the August 21, 2006 meeting. Mr. Heggen said approximately \$30,000 in sponsorships was received for the July 4th celebration.

Town Administrator Shahan read an email from Ed and Debby Schwencke of Juniper Drive, praising the 4th of July celebration and other amenities in town and offering thanks to Town of Clifton Park staff. He reported along with CERT, Fire Police from various fire departments also helped with traffic control on July 4th. Mr. Shahan said 2007 budget forms will be distributed to department heads on August 1st.

Mr. Shahan presented a flag flown "in your honor and is presented to you on behalf of the men and women of the U.S. Armed Forces serving our nation at Camp LSA during OPERATION IRAQI FREEDOM" to the Town of Clifton Park. The flag, flown at Camp LSA, Ali Al Salem Kuwait AB on June 7, 2006 was given to the Town of Clifton Park by Lorraine Varley, Receiver of Taxes and Assessments and mother of Sgt. Gregory Ennis who is currently serving at the Airbase.

Environmental Specialist O'Brien updated the Board on activities surrounding the Clifton

Park Sewer District No. 1, including assisting the Highway Department with its work on the culvert failure on Wood Dale Road. He said the Van Patten pump station work has been completed which should result in a reduction of the utility bill; three manholes and pipes have been replaced on Barney Road; and the repair of a main break on Van Patten Drive has been completed. Mr. O'Brien said the system is operating well. He stated at this time the town is operating five sewer districts, plus Clifton Park Center. He reported there is approximately \$12,000 to \$15,000 outstanding in unpaid bills for the Clifton Park Sewer District No. 1 and people have been notified anything unpaid will be included in the tax bill.

PUBLIC PRIVILEGE ON RESOLUTIONS

In response to a question from the floor, Supervisor Barrett explained the land to be purchased from Mr. Fazzone is adjacent to the Common and Vischer Ferry Road.

Resolution No. 244 of 2006, resolution awarding a services contract for the Special Collection Day 2006.

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

WHEREAS, proposals have been submitted for professional services related to packaging, labeling, transport, and disposal of household hazardous waste to be collected at the twelfth annual Special Collection Day to be conducted on September 30, 2006 based on the 2005 data, and

WHEREAS, the Town Environmental Specialist has reviewed the proposals submitted for such professional services and recommends that the proposal of Care Environmental, 10 Orben Drive, Landing, New Jersey, be accepted as the lowest conforming proposal; now, therefore, be it

RESOLVED, that the contract to perform professional services related to the packaging, labeling, transport and disposal of household hazardous waste to be collected at the Town of Clifton Park's twelfth annual Special Collection Day on September 30, 2006 is hereby awarded to Care Environmental at a cost for services not to exceed \$36,000 after reimbursement, with such funds to come from A-8989-00150 (Community Development-Special Collection Day).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 245 of 2006, a resolution appointing Janet Barton as Court Clerk in the Clifton Park Town Court.

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

WHEREAS, due to the retirement of Bonnie Betcher and the appointment of Judith A. Lamb as Clerk to the Town Justice, an opening exists in Town Court for a Court Clerk, and

WHEREAS, Justices James F. Hughes and Robert A. Rybak, have recommended that Janet Barton be appointed to fill the position of Court Clerk, and

WHEREAS, Janet Barton has passed the Court Clerk Civil Service test and scored the highest of residents of the Town of Clifton Park; now, therefore, be it

RESOLVED, that Janet Barton, 9 Oxford Park, Ballston Lake, is hereby appointed as Court Clerk, Grade 5, Step 1, effective July 17, 2006, to be paid with a transfer of \$14,500 from A-1110-E0337 (Courts-Employee Staff Salary) to A-1110-E0324 (Courts-Staff Salary).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 246 of 2006, a resolution awarding a work contract to Copeland Coating Company for basketball court repair at the Clifton Common.

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

WHEREAS, on June 29, 2006 bids were received for the above referenced contract, and

WHEREAS, the sole bidder for the contract is Copeland Coating Company, PO Box 595, Route 20, Nassau, NY 12123 in the amount not to exceed \$18,000; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid in the amount not to exceed \$18,000 to Copeland Coating Company, PO Box 595, Route 20, Nassau, NY 12123, to be paid with a transfer from Contingency to Clifton Common A-7112-024 (Repair & Maintenance).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 247 of 2006, a resolution to accept the bid for two Diesel Powered Generators.

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

WHEREAS, on June 29, 2006 bids were received for two diesel powered generators, and

WHEREAS, the lowest responsible bidder is Kinsley Power Systems, 63 Railroad Avenue, Albany, NY 12205, at \$25,683 for the Town Hall and \$15,079 for the Buildings & Grounds Shop; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid in the amount of \$40,762 to Kingsley Power Systems to be paid with \$25,683 from A1620-200 (Town Hall – Equipment) and \$15,079 from A7110-200 (Buildings & Grounds – Equipment) as per Resolution No. 164 of 2006.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 248 of 2006, a resolution awarding the bid for installation of two Diesel Powered Generators for Town Hall and the Buildings & Grounds Shop.

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

WHEREAS, on June 29, 2006 bids were received for the above referenced contract, and

WHEREAS, the sole bidder for installation of two diesel powered generators for Town Hall and the Buildings & Grounds Shop was Wiring Concepts LLC, Ballston Spa, NY, in the amount of \$5,300; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid in the amount of \$5,300 to Wiring Concepts LLC, Ballston Spa, NY, to be paid with \$2,650 from A1620-200 (Town Hall Equipment) and \$2,650 from A7110-200 (Buildings & Grounds – Equipment) as per Resolution No. 164 of 2006.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 249 of 2006, a resolution authorizing Change Order No. 1 with Hudson River Construction Company, Inc.

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

WHEREAS, a contract to Hudson River Construction Company, Inc. for the Action Park Project was authorized per Resolution No. 96 of 2006 in an amount of \$388,400, and

WHEREAS, a Change Order was prepared and recommended by Clough Harbour & Associates LLP for moving the meter location pursuant to utility company requirements, and

WHEREAS, the Change Order results in an increase of \$4,907.29 for the Action Park Project from the current contract amount of \$388,400 to arrive at a new contract amount of \$393,307.29; now, therefore, be it

RESOLVED, that Supervisor Barrett is hereby authorized to sign Change Order No. 1 dated June 26, 2006, to Hudson River Construction Company, Inc. contract for the Action Park Project, increasing the contract by \$4,907.29 the funds to come from Unreserved Undesignated Fund Balance with a transfer to A-7200-200 (Skate Park-Equipment).

Councilman Paolucci explained the meter will need to be moved from National Grid

territory to NYSEG territory since NYSEG is the power supplier. This move will involve additional service work.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 250 of 2006, a resolution authorizing the Town Environmental Specialist to attend a Training Program.

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

WHEREAS, Michael O'Brien, Environmental Specialist, has requested authorization to attend a NYSDEC Training Course titled O&M of Wastewater Collection Systems on September 19-21, 2006 in Wallkill, NY, and

WHEREAS, Michael O'Brien's attendance at this seminar will confer a benefit to the Town of Clifton Park; now, therefore, be it

RESOLVED, that authorization is given to Michael O'Brien, Environmental Specialist, to attend a training program in Wallkill, NY, from September 19-21, 2006, at a cost not to exceed \$500, to be paid from G7-811-001 (Travel and Conferences).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 251 of 2006, a resolution hiring additional Summer Camp Counselors for the 2006 Summer Recreation Program.

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

WHEREAS, openings exist for Summer Camp Counselors, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that the positions be filled per the attached Schedule A; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Mary Jo Kukuk, 6 Bradbury St. as Summer Rec. Jr. High Counselor from A7310-E4540 (Summer Recreation-Jr. High Camp) at Step 1, \$6.75 per hour, Kevin Scotti, 28 Sitterly Rd. and Christopher Price 87 Tallowood Dr. as Full Day Counselors from A7320-E4800 (Summer Recreation-Full Day Camp) at Step 1, \$6.75 per hour for the 2006 Season, per the attached Schedule A.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 252 of 2006, a resolution authorizing the Comptroller and Assistant Comptroller to attend NYSGFOA (New York State Government Finance Officers Association) Summer Seminar at Fort William Henry Resort & Conference Center, Lake George, NY.

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

WHEREAS, Mark Heggen, Comptroller and Denise Burrall, Assistant Comptroller, have requested authorization to attend the NYSGFOA Summer Seminar at Fort William Henry Resort & Conference Center, Lake George, NY, on August 2-3, 2006, 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 Summer Seminar at Fort William Henry Resort & Conference Center, Lake George, NY, on August 2-3, 2006, at a cost of \$150 per person to be paid from A-1315-1 (Comptroller - Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 253 of 2006, a resolution in connection with a block party to be held by neighbors on McGregor Court in Country Knolls West.

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

WHEREAS, the residents of McGregor Court in Country Knolls West wish to conduct a block party within the subdivision on August 5, 2006, from 3 – 8 PM and have requested permission to use McGregor 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 McGregor Court on August 5, 2006 from 3 – 8 PM for their party activities, but must not block off the street and make sure that 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 Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 254 of 2006, a resolution authorizing the membership fee reduction for the 2006 Season for the Action Park.

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

WHEREAS, due to the delayed opening of the Action Park for the 2006 Season, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended a reduced membership fee, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that the membership fee for 2006 Season for Clifton Park residents be changed from \$40 to \$30 and the membership fee for non-residents be changed from \$120 to \$90 and authorize a refund to all members who have already registered; now, therefore, be it

RESOLVED, that the membership fee for the Action Park be reduced for the 2006 Season and a refund be paid to all members who have already registered, said refund to be paid from A-02027 (Skate Park Membership).

Councilman Paolucci explained the opening of the park was delayed several weeks due to excessive rain in May and June.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 255 of 2006, a resolution declaring a public emergency pursuant to General Municipal Law Section 103(4), retroactive to Friday, June 30, 2006.

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

WHEREAS, because of a culvert failure at Wooddale Drive near Hillside Dr., Richard Kukuk, Highway Superintendent, has determined that immediate repairs were required, and

WHEREAS, General Municipal Law Section 103(4) permits the Highway Superintendent to arrange for the work needing to be done without competitive bidding where the Town Board declares the situation to be a public emergency, and

WHEREAS, Richard Kukuk, Highway Superintendent, has requested a transfer of funds from General Fund Undesignated Surplus to the Highway Fund due to a shortfall in the current operating budget; now, therefore, be it

RESOLVED, that the Town Board hereby declares the potential damage threatened by the culvert failure at Wooddale Drive near Hillside Dr., to be a public emergency, and be it further

RESOLVED, that the Highway Superintendent is hereby authorized, pursuant to General Municipal Law Section 103(4), to arrange for the necessary immediate repairs at Wooddale Drive near Hillside Dr. without soliciting competitive bids retroactive to June 30, 2006.

Superintendent of Highways Kukuk displayed pictures of the Wooddale Drive area, noting the situation was much larger than expected, and location of the sewer and natural gas lines has added to the expense of this repair.

Since the exact cost of the repair is unknown, but thought to be between \$70,000 to \$80,000, Supervisor Barrett recommended waiting for the final cost before appropriating money.

MOTION BY Councilman Paolucci, seconded by Councilwoman Walowit, to amend the resolution by removing the following language:

“WHEREAS, the cost for all work is estimated between \$70,000 to \$80,000;
RESOLVED, that the Town Board hereby authorizes the transfer of funds from General Fund Undesignated Surplus to Highway Fund Account DA-05110-0024 (Repair & Maintenance) for the repair of this culvert.”

ROLL CALL VOTE ON MOTION

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

Noes: None

Absent: Councilman Speckhard

MOTION CARRIED

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 256 of 2006, a resolution authorizing the creation of a Capital Fund for Route 146 Water Main Replacement.

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

WHEREAS, the contracts for the Route 146 water main replacement have been awarded, and

WHEREAS, the financing for this project is coming from bonds authorized from the Rexford Water District by Resolution No. 126 of 2005, and

WHEREAS, Resolution No. 136 of 2006 authorized the expenditure of \$608,000 from Water Development Capital Reserve Fund, and

WHEREAS, the Town Board of the Town of Clifton Park wishes to establish a Capital Projects fund to account for the expenditures of the project, and

WHEREAS, a budget of the project is hereby attached; now, therefore, be it

RESOLVED, that the Town Board hereby establishes the Route 146 Water Main Replacement Capital Projects Fund.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 257 of 2006, a resolution authorizing the hiring of a Water Safety Instructor for the 2006 Learn to Swim Program.

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

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 Adam Nelson, 10 Pebble Beach Drive, Clifton Park, be hired as a Water Safety Instructor for the 2006 Learn to Swim Program; now, therefore, be it

RESOLVED, that Adam Nelson, 10 Pebble Beach Drive, Clifton Park, be hired as a Water Safety Instructor for the 2006 Learn to Swim Program, at Step 1, \$9.00 an hour, retroactive from July 3, 2006 through August 11, 2006.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 258 of 2006, a resolution authorizing the Town Supervisor to enter into a contract to purchase land from Anthony A. Fazzone for future public use.

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

WHEREAS, the Town Board wishes to enter into an agreement with Anthony A. Fazzone to purchase .88 acres of land for public use, and will prohibit commercial and residential development, and

WHEREAS, the acquisition of this land would confer a benefit to the Town of Clifton Park and its residents, and

WHEREAS, the purchase of .88 acres of land is identified as follows:

Section, Block, Lot Commonly known address

271.-5-38 471 Vischer Ferry Road

located in the Town of Clifton Park, and

WHEREAS, the purchase price of the .88 acres will be \$125,000 to be paid from Unreserved Fund Balance, and

WHEREAS, an estimated additional fee of \$3,200 would be required for closing costs including the cost of letters/liens, recording fees to Saratoga County Clerk, and Town/County and School tax pro-rations; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to enter into the attached Agreement with Anthony A. Fazzone for the purchase of .88 acres of land located at 471 Vischer Ferry Road, Clifton Park, for public use purposes at a cost of \$125,000, plus an additional \$3,200 for closing costs to be paid with a transfer from Unreserved Undesignated Fund Balance to A-1940-200 (Other Town Payments-Equipment).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 259 of 2006, a resolution authorizing the Supervisor to sign Change Order No. 1 with Carver Construction Inc.

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

WHEREAS, a contract to Carver Construction Inc. for the Route 146 Water Main Replacement was authorized per Resolution No. 142 of 2006 in the amount of \$781,915, and

WHEREAS, a Change Order was prepared and recommended by John M. McDonald Engineering, P.C. authorizing the change to complete the water main work on the south side alignment, instead of the north side alignment, at no increase in cost, and

WHEREAS, the Change Order is to document the change to complete the water main work on the south side alignment, instead of the north side alignment; now, therefore, be it

RESOLVED, that Supervisor Barrett is hereby authorized to sign Change Order No. 1 dated July 5, 2006, to Carver Construction Inc. to complete the water main work on the south side alignment instead of the north side alignment at no cost increase.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 260 of 2006, a resolution authorizing the Supervisor to approve a change order for security lighting at the Clifton Park Action Park.

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

WHEREAS, Clough, Harbor & Associates, LLP, has recommended that the town approve a change order for the installation of two security lights at the Clifton Park Action Park; and

WHEREAS, the change order will result in an increase of up to \$2500 to the total cost of the project; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to approve a change order for the Clifton Park Action Park project of up to \$2500 for the installation of two security lights.

Councilman Paolucci explained the Town Board decided not to have “full blown” lighting at the park at this time but to wait until construction was completed and see what the needs would be. It has been determined that two security lights are needed to make sure the park is secure after dark. This resolution will authorize the Supervisor to sign a change order with an estimate from Clough, Harbour & Associates.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

PUBLIC PRIVILEGE

Norman Goldman, London Square Drive, recommended not maintaining excessive surpluses and would like to see any surplus used for anything that residents pay in taxes, other than school. He asked how much town money has been spent for open space since the Plan was approved and would like to receive this information at the next Board meeting.

Scott Earl, Sandlewood Drive, spoke in favor of the purchase of property on Vischer Ferry Road.

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

Motion carried at 9:05 p.m.

Patricia O'Donnell
Town Clerk