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June 1, 2009

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 Shahen, Town Administrator  
Mark Heggen, Comptroller  
Barbara McHugh, Director of Community Development  
Steven Myers, Director of Building and Development  
John Scavo, Director of Planning

MOTION BY Councilman Roth, seconded by Councilwoman Walowit, to approve the minutes of the May 11 and 18, 2009 meetings as presented.

**ROLL CALL VOTE**

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

Noes: None

**MOTION CARRIED**

**ANNOUNCEMENTS AND COMMUNICATIONS**

Councilman Roth read Environmental Specialist Montague's May 29, 2009 email regarding the mulching operation at the Transfer Station, attached.

Supervisor Barrett reported three misters are now being used to help control the odor of the composting operation and grass is being handled differently as soon as it leaves the trucks.

Councilman Hughes announced the Family Bike Ride to be held June 7, 2009.

He reported Public Workshops to receive input on the Town of Clifton Park Recreational Master Plan will be held June 11<sup>th</sup> at the Jonesville Fire Station – Main Street and June 25<sup>th</sup> at the Shenendehowa Adult Community Center; both workshops are scheduled from 7:00 to 9:00 pm. Councilman Hughes said there is a survey online as well as in the town hall.

Supervisor Barrett thanked all who volunteered for the Shredding Day on May 31<sup>st</sup>, particularly 3N Document Destruction and the Clifton Park Center Mall. He reported over 100 vehicles came through and the donation of food for the Jonesville Food Pantry was very successful.

**PUBLIC HEARING, 7:10 PM  
REGARDING UNSAFE HOUSE AT 113 BLUE BARNS ROAD**

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on May 23, 2009.

Supervisor Barrett said he has contacted the residents to make sure they have a place to go and plans for the future.

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Director of Building and Development Myers reported to his knowledge everyone is out of the house, however, there are animals still inside. Animal Control Officer Baker has been notified.

The public hearing was opened for comments from the audience at 7:20 p.m.

Jim Baisley, Barkwood Lane, agrees something needs to be done with the structure. He asked how the town gets involved with these properties. Mr. Myers responded the town was notified by County Court to do an inspection as a result of a trial. Town Attorney McCarthy added this is a separate distinct proceeding and there was testimony about the structure. Mr. Baisley said he is concerned about neighbors reporting on other people's property.

Councilman Roth noted on occasion the Ballston Lake Ambulance Squad has reported unsafe conditions within a home to the Building Department.

Everyone was given an opportunity to speak and no one else wished to be heard. Supervisor Barrett declared the public hearing closed at 7:25 p.m.

Resolution No. 163 of 2009, a resolution to partner with the Clifton Park-Halfmoon Ambulance Corps in their effort to certify Clifton Park as a Heart Safe Community.

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

WHEREAS, the Heart Safe Community Program strengthens the chain of survival so as to maximize the chance of a victim of SCA (sudden cardiac arrest) receiving immediate CPR and defibrillation, and therefore fills the gap between sudden cardiac arrest and the arrival of a Paramedic ambulance, and

WHEREAS, without a committed effort to train family, friends, co-workers and other community members in CPR and to make life saving AEDs easily available, the chain remains weak and survival rates will stay low, and

WHEREAS, the poor survival rate of SCA victims has prompted the Clifton Park-Halfmoon Ambulance Corps to propose the creation of a Heart Safe Community Program, and

WHEREAS, the Ambulance Corps, in furtherance of this effort, is applying for grants to help defray the costs of training residents and to cost share the expense of purchasing AEDs for local businesses so that these life saving devices will be available in our community's businesses, retail and cultural centers and so that residents will feel confident and competent to use them to save lives, and

WHEREAS, the goal of the Heart Safe Community Program is to ensure widespread CPR training throughout the community and strategic placement of AED units in civic organizations and businesses with high public traffic, and

WHEREAS, the first public outreach the Ambulance Corps plans is "CPR Saturday" scheduled for June 13<sup>th</sup> at the Clifton Park Center Mall where members will be conducting simple twenty minute CPR instructional sessions and distributing basic CPR kits for families to take home, and

WHEREAS, the Ambulance Corps is requesting that the Town commit to help promote the message that CPR is for everyone, and help promote learning CPR; now, therefore be it

RESOLVED, that the Town of Clifton Park commits to advancing the message of the importance of CPR training and increased placement of AEDs in public access areas; and be it further

RESOLVED, that the Town of Clifton Park supports and commends the Clifton Park-Halfmoon Ambulance Corps in their effort to certify Clifton Park as a Heart Safe Community and agrees to partner with them in their endeavor.

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ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

REPORTS TO THE BOARD

Eric Hanchett, Paramedic Supervisor with Clifton Park Halfmoon Ambulance Corp. and American Heart Association Training Center Supervisor, reported NYS Department of Health has created a public access defibrillator program that is available to businesses. The regional EMS council has policies in place to allow businesses to purchase AEDs, as well as train individuals. He stated public CPR and public access to a defibrillator is missing in communities. It is hoped this program will allow businesses to become a "Heart Safe Business". Mr. Hanchett announced "CPR Saturday" will be held in the Clifton Park Center Mall on June 13, 2009 from 10 a.m. to 6 p.m. He distributed "CPR Anytime" Kits to the Town Board. He reported NYS will give a \$500 tax credit when an AED is purchased by a business. In response to Councilman Hughes' question regarding the Good Samaritan Law, Mr. Hanchett responded Public Health Law Article 30, Section 3000A states someone who responds to a cardiac arrest is exempt from liability for any potential side effects from performing CPR. He said there is the Cardiac Arrest Survivors Act that additionally protects people who offer assistance during a cardiac arrest.

Mark Kazmierczak, Chairman of Historic Preservation Commission, presented the Commission's Annual Report for 2008. Councilman Roth commended Mr. Kazmierczak for his work on the Historic Preservation Commission.

Councilwoman Walowit reported on the proposed construction of the new children's playground on the Clifton Common, noting it will be a five week process with plans to begin the day after Labor Day. The cost is \$181,909.20. Labor costs have not been determined as yet. It was noted \$100,000 was put aside in 2005 for this project. Depending on condition, it is anticipated the imprinted bricks purchased for the original playground will be used around the pavilion. Councilman Roth asked that the imprinted bricks be saved. Councilwoman Walowit said any usable wood from the old playground will be used in the Dwaaskill Nature Preserve.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 164 of 2009, a resolution proclaiming August 4, 2009 as "Shoot Out on the Common Night".

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

WHEREAS, annual "National Night Out" provides a unique opportunity for Clifton Park to join forces with thousands of other communities across the country in promoting cooperative police-community crime prevention efforts, and

WHEREAS, the Town Citizen Corps Council and CERT members play a vital role in assisting the State Police and Sheriff's Department through joint crime, drug and violence prevention efforts in the Town of Clifton Park and is supporting "National Night Out 2009" locally, and

WHEREAS, the Town Board, together with the Citizen Corps, encourages all citizens of Clifton Park to be aware of the importance of their support of crime prevention programs and the impact that their participation can have on reducing crime, drugs and violence in Clifton Park, and

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WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the “National Night Out” program, and

WHEREAS, through our commitment to a healthy police-community partnership, fostered by interaction and sharing, the Town of Clifton Park’s Citizen Corps Council will be organizing a Youth Free Throw Contest on the Clifton Common, at 6:00 PM on August 4, 2009, to bring our community out in support of National Night Out; now, therefore, be it

RESOLVED, that we the Clifton Park Town Board do hereby call upon all citizens to join us, the Citizen Corp Council and the National Association of Town Watch in supporting annual “National Night Out” on August 4, 2009; and be it further

RESOLVED, that the Clifton Park Town Board hereby proclaims August 4, 2009 as “Shoot Out on the Common Night”.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 165 of 2009, a resolution establishing the summer schedule for Town Board Meetings.

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

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 2009:

Monday	July 6, 2009
Monday	July 20, 2009
Monday	August 3, 2009
Monday	August 17, 2009

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 166 of 2009, a resolution hiring summer help for the Stoney Creek I Park District.

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

WHEREAS, a need has been identified for summer help at the Stoney Creek I Park District to do light maintenance, and

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WHEREAS, Dalton Vedder, 3 Edward Street, Clifton Park and Joseph Pagano, 47 Greenridge, Clifton Park, have been recommended to be hired for these positions; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Stoney Creek I Park District, hereby authorizes the summer hiring of Dalton Vedder and Joseph Pagano, to do light maintenance at the Stoney Creek I Park District at \$8.00 per hour, effective immediately, not to exceed \$8,000 for both hires, to be paid from SP9-7117-24 (Stoney Creek I Park District-Maintenance).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 167 of 2009, a resolution hiring summer help for the Dwaaskill Park District.

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

WHEREAS, a need has been identified for summer help at the Dwaaskill Park District to do light maintenance, and

WHEREAS, Jared Benway, 705 Carlton Road, Clifton Park, has been recommended to be hired for this position; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Dwaaskill Park District, hereby authorizes the summer hiring of Jared Benway to do light maintenance at the Dwaaskill Park District at \$8.00 per hour, effective immediately, not to exceed \$750, to be paid from SP4-7135-24 (Dwaaskill Park District-Maintenance).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 168 of 2009, a resolution authorizing the hiring of part-time summer laborers for the Transfer Station.

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

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

WHEREAS, Jeffrey Vedder, Transfer Station Supervisor, has recommended that Dan Buda, 26 Madison Avenue, Troy, 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 Dan Buda as a part-time summer laborer at \$8.00 per hour and Angelo DellaCioppa as a part-time summer laborer at \$8.50 per hour, effective immediately, to be paid from A-8160-E-4000, (Transfer Station-Part-Time Summer Laborers)

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ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 169 of 2009, a resolution creating a budget for the Mohawk Landing Riverfront Park for the purchase of amenities for use by visitors to the Park.

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

WHEREAS, the Town of Clifton Park acquired six± acres along Riverview Road and the Mohawk River in 2006, and

WHEREAS, the property, located in the western half of Town, is being developed through a 2006 Grant Award from the NYS Canal Corporation in order to provide public access to the Mohawk River, and

WHEREAS, the Mohawk Landing Riverfront Park is scheduled to have its official opening in June of 2009, and

WHEREAS, it is necessary to create a budget for the Mohawk Landing Riverfront Park for the purchase of amenities for use by visitors to the park; now, therefore, be it

RESOLVED, that a budget of \$2,500 is hereby created for Mohawk Landing Riverfront Park with \$1,500 to be transferred from A-7114-24 (Vischer Ferry Preserve-Maintenance) to A-7180-24 (Riverfront Park-Maintenance) and \$1,000 to be transferred from A-7114-200 (Vischer Ferry Preserve-Equipment) to A-7180-2000 (Riverfront Park-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 170 of 2009, a resolution in connection with a block party to be held in the Clifton Knolls Subdivision.

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

WHEREAS, the residents of Clifton Knolls wish to conduct a block party within the subdivision on Saturday, June 13, 2009, between the hours of 2:00 pm and 8:00 pm and have requested permission to use El Dorado Drive from Belmonte 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 Belmonte Lane down to Broadleaf Drive, June 13, 2009 from 2:00 pm to 8:00 pm 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

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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

Resolution No. 171 of 2009, a resolution in connection with a block party to be held in the Windsor Pointe Subdivision.

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

WHEREAS, the residents of Windsor Pointe wish to conduct a block party within the subdivision on June 20, 2009, between the hours of 2-10 pm and have requested permission to use a portion of Birch Hill Road between the intersection of Castlegate and Beresford Roads 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 a portion of Birch Hill Road between the intersection of Castlegate and Beresford Roads, June 20, 2009 from 2-10 pm 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

Resolution No. 172 of 2009, a resolution authorizing the Supervisor to enter into a contract for the purchase of playground equipment for the Children's Playground on the Clifton Common and to authorize the transfer of funds for the purchase.

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

WHEREAS, improvements to the Children's Playground on the Clifton Common have been considered and it is recommended that new and modern equipment be purchased for the playground, and

WHEREAS, a proposal has been received by The PlayPro for current playground equipment and safety rubber mulch, (per attached proposal) in an amount not to exceed \$181,909.20 from authorized State Contract; now, therefore, be it

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RESOLVED, that the Town Supervisor is hereby authorized to enter into a contract with The PlayPro for equipment for the Children's Playground on the Clifton Common in an amount not to exceed \$181,909.20 from authorized State Contract, to be paid with a transfer of \$100,000 previously designated from 2005 County Surplus to A-7112-200 (General Fund-Common-Equipment) and with a transfer of \$81,909.20 from Unreserved Fund Balance to A-7112-200.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 173 of 2009, a resolution authorizing the transfer of funds for the resurfacing of two baseball fields and the construction of a shed at the Clifton Common.

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

WHEREAS, Joe McCrudden, Clifton Park Baseball, submitted a request for \$18,000 for upgrades to the facilities at the Clifton Common, and

WHEREAS, a need has been identified for a shed for storage of equipment and supplies and for the resurfacing of Fields 7 and 8, and

WHEREAS, upon completion of the resurfacing of Fields 7 and 8, all four fields in the lower quad will have been resurfaced since 2007; now, therefore, be it

RESOLVED, that the Town Board authorizes the following upgrades to the facilities at the Clifton Common:

- Construction of a shed for storage of equipment and supplies \$4,000
- Resurfacing of Fields 7 and 8 \$14,000

and be it further;

RESOLVED, that \$18,000 be transferred from Unreserved Fund Balance to A-7112-200 (General Fund-Common-Equipment); and be it further

RESOLVED, that Clifton Park Baseball shall provide the Department of Buildings and Grounds with estimates, invoices, bills and receipts documenting the expenditures to the Department's reasonable satisfaction.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED



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Resolution No. 174 of 2009, a resolution approving an outside user connection to the Rexford Water District No. 2 for property located at 670 Riverview Road, Rexford, and owned by Semenza Homes.

Introduced by Councilman Paolucci, 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, Semenza Homes purchased property at 670 Riverview Road, Rexford, (S.B.L. No. 282.-1-56) in 2005 and now has a contract to construct a home on the property, and

WHEREAS, the Town Board, as Commissioners of the Water District, have received a request from Semenza Homes to approve an outside user connection to the Rexford Water District No. 2 for property located at 670 Riverview Road; 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 670 Riverview Road, Rexford.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

No one wished to be heard.

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 8:37 p.m.

Patricia O'Donnell  
Town Clerk