

May 7, 2007

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

Also Present: Town Attorney McCarthy
Mark Heggen, Comptroller
Myla Kramer, Director of Parks, Recreation and Community Affairs
Richard Kukuk, Superintendent of Highways
Kathleen Maynard, Director of Planning
Barbara McHugh, Director of Community Development
Steven Myers, Director of Building and Development
Sheryl Reed, Chief of the Bureau of Fire Prevention
Michael Shahen, Town Administrator
Jennifer Viggiani, Open Space Coordinator

MOTION by Councilman Roth, seconded by Councilman Paolucci, to approve the minutes of the April 9 and 16, 2007 meetings as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett thanked all involved with the weeklong celebration of Historic Grooms Tavern.

Councilman Roth announced the Clifton Park Community Chorus concert will be held May 12, 2007.

PRESENTATION TO THE BOARD

David Miller, Co-Chair of the Open Space, Trails and Riverfront Committee, reviewed the results of the recent survey, attached, noting 17,000 surveys were mailed out and 3500 returned. He commended the Open Space Committee volunteers for their dedication, and the support of the Planning Department and Open Space Coordinator. Mr. Miller recommended changing the name of Round Lake Reservoir to North Woods Nature Preserve.

Supervisor Barrett stated all the open space projects accomplished have been through surplus dollars and involved no town tax.

PUBLIC HEARING, 7:10 PM
TO CONSIDER A LOCAL LAW REGARDING
HOTEL MOTEL PARKING REQUIREMENTS

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on April 25, 2007.

Director of Planning Maynard summarized the proposed local law explaining the parking requirements for the hotel motel portion of the Code was inadvertently taken out in the former Code update and will be reinstated through this proposed legislation. She noted the language to be reinstated is the same as previously in the Code.

The public hearing was opened for comments from the audience at 7:33 p.m.

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one wished to be heard. Supervisor Barrett declared the public hearing closed at 7:34 p.m.

PUBLIC HEARING, 7:20 PM
TO CONSIDER A LOCAL LAW AMENDING LOCAL LAW NO. 10 OF 1999
INTERNATIONAL CENTER PDD

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on April 25, 2007.

Director of Planning Maynard summarized the proposed local law explaining this will allow the Southard House to allow office space as well as retail. She noted this has the approval of the Planning Board.

Historic Preservation Chairman Kamierczak reported this building will be repaired and the historical items of the building will remain the same. He said the Commission is in favor of this proposed legislation.

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

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one wished to be heard. Supervisor Barrett declared the public hearing closed at 7:42 p.m.

Councilman Roth presented the proposed supplemental budget in the amount of \$499,944. He noted the town is seeing a reduction in sales tax and should this continue the Board needs to be a little concerned about the 2008 budget. He reviewed projects done in 2006 with funds from the undesignated fund balance. He reported there is \$14,000,000 in the undesignated surplus which includes projects for which monies have been allocated but not spent, e.g. \$2,000,000 tax stabilization fund; Riverview Orchards - \$795,000; King Crest development rights - \$410,000; Clifton Common Kids Corner - \$100,000, bringing the undesignated surplus to approximately \$10,189,000.

Councilman Roth explained the Buildings and Grounds addition is to house vehicles and to improve the interior of the existing building.

Ice Arena Dasher Boards - Arena Manager Scott Bobrow emphasized the necessity of new ice arena dasher boards. He noted the existing boards are approximately 18 years old. \$147,000 has been designated and Mr. Bobrow feels an additional \$23,000 may be needed.

Fire Prevention Bus -Sheryl Reed - \$10,000 being requested, reported this will be a huge educational tool for the community and plans are to visit local schools, daycare centers, and nursery schools, as well as offer adult programs. She said the business community has been very supportive in response to fundraising and noted a luncheon will be held in this regard.

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Building Department Space -Mark Kazmierczak explained space is needed in the Building Department due to the recent of purchase of new equipment and working areas need updating. \$11,600 is being requested.

Position in Building Department - Director of Building and Development Myers asked to extend Mr. Kazmierczak's position to the end of the year requiring an additional \$13,786 since the grant runs out on July 31, 2007.

Director of Community Development McHugh requested office furniture estimated at \$1558.

Councilman Roth said he needs backup for the Riverfront and Grange Hall request.

Town Administrator Shahan reported the Assessor and Comptroller offices need ventilation correction which is estimated at \$20,000.

Superintendent of Highways Kukuk asked for additional funds for paving, noting it generally costs \$100,000 per mile to resurface roads. There are 210 miles of town roads and ideally 17 ½ miles should be paved every year. With money currently appropriated, including CHIPS money, only 6-7 miles can be paved.

Director of Planning Maynard requested additional funds for the riverfront parcel explaining the grant from the Canal Corporation is to last through summer 2008 but right now supplemental funding is being requested to provide a bridge amount of \$13,000 in order to get the construction documentation needed to look at parking and trail location.

Councilman Paolucci stated he doesn't think three Nature Preserves projects of this scope can be done in one year and it is important to prioritize projects.

Ms. Maynard responded funding is already in place for design for both the Dwaaskill and the North Woods Preserves (aka Round Lake Reservoir).

Shenendehowa Superintendent of School Oliver Robinson announced the school budget vote is scheduled for May 15th.

PUBLIC PRIVILEGE ON RESOLUTIONS

In response to a question from the floor Comptroller Heggen said the arena siding repairs will not come from the ice arena rainy day fund but will show up as a general fund expenditure.

Resolution No. 130 of 2007, a resolution authorizing the Supervisor to sign a memorandum of understanding accepting \$48,750 in Federal linkage funds from the Capital District Transportation Committee (hereafter referred to as "the CDTC"), the Metropolitan Planning Organization for the Capital District for the Exit 9 Land Use and Transportation Plan.

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

WHEREAS, the Towns of Clifton Park and Halfmoon have jointly requested funds from the Capital District Transportation Committee (CDTC), and the Metropolitan Planning Organization for the Capital District, through the Community and Transportation Linkage Program for the Exit 9 Land Use and Transportation Plan, and

WHEREAS. The CDTC has approved the Exit 9 Land Use and Transportation Plan in its 2006-2008 unified planning work program, and

WHEREAS, the approved study cost is \$65,000, \$48,750 of which shall be paid for with Federal Planning Funds (Linkage Funds) and \$16,250 by Local Cash Match (\$8,125 from the Town of Clifton Park and \$8,125 from the Town of Halfmoon), and

WHEREAS, work on the approved study will be performed by a consultant in a time period to be specified in the contract, and

WHEREAS, the parties will jointly guide the consultant with the assistance of a Study Advisory Committee that will include, at a minimum, one staff member of the CDTC; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the attached memorandum of understanding which sets forth the duties and responsibilities of the Town of Clifton Park, the Town of Halfmoon and the CDTC, and, be it further

RESOLVED, the Town of Clifton Park's share of \$8,125 is to come from A-7629-135 (Trails Contractual – Engineering).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 131 of 2007, a resolution awarding the bid for the Ice Arena Siding Repairs.

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

WHEREAS, on April 19, 2007, bids were received for the above referenced contract, and

WHEREAS, the low bidder for the Ice Arena Siding Repairs is Bast Hatfield, Inc. in the amount of \$41,910, and

WHEREAS, the Town of Clifton Park wishes to allocate 10% (\$4,190) of the project cost for engineering, and

WHEREAS, the total of the repair and engineering will be \$46,100, and

WHEREAS, the Town Board through Resolution No. 296 of 2006 previously allocated funds for this repair and a total of \$34,640 still remains, and

WHEREAS, an additional \$11,460 is required to complete the project, and

WHEREAS, as per letter from McDonald Engineering dated April 19, 2007, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that Bast Hatfield, 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 \$41,910 to Bast Hatfield, Inc., and, be it further

RESOLVED, that the Town Board allocates the additional cost of \$11,460 from Undesignated and Unreserved fund balance, with a transfer to A-712-200-700 (Clifton Common-Equipment-Arena).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

5/07/2007

Resolution No. 132 of 2007, a resolution authorizing the purchase of a New Holland TN75A Tractor w/ Alamo Side Mount Flail Mower for the Highway Department from the Buffalo Tractor & Implement Co., Buffalo, New York, from New York State Contract PC62723.

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

WHEREAS, Richard Kukuk, Superintendent of Highways, identified the need for the purchase of a Tractor with Alamo Side Mount Flail Mower for use by the Highway Department, and

WHEREAS, Buffalo Tractor & Implement Co. is a supplier of New Holland TN75A Tractor with Alamo Side Mount Flail Mower pursuant to New York State Contract PC62723; now, therefore, be it

RESOLVED, that authorization is hereby given to the Superintendent of Highways to purchase one New Holland TN75A Tractor w/ Alamo Side Mount Flail Mower with attachments, accessories and delivery as per Schedule A, from NYS Contract PC62723, at a cost not to exceed \$37,765, with the funds to be acquired from a 10 year municipal lease.

Highway Superintendent reported this will allow the retirement of a 1970 model.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 133 of 2007, a resolution awarding the bid for the Highway Garage Storage Building Electrical Improvements.

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

WHEREAS, on April 12, 2007, bids were received for the above referenced contract, and

WHEREAS, the low bidder for the Highway Garage Storage Building Electrical Improvements is Dunham Electric, Inc. in the amount of \$14,900, and

WHEREAS, as per letter from McDonald Engineering dated April 13, 2007, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that Dunham Electric, 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 \$14,900 to Dunham Electric, Inc. and authorizes the Supervisor to sign the contract with Dunham Electric, Inc. accordingly, and, be it further

RESOLVED, that the cost of the improvements is to come from A-5132-24 (Highway Garage – General Maintenance).

Highway Superintendent Kukuk explained this is the area with the hydraulic lift.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 134 of 2007, a resolution promoting Nicholas Brisson and Stanley Rusinovich to the position of MEO within the Highway Department.

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

WHEREAS, Nicholas Brisson and Stanley Rusinovich, Laborers with the Highway Department, have successfully met all requirements for the MEO classification, and

WHEREAS, Richard Kukuk, Highway Superintendent, has recommended that Nicholas Brisson and Stanley Rusinovich be promoted to the position of MEO within the Highway Department effective retroactive to April 29, 2007; now, therefore, be it

RESOLVED, that Nicholas Brisson and Stanley Rusinovich, currently working as Laborers with the Highway Department, shall be promoted to the MEO classification with a grade increase to Grade 5, Step 1, and salary in accordance with the current CSEA contract, and be it further

RESOLVED, that the increase in salary for both employees, \$2,564.80 is to come from DA-5110-E1500 and transferred to their respective (Highway General Repairs – MEO Highway) salary lines.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 135 of 2007, a resolution hiring counselors for the summer recreation half-day and full-day programs.

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

WHEREAS, it is necessary that additional staff be hired by the Department of Parks, Recreation and Community Affairs to operate the Town of Clifton Park summer recreation half-day and full-day 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 half-day and full-day programs, effective June 1, 2007 through August 18, 2007, at a rate of \$7.15 per hour.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

5/07/2007

Resolution No. 136 of 2007, a resolution authorizing the hiring of additional lifeguards for the three Town-owned pools.

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

WHEREAS, a need exists for additional lifeguards to staff the three Town-owned pools, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that the individuals listed in Schedule "A" be hired to fill the positions; now, therefore, be it

RESOLVED, that the individuals listed in Schedule "A", attached hereto, be hired for the Country Knolls, Barney Road and Locust Lane Pools, effective immediately through September 30, 2007.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 137 of 2007, a resolution authorizing the hiring of two Attendants for the Clifton Park Action Park.

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

WHEREAS, openings exist for two Attendants for the Clifton Park Action Park, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that Thomas Clavin, 18 Burton Drive, Ballston Lake and Eric Greenaway, 2 Daisy Street, Latham, be hired to fill the positions; now, therefore, be it

RESOLVED, that authorization is hereby given to hire two Attendants for the Clifton Park Action Park, effective immediately, through November 11, 2007, at a rate of \$8.40 per hour, to be paid from A-7200-E4000 (Clifton Park Action Park-Part Time Employee).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 138 of 2007, a resolution authorizing the hiring of a Program Coordinator for the Comic Book Project.

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

WHEREAS, a need exists for a Program Coordinator for the Comic Book Project being presented as part of the Summer Recreation Program, and

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WHEREAS, Myla Kramer has recommended that Shannon Haegle, 20 Esopus Drive, Clifton Park, be hired again this year to fill the position; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Shannon Haegle, 20 Esopus Drive, Clifton Park, as the Coordinator of the Comic Book Project, effective immediately through August 3, 2007, to be paid a total of \$1000, from A7310-E4520 (Summer Recreation-Other Program Salary).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 139 of 2007, a resolution authorizing the hiring of a Program Coordinator for the Tiny Hands Summer Club.

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

WHEREAS, a need exists for a Program Coordinator for the Tiny Hands Summer Club preschool program, being presented as part of the Summer Recreation Program, and

WHEREAS, Myla Kramer, Parks, Recreation and Community Affairs Director, has recommended that Kristen Reichard, 5 Durham Way, Clifton Park, be hired to fill the position; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Kristen Reichard, 5 Durham Way, Clifton Park, as the Program Coordinator for the Tiny Hands Summer Club, effective immediately through August 15, 2007, to be paid a total of \$900.00, from A7310-E4520 (Summer Recreation-Other Program Salary).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett announced the town is setting up an Alternate Energy Committee, Co Chaired by Councilmen Paolucci and Hughes, to look at energy and cost savings for the town.

PUBLIC PRIVILEGE

In response to a question by Norman Goldman, London Square Drive, Comptroller Heggen reported \$10.3 million in sales tax money was received in 2006. Mr. Goldman recommended paying off all taxes that town residents pay. He asked if the use of balloons by Transient Merchants has been addressed. Councilwoman Walowit responded this is being reviewed as part of the Sign Law update. Mr. Goldman asked if the town has looked into other jurisdictions zoning relating to a wildlife sanctuary. Supervisor Barrett responded no. Mr. Goldman asked if the Executive Assistant position in the Planning Department is filled. Supervisor Barrett responded no.

MOTION BY Councilwoman Walowit, seconded by Councilman Roth, to go into Executive Session to discussion litigation. Motion unanimously carried at 9:23 p.m.

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No action taken.

MOTION BY Councilwoman Walowit, seconded by Councilman Roth to return to the regular meeting. Motion unanimously carried at 9:47 p.m.

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

Motion carried at 9:50 p.m.

Patricia O'Donnell
Town Clerk