

2/8/2010

February 8, 2010

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 Romano  
Councilwoman Walowit  
Supervisor Barrett  
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy  
Michael Shahan, Town Administrator  
Mark Heggen, Comptroller  
Myla Kramer, Director of Parks and Recreation  
Barbara McHugh, Director of Community Development  
Michael Montague, Environmental Specialist  
John Scavo, Director of Planning

**ANNOUNCEMENTS AND COMMUNICATIONS**

Supervisor Barrett announced the town's Winterfest is scheduled for February 13<sup>th</sup> at Clifton Park Center. As part of the Winterfest, Open Space Committee member Frank Berlin will be conducting a tour of the Dwaaskill Nature Preserve.

**PUBLIC PRIVILEGE ON RESOLUTIONS**

No one wished to be heard.

Resolution No. 29 of 2010, a resolution authorizing the Supervisor to sign contracts with 2010 Summer Recreation Independent Contractors, per Schedule "A".

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

WHEREAS, Myla Kramer, Director of Parks and Recreation, has requested that the Town Board authorize certain updated contracts for certain summer recreation programs, and

WHEREAS, the Town Board supports continuation of the listed summer recreation programs with the subcontractors listed on the attached Schedule "A"; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign contracts with 2010 Summer Recreation Independent Contractors, per Schedule "A".

**ROLL CALL VOTE**

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

Noes: None

**DECLARED ADOPTED**

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Resolution No. 30 of 2010, a resolution authorizing Michael Montague to attend a one-day SEQRA seminar.

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

WHEREAS, Environmental Specialist Michael Montague has requested authorization to attend a one-day SEQRA seminar on March 26, 2010 in Albany, New York, and

WHEREAS, 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 Michael Montague is hereby authorized to attend a one-day SEQRA seminar, on March 26, 2010 in Albany, New York, at a cost of \$369, to be paid from A-8090-001 (Environmental Specialist-Travel & Conferences)

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 31 of 2010, a resolution authorizing Environmental Design Partnership, LLC, to prepare plans and specifications and to prepare public bid documents for the construction of a trail system within Stony Creek Park District No. 1.

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

WHEREAS, Stony Creek Park District No. 1 has been working with Environmental Design Partnership, LLC to develop a trail system within the park district on Town owned land located off of Moe Road between Huntwood and Countryman Estates, and

WHEREAS, since 2004 the Stony Creek Park District No. 1 has conducted several meetings for the vision and development of the park, and

WHEREAS, Environmental Design Partnership, LLC has prepared draft bid documents containing special conditions and supplementary conditions for going out to bid for the construction of a trail system within the Stony Creek Park District No. 1, and

WHEREAS, the bid documents will provide that the Town reserves the right to reject all bids and therefore not obligate the Town legally until a bid is accepted by resolution; now, therefore, be it

RESOLVED, that Environmental Design Partnership, as consulting engineers for Stony Creek Park District No. 1 are authorized to prepare plans and specifications for the project, as well as appropriate public bidding documents necessary to place the construction project for the trail system out for public bidding pursuant to applicable laws for municipal projects.

Supervisor Barrett, noting there was an area of concern from a couple of residents, reported changes have been made to the plan. Speaking with regard to Access B off Horse Shoe Turn, Paul Oland of EDP, said this area is not part of the project and reviewed the change with the Board.

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ROLL CALL VOTE

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

Noes:: None

DECLARED ADOPTED

Resolution No. 32 of 2010, a resolution authorizing the Change Order No. 1 for the Town Hall HVAC Improvements Project in the Town of Clifton Park.

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

WHEREAS, Resolution No. 265 of 2009 authorized a contract for Town Hall HVAC improvements with Johnson Controls in an amount of \$110,111, and

WHEREAS, during the progress of the HVAC improvements other system deficiencies were discovered, and

WHEREAS, the additional work to correct the deficiencies are outlined in a letter dated January 27, 2010 from McDonald Engineering, and

WHEREAS, the proposed additional improvements will result in an increase of \$8,100 from the previous contract amount of \$110,111 to \$118,211, and

WHEREAS, a change order has been prepared by McDonald Engineering to provide for the resultant increase in contract price to provide additional funds for the contract; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign Change Order No. 1 dated January 22, 2010, to Johnson Controls, Inc. for the Town Hall Improvements Projects, increase of \$8,100 to be paid from A-1620-200 (Town Hall-HVAC).

Supervisor Barrett noted a state grant was received for this project.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 33 of 2010, a resolution authorizing the Supervisor to sign an arrangement letter with Cusack & Co. for auditing services on 2009 Financials.

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

WHEREAS, the Town Board desires that an outside audit of the Town's financial activities for the fiscal year 2009 be conducted, and

WHEREAS, an acceptable proposal for the audit of the 2009 fiscal year activities of the Town of Clifton Park has been submitted by Cusack & Company, Latham, NY; now, therefore, be it

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RESOLVED, that the Clifton Park Town Board hereby authorizes the Supervisor to sign an arrangement letter with Cusack & Co. for auditing services on 2009 financial statements, at a total cost of \$20,075 to be paid from A-1320-19 (Auditor –Auditing Expense).

Town Comptroller Heggen said this price also includes the single audit which is required since the town received more than \$500,000 in federal funds in 2009 due to the December 2008 ice storm.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 34 of 2010, a resolution authorizing the Town to sponsor a Community Emergency Response Training (CERT) Program through the Citizen Corps Grant.

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

WHEREAS, Citizen Corps provides training to help prepare residents for emergencies and disasters of all kinds and introduces community volunteerism opportunities to support Town Emergency Planning and Preparedness, and

WHEREAS, the Citizen Corps Grant provides funding for emergency training and public education, and

WHEREAS, the Town wishes to schedule the spring CERT training for six weeks on Thursday evenings, beginning March 4<sup>th</sup> - April 8<sup>th</sup>, at the Public Safety Building for residents of the Town at no charge, and

WHEREAS, the program will train residents to be added to the group of CERT trained volunteers available to assist the Town during disasters, emergencies and major incidents; now, therefore, be it

RESOLVED, that the Town Board authorizes CERT training for residents of the Town of Clifton Park to take place on six consecutive Thursdays, from March 4, 2010 - April 8, 2010, at a total cost not to exceed \$3,500, to be paid from A-8762-015-200 (Citizen Corps Grant Expense) for instruction, supplies, equipment and shirts.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 35 of 2010, a resolution rescheduling the February 22, 2010 Town Board Meeting to February 16, 2010.

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

WHEREAS, Resolution No. 15 of 2010 had rescheduled the Town Board Meeting from February 16<sup>th</sup> to February 22<sup>nd</sup> due to a conflict with the annual Association of Towns Meeting in New York February 14-17, 2010, and

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WHEREAS, the Town Board determines that no representative from the Town Board will attend this years annual Association of Town's Meeting February 14-17, 2010, and

WHEREAS, the third meeting of the month of February was previously scheduled for February 22, 2010; now, therefore, be it

RESOLVED, that the third Town Board Meeting for February 2010 is hereby rescheduled to Tuesday, February 16, 2010.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes, Councilman Romano,  
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 move into Executive Session to discuss a personnel issue. Motion carried at 7:24 p.m.

No action was taken.

MOTION BY Councilman Paolucci, seconded by Councilwoman Walowit, to return to the regular meeting. Motion carried at 7:40 p.m.

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 7:41 p.m.

Patricia O'Donnell  
Town Clerk