

June 16, 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
Councilman Hughes
Councilman Roth
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy
Michael Shahan, Town Administrator
Richard Kukuk, Superintendent of Highways
Mark Heggen, Comptroller
Barbara McHugh, Director of Community Development
John Scavo, Director of Planning
Jeffrey Vedder, Transfer Station Supervisor

MOTION BY Councilman Roth, seconded by Councilwoman Walowit, to approve the minutes of the June 2, 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 Paolucci asked that a 3-minute video of the Clifton Common prepared by 15 year old William Seward be added to the agenda this evening. The Town Board agreed.

Councilman Roth announced the Community Chorus will be performing on June 29th on the Clifton Common Stage. He further announced the Not So Common Players production of "The Wizard of Oz" will be presented on the Clifton Common Stage on July 11 – 20 for seven performances.

Councilman Roth asked if any Town Board action is necessary regarding the request from Facilities Supervisor O'Brien for authorization to work with Town Attorney McCarthy concerning drafting a letter to inform residents of the Rivercrest Sewer District of the law that all illegal hookups will need to be disconnected. Mr. McCarthy responded this is ancillary to a larger project that will be done separately. He said he doesn't believe any action by the Town Board is necessary at this time.

Councilman Roth asked Mr. McCarthy if any action has been taken regarding forming a park district for Addison Estates. Supervisor Barrett said he has been in contact with homeowners in both park districts and it appears some funds may be appropriated to "freshen up" the entrances to Addison Estates neighborhood.

Councilman Roth referred to a request made to the Green Committee regarding distributing flyers announcing a recycling service for computers, printers, dvds, etc. offered by the Scotia Glenville Industrial Park. Councilman Paolucci responded the Green Committee has not met

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since receiving the request. Councilman Roth said if items can be gotten rid of and not brought to Hazardous Waste Day it will make it less for the town to take care of.

In response to a request from the Supervisor, Councilman Roth reported the Coburg Village “enriched housing project” is now the top priority for the Wartburg Lutheran Company, the primary company, and hopefully an assisted living project will come to be within the next couple of years.

Councilman Roth said a very good report has been received from McDonald Engineering regarding the mulching operation at the Transfer Station. He reviewed and gave Mr. McCarthy his proposed changes to the license and service agreement with County Waste. Councilman Roth explained he would like the mulching operation inspected weekly by the town engineer until town employees are comfortable taking over the inspections. Councilman Hughes asked if the weekly inspection by the engineer would be part of the existing contract or if there would be an additional fee. Councilman Roth said it would be an additional fee as it is now. Supervisor Barrett said the current agreement with the engineer is to come in once a week under regular rates until the final signoff from DEC is received. Mr. McCarthy said Mr. Trzeciak, consultant from McDonald Engineering is acting in his capacity as town Environmental Specialist. Councilman Hughes said he would like to reexamine the time line to make sure it’s not indefinite especially if Jeff Vedder is empowered to carry out the day by day inspection.

PRESENTATIONS TO THE BOARD

Bill Seward showed the video of the Clifton Common that he entered in the Times Union contest “Great Places in the Capital Region”.

Matt Duddy of Lamar Advertising explained students in Shenendehowa Teacher Sally Way’s Graphic Arts Class submitted Stop DWI designs for a billboard contest. He introduced Linda and Dan Campion of the Campion Foundation, who commended the students on their designs. The award winning billboard was designed by Amber Murphy. Ms. Murphy explained how she came up with the winning design.

Supervisor Barrett asked Transfer Station Supervisor Jeff Vedder the procedure on residents picking up free mulch. Mr. Vedder responded no permit is required as long as individual has proof of town residency. Residents are allowed about two and a half yards a week.

PUBLIC PRIVILEGE ON RESOLUTIONS

Comment from the floor comparing moratorium on telecommunication towers and the earlier moratoria in the Western Part of town.

Resolution No. 184 of 2008, a resolution authorizing the hiring of a Summer Worker in the Buildings and Grounds Department.

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

WHEREAS, an opening exists for a Summer Worker in the Buildings and Grounds Department, and

WHEREAS, Michael Handerhan, Buildings and Grounds Supervisor, has recommended that Gregory Gibbins, 5853 Sacandaga Road, Galway, be hired to fill the position; now, therefore, be it

RESOLVED, that authorization is given to hire Gregory Gibbins, 5853 Sacandaga Road, Galway, as a Summer Worker in the Buildings and Grounds Department, at \$8.00 per hour, effective immediately, to be paid from A-7110-E4000 (Buildings and Grounds-Summer Hires).

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ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 185 of 2008, a resolution accepting the quote for Locust Lane Pool Clubhouse Improvements.

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

WHEREAS, on June 5, 2008, quotes were received for improvements to the Locust Lane Pool Clubhouse which includes an outside shower; drain work and concrete work, and

WHEREAS, the low bidder for the Locust Lane Pool Clubhouse Improvements is Bast Hatfield, Inc., Vischer Ferry Road, Halfmoon, in the amount of \$5,500, and

WHEREAS, as per letter from McDonald Engineering, dated June 6, 2008, McDonald Engineering has reviewed the quotes and based on numerous completed projects with them, recommends that the quote of Bast Hatfield, Inc. be accepted as the lowest most responsible quote; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced quote in the amount of \$5,500 to Bast Hatfield, Inc., to be paid from A1625-200 (Locust Lane Clubhouse-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 186 of 2008, a resolution authorizing the hiring of part-time summer laborers for the Transfer Station.

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

WHEREAS, a need exists for part-time summer laborers at the Transfer Station, and

WHEREAS, Jeffrey Vedder, Transfer Station Supervisor, has recommended that Jared Benway, 705 Carlton Road, Clifton Park, and Angelo DellaCioppa, 12 Devitt Road, Waterford, be hired to fill the positions; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Jared Benway, 705 Carlton Road, Clifton Park, and Angelo DellaCioppa, 12 Devitt Road, Waterford, as part-time summer laborers at the Transfer Station, at \$8.00 per hour, to be paid from A-8160-E4000, (Transfer Station-Part-time Summer help), effective June 23, 2008.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

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Resolution No. 187 of 2008, a resolution authorizing the hiring of a part-time seasonal clerk to assist Community Development with registration related to Special Collection Day for Household Hazardous Waste.

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

WHEREAS, the Fourteenth Annual Special Collection Day for Household Hazardous Waste will be conducted on September 20, 2008, and

WHEREAS, as in the past, a large response is anticipated for this program requiring additional administrative duties to insure accurate registration, and

WHEREAS, the Director of Community Development Barbara McHugh has recommended that Jaimie Hanley, 67 Rolling Brook Drive, Clifton Park be hired to assist with the registration and associated tasks related to the Special Collection Day; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Jaimie Hanley, 67 Rolling Brook Drive, Clifton Park, to assist with the administrative duties relevant to insuring accurate registration for Special Collection Day, effective July 1, 2008, at Grade 1, Step 1, \$11.82 per hour, total amount to be paid not to exceed \$1100, to be paid with a transfer from A-8989-00150 (Special Collection Day) to A-8989-E2200 (Community Development-Part-time Secretary).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 188 of 2008, a resolution authorizing the Town Supervisor to sign an application and associated legal documents for an upcoming Transportation Enhancement Program, administered by the New York State Department of Transportation (NYSDOT).

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

WHEREAS, the Town continues to seek State and Federal Funding for necessary projects whenever such funding may be available, and

WHEREAS, the project to design and construct a pedestrian/bike pathway and to make safety and roadway improvements along the Southern portion of Moe Road for a distance of 1.4 miles, would potentially qualify for funding under the Federal "Safe, Accountable, Flexible, Efficient, Transportation Equity Act", Legacy for Users (SAFETEA-LU) of 2008, and

WHEREAS, application deadlines for the current round of funding under this program must be received by June 27, 2008, and

WHEREAS, receipt of grant funds for SAFETEA-LU would provide the Town with an excellent source of funding for a project which would enhance the Town's Trail System and provide the Town with more options regarding Trail enhancements in this area, and

WHEREAS, the Town of Clifton Park is not obligated to complete the project based upon the filing of the application alone; now, therefore, be it

RESOLVED, that authorization is granted for the Town Supervisor to sign legal documents on behalf of the Town, following review and approval of the Town Attorney, for an

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upcoming Transportation Enhancement Program of federal monies through the NYS Department of Transportation; and be it further

RESOLVED, that the program requires a minimum matching share of at least twenty-percent of the total project cost.

Councilman Paolucci reported this is one of the top projects of the Trails Committee. He stated the severe curve in Moe Road should also be addressed as it does affect the way that both pedestrian and motor vehicle traffic move through the area. It appears this might be a \$1.75 million project of which the town would have to put up 20 percent if the grant is received. He reported the grant application will cover design and construction of the trail project and road rehabilitation. Highway Superintendent Kukuk said he supports the proper design of the intersection for safety reasons.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 189 of 2008, a resolution authorizing the hiring of William Seward to create a marketing/promotional video for the Clifton Park Action Park.

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

WHEREAS, William Seward has made several videos at the Action Park which are a great promotion for the park and has recently submitted a video to the Times Union promoting Clifton Common, and

WHEREAS, Myla Kramer Director of Parks, Recreation and Community Affairs, has spoken with Mr. Seward about creating a promotional video of the Clifton Park Action Park which has the dual purpose of marketing the Action Park to skaters outside of town and to businesses and vendors who are potential sponsors of skate events and competitions, and

WHEREAS, videos produced pursuant to this resolution would be available for posting on the Town's Website as well as internet forums utilized by Skaters and Skateboard Vendors, providing cost-effective promotion and recognition for the Clifton Park Action Park, among targeted user groups and businesses; now, therefore, be it

RESOLVED, that the Town Board authorizes the hiring of William Seward, 22 Berkshire Drive, Clifton Park, to create a marketing/promotional video of the Clifton Park Action Park, to be paid \$12.50 per hour, amount for the video not to exceed \$120, to be paid from A-7200-015 (Action Park-Merchandise/Market), effective immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 190 of 2008, a resolution authorizing the Supervisor to sign a contract with subcontractor John Eaton to run an adult tennis program as part of the Summer Recreation Program.

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

WHEREAS, the updated contracts for use with Summer Recreation subcontractors require the signature of the Supervisor; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign a contract with John Eaton, 35 Albion Street, Scotia, to run an Adult Tennis Program as part of the 2008 Summer Recreation Program.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 191 of 2008, a resolution extending the moratorium on the acceptance of new applications for approvals for Telecommunications Equipment, Facilities and Structures.

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

WHEREAS, on April 28, 2008, the Town Board adopted Local Law No. 3 of 2008, imposing a sixty (60) day moratorium on the receipt and review of applications for Telecommunications Facilities within the Town, and

WHEREAS, said moratorium is currently set to expire on June 28, 2008, and

WHEREAS, the moratorium was enacted in order to enable an appropriate review of the Town's Telecommunications Law and Policy in light of changes to the Zoning Code, as well as Technological changes within the industry, and

WHEREAS, staff and consultants continue to review the Telecommunications Law and Policy, and have requested additional time to complete that review and propose a draft local law suitable for public comment, and

WHEREAS, Local Law No. 3 of 2008, provides that the moratorium may be extended for one or more reasonable periods; now, therefore, be it

RESOLVED, that the moratorium enacted by Local Law No. 3 of 2008, is hereby extended for an additional sixty (60) days, to expire on August 28, 2008.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 192 of 2008, a resolution accepting a quote for new support brackets for the Meneely Bell and authorizing the transfer of funds for the expenditure.

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

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WHEREAS, the Charlton Historical Society has donated an 1883 Meneely Bell to the Town of Clifton Park, and

WHEREAS, the Bell was cast by the Meneely Bell Company in 1883, in Troy, New York, and first gifted to the Jonesville Grace Church on May 13, 1883, where it was housed until 1968 when the church was sold and the bell moved to Charlton, and

WHEREAS, Resolution No. 150 of 2008 authorized the Jonesville Cemetery Association to display the Meneely Bell on behalf of the Town of Clifton Park, and

WHEREAS, it is necessary for the safety and security of the Bell to replace the support brackets for the Meneely Bell, and

WHEREAS, a quote was received from sole vendor, CBM Fabrications, Inc., 15 Westside Drive, Ballston Lake, in an amount of \$2,130, to fabricate new support brackets for the bell; now, therefore, be it

RESOLVED, that the quote of CBM Fabrications, Inc. be accepted for \$2,130 for the replacement of the brackets for the Meneely Bell, to be paid with \$1,000 that was encumbered by Resolution No. 281 of 2007 for refurbishing the bell, and with a transfer of \$1,200 from A-4010-140 (Special Projects) to A-7510-15 (Town Historian-Other Contractual).

Mr. Shahan reported the bell itself is in excellent condition; however, the supports were deteriorating. It was, therefore, determined new support brackets were necessary.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 193 of 2008, a resolution adopting an Interim Town Highway Policy for Town Highway Department Employees who retire from employment mid-calendar year.

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

WHEREAS, the Town's Collective Bargaining Contract for the Highway Department does not address Vacation Policy for accrued vacation days where an employee retires from employment mid year, and

WHEREAS, Richard Kukuk, Highway Superintendent, has recommended the adoption of an Interim Town Highway Policy pending contract negotiations in 2009; now, therefore, be it

RESOLVED, that as an Interim Town Employment Policy, Town Highway Department Employees who retire from employment mid-calendar year, shall be credited with accrued vacation time for the calendar year in which they retire, proportionate to the amount of time worked in their last calendar year; and be it further

RESOLVED, that this policy shall expire upon the effective date of the next Collective Bargaining Agreement with the Town of Clifton Park Highway Department Unit, now scheduled for 2009.

Superintendent of Highways Kukuk explained a Highway employee is retiring the end of June and under the current practice vacation days are only credited next January 1st, therefore, anyone leaving during the year would lose any time credited or accrued up to this point in the year. If the individual wishes to take cash in lieu of days towards retirement, money will come from the

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remaining part of his salary so funds are appropriated. This change will be addressed at the next Collective Bargaining Agreement.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

REPORTS TO THE BOARD

Town Comptroller Heggen reported the draft report from the town auditors should be received shortly. He reported mortgage tax has exceeded the budget and sales tax is up approximately two and a half percent.

Town Administrator Shahan reported many of the town's "green initiatives" have been done by the Buildings and Grounds Department. He anticipates most of the initiatives to be done by the end of August.

PUBLIC PRIVILEGE

Norman Goldman, London Square Drive, speaking with regard to Resolution No. 188, said he would rather the Town Board know what is in the application before it is approved, signed and submitted and perhaps a special meeting should have been called. He stated the town was very forward thinking when the environmental specialist position was created and questioned why a consultant has been hired to do that job. He reiterated his concerns about 51 town houses being approved along Route 146, the wildlife rehabilitator activities being stopped by the town, and public privilege being limited to five minutes.

Jim Baisley, Barkwood Drive, speaking with regard to the DOT Moe Road Trail grant, said the neighborhood should be kept involved, as neighbors are very concerned as to what is going to happen. Regarding the mulching operation, he assumes the town is one of the biggest users and it should be free.

Supervisor Barrett stated if the grant is received, there would definitely be opportunity for public input.

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 8:45 p.m.

Patricia O'Donnell
Town Clerk