

6/2/2008

June 2, 2008

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 left the meeting at 7:50 p.m.
Councilman Hughes
Councilman Roth
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy
Michael Shahen, Town Administrator
Mark Heggen, Comptroller
Barbara McHugh, Director of Community Development

MOTION BY Councilman Paolucci, seconded by Councilman Hughes, to approve the minutes of the May 12, 2008 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Councilman Hughes announced a public meeting on the Exit 9 Land Use and Transportation Study will be held at the Shenendehowa Senior Center on June 4th.

Councilman Roth reported the Clifton Park Water Authority's accounting firm will review the numbers compiled by Water Authority Administrator Austin.

The Hazardous Waste Day forms are on line, as well as in the town hall.

Councilman Roth asked if the Supervisor has contacted Town of Halfmoon Supervisor Wormuth regarding Halfmoon resident fees at the Skate Park. He said he would be happy to meet with Supervisor Wormuth to hear her proposal.

Councilman Roth referred to a memo from Town Comptroller Heggen regarding the two options for an ice resurfacing machine. He said he hopes this will be the last of the major expenses.

Councilman Roth referred to a letter from Planning Board Chair Steve Bulger regarding the formation of a transportation improvement district in the Route 146 area. He asked if a committee should be formed in this regard.

Councilman Roth referred to a letter from Director of Building Steve Myers regarding a letter from Mr. Tom Seery stating his concerns about certain areas of Moe Road. Mr. Shahen is to ask Mr. Myers if the letter has been sent to Mr. Seery.

Regarding the mulching operation at the Transfer Station, Councilman Roth said a report has been received from Jeff Trzeciak of McDonald Engineering and a meeting held noting that substantial progress is being made at the site. Kevin Wood of DEC is happy with the progress being made. He said issues that have not as yet been addressed are some leakage into the stream

6/2/2008

that runs by the Transfer Station. Mr. Myers is to work with Mr. Trzeciak and representatives from DEC to come up with a solution. Councilman Roth reported the height of the compost is going down. DEC is looking for an average height between 8 and 10 feet. He read an email from Tom DeLeonardis of Hidden Crest dated May 30, 2008, attached. Councilman Roth stated he is concerned about the long-term solution which should be started immediately. He asked if the agreement will be enforced or will it be revised since Troy Sand and Gravel is working at the site. Mr. McCarthy said he will take direction from the Board as to any changes in the agreement.

Supervisor Barrett reviewed Mr. Trzeciak's and DEC's reports stating everything has been moved to the compliant column except for four issues and those are being handled appropriately. He said the agreement can be amended to state it is transferable.

Councilman Roth said the town should not be paying for any mulch taken out of the site and the agreement should be amended in this regard. Mr. McCarthy is to give copies of bills showing improvements made to the mulching site to Councilman Roth.

Mr. Shahan has recommended to CTS Supervisor Jeff Vedder that whatever is agreed to as the town's allotment should be set aside.

Councilman Roth referred to a memo to Barbara Smith from Mr. Vedder stating on May 16th he had been advised by an employee of Troy Sand & Gravel that the "go in" gate was hit by either a County Waste or Troy Sand & Gravel truck and this has happened in the past. Councilman Roth said it is time to invest in new and modern stronger style gates and advised Mr. Vedder to get quotes for same. Mr. Vedder has gotten quotes on manual and power controlled gates - \$4500 for manual and \$19,000 for power controlled. Councilman Roth recommended going with the manual gate. He asked Mr. Shahan to see if County Waste or Troy Sand & Gravel would share the cost with the replacement of the gate. Councilman Hughes responded this is already "on the table".

Speaking with regard to the Eastside Drive issue, Mr. Shahan reported McDonald Engineering will have bid specs ready in two weeks and anticipates a resolution accepting the bid in mid July. Supervisor Barrett asked that McDonald Engineering explain the project and what it entails at a Town Board meeting. Mr. Shahan said he will also have Mr. Myers and Mr. Kukuk at the meeting as the problem is part stormwater, part drainage.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 169 of 2008, a resolution establishing the summer schedule for Town Board Meetings.

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

WHEREAS, the Town Board wishes to set the summer meeting schedule at two meetings per month consistent with past practice; now, therefore, be it

RESOLVED, that the Town Board hereby establishes the following summer schedule for July and August 2008:

Monday	July 7, 2008
Monday	July 21, 2008
Monday	August 4, 2008
Monday	August 18, 2008

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

6/2/2008

Resolution No. 170 of 2008, a resolution authorizing the Town of Clifton Park to become a member of the Saratoga Economic Development Corporation (SEDC).

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

WHEREAS, Barbara McHugh, Director of Community Development, has recommended that the Town of Clifton Park consider joining the Saratoga Economic Development Corporation (SEDC), and

WHEREAS, geographically, Clifton Park is ideally situated near the Nano Technology Center in Albany, the Bio-Tech Research Incubators in East Greenbush and the Luther Forest Chip Fab site in Malta, positioned to attract top quality business development, and

WHEREAS, as a member of SEDC, Clifton Park will be in a position to be selective in identifying quality, compatible businesses for the Town of Clifton Park; now, therefore, be it

RESOLVED, that the authorization is given for the Town of Clifton Park to become a member of SEDC at a cost of \$400 per year, to be paid from 01010-07 (Town Board Dues and Subscriptions).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 171 of 2008, a resolution in connection with a block party to be held in Clifton Knolls.

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

WHEREAS, the residents of Clifton Knolls wish to conduct a block party within the subdivision on June 7, 2007, between the hours of 2:00 pm and 7:00 pm and have requested permission to use El Dorado Drive from Belmont Lane to Broadleaf Drive 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 El Dorado Drive from Belmont Lane down to Broadleaf Drive, June 7, 2008 from 2:00 - 7:00 p.m. for their party activities, but must not block off the street and make sure 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 Hughes, Councilman Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

6/2/2008

Resolution No. 172 of 2008, a resolution regarding bids for materials used by the Highway Department.

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

WHEREAS, bids were received and opened on May 20, 2008, for certain materials used by the Highway Department, and

WHEREAS, the Highway Superintendent has requested that the conforming bids received be awarded to the lowest responsible bidders as specified, per attached recap; now, therefore, be it

RESOLVED, that the following bids for materials be awarded to the following lowest responsible bidders:

- 1) Asphalt Concrete 6F and 7F Delivered in Place and Dense Binder-Towne Construction & Paving
- 2) Curb Mix F.O.B.- Palette Stone

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 173 of 2008, a resolution adopting Local Law No. 4 of 2008, a local law amending Article I, Convenience Transfer Station or Dumping Grounds, Section 97-3-F, permit fees, entitlements and regulations, as amended.

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

WHEREAS, Chapter 97, Section 97-3-F set an annual fee of \$25 for any resident, regardless of age, who is receiving social security disability payments, and

WHEREAS, the Town Board wishes to set an annual fee of \$25 for Disabled American Veterans, per the attached, and

WHEREAS, on May 19, 2008, a public hearing was conducted to consider the matter and all who wished to be heard were; now, therefore, be it

RESOLVED, that Local Law No. 4 of 2008, a local law amending Article I, Convenience Transfer Station or Dumping Grounds, Section 97-3-F, permit fees, entitlements, and regulations, as amended, is hereby adopted, effective April 1, 2008, setting an annual fee of \$25 for Disabled Veterans who provide documentation to use the Transfer Station, and be it further

RESOLVED, that appropriate refunds will be issued to Disabled American Veterans who have paid for their 2008 permits upon presentation of appropriate documentation of qualified status; and be it further

RESOLVED, that the Town Clerk file said notice with the New York State Department of State as required by law.

6/2/2008

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 174 of 2008, a resolution approving an outside user connection to the Rexford Water District No. 2 for Maureen and William O'Connor, 85 Dubois Lane, Rexford.

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

WHEREAS, the Rexford Water District No. 2 has been approved by the New York State Comptroller's Department of Audit and Control, and

WHEREAS, the Town Board, as Commissioners of the Water District, have received a request from Donald Austin, Water Authority Administrator, to approve an outside user connection to the Rexford Water District No. 2, for property at 85 Dubois Lane, Rexford, S.B.L. No. 263.-2-35; now, therefore, be it

RESOLVED, that the Town Board, as Commissioners of the Rexford Water District No. 2, hereby approves an outside user connection to the District's facilities, for a parcel of land at 85 Dubois Lane; and be it further

RESOLVED, that per Steven Myers, Director of Building and Development, the existing dwelling at 85 Dubois Lane, Rexford, shall be abandoned as a residence upon completion of the new residence, and that occupancy of the existing dwelling as a residence shall not be allowed after completion of the new residence without Town approval.

Mr. Shahan reported permission has been received by the Clifton Park Water Authority. He explained the applicant is building a new residence on the property and the existing building will be abandoned.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 175 of 2008, a resolution accepting a quote for the purchase of an Olympia Ice Resurfacing Machine for use by the Ice Arena, and authorizing the Supervisor to sign a purchase Agreement for the machine.

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

WHEREAS, Scott Bobrow, Arena Management Group LLC, has indicated that the Ice Resurfacing Machine at the Ice Arena needs to be replaced, and

WHEREAS, two quotes were received, one from Zamboni and one from Olympia for replacement of the Ice Resurfacing Machine, and

WHEREAS, Scott Bobrow has recommended that the most responsible bid in an amount of \$94,835, less a trade in of \$5,500 be accepted from Olympia; now, therefore, be it

6/2/2008

RESOLVED, that the bid of \$89,335 (\$94,835 less a trade in of \$5,500) be accepted from Olympia for the purchase of an Ice Resurfacing Machine, to be paid with a transfer from Unreserved Fund to A7112-200-700 (General Fund Clifton Common-Equipment-Arena); and be it further

RESOLVED, that the Town Supervisor is authorized to sign the agreement for the purchase of an Olympia Ice Resurfacing Machine for use by the Ice Arena.

Councilman Roth reported Olympia was chosen over Zamboni as Zamboni is not able to deliver the machine for at least 12-14 months. This would necessitate machine rental or the repair of the current machine at a cost of \$15,000 and there is no assurance the current machine would last the whole year.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Councilman Paolucci left the meeting at 7:50 p.m.

PUBLIC PRIVILEGE

Dean Lafond, Aster Drive, reported he uses the mulch from the Transfer Station and there is no odor.

Norman Goldman, London Square Drive, reported on his energy conservation methods. He doesn't believe dogs should be allowed unleashed at Kinns Road Park. He said the Environment Specialist position should be filled instead of hiring a consultant. He asked that the town rescind the approval for the 51 town houses at 21st Century Park and reestablish the wildlife refuge.

Bruce Tanski, Miller Road, expressed concern that the free leaves and brush pickup could end due to the problem at the mulching operation. He noted County Waste is the company of record.

Todd Kerner, Spruce St., said there are town taxes noting special taxing districts. He recommended consolidation of special taxing districts.

Abraham Blum, Parkland Court, expressed concern with the traffic pattern layout at Shopper's World. Supervisor Barrett said this has been look at and there is no easy answer. Mr. Blum reported cars and trucks are still parking at the northeast corner of Grooms and Moe Roads in spite of the No Parking Sign.

Chris Grossman, Nott Road, commended the Town Board for considering the use of the Route 146 Park for passive only activities. She feels dogs should be allowed off leash in the Vischer Ferry Nature Preserve.

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

Motion carried at 8:10 p.m.

Patricia O'Donnell
Town Clerk