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March 1, 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: Deputy Town Attorney Peller
Michael Shahen, Town Administrator
Mark Heggen, Comptroller
Myla Kramer, Director of Parks and Recreation
Barbara McHugh, Director of Community Development

MOTION BY Councilman Romano, seconded by Councilman Hughes, to approve the minutes of the February 8 and 16, 2010 meetings as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett announced Ravenswood Restaurant is the winner of the Winterfest Soup Contest.

Supervisor Barrett announced the town has received a \$35,414 grant from NYSERDA as part of a project to install solar panels on the highway garage. Director of Community Development McHugh reported additionally the project will be funded with a \$149,000 grant from the Department of Energy. Supervisor Barrett said the town portion of the project is \$13,000, with an anticipated savings to the town of \$3626 annually.

CERT volunteer Paul Zohn credited his CERT training in saving his two and a half year old granddaughter's life when she was choking on popcorn. He recommended the CERT training classes to residents. Supervisor Barrett stressed the importance of CERT training, noting that new classes begin March 4, 2010. He expressed appreciation to Mr. Zohn for his dedication to the CERT program.

**PUBLIC HEARING, 7:10 PM
TO CONSIDER AN EXPENDITURE FOR THE IMPROVEMENTS
TO THE CLIFTON GARDENS PARK**

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on February 19, 2010.

Councilman Paolucci explained the Clifton Gardens Park District wants to bond for a portion of the renovations to the park. He said the basketball court has had "surface fixes" in the past but this bonding will allow a complete renovation of the courts. The cost will be more than the park district currently has. It is felt this project is for the benefit and safety of the people using the park. He stated the current tax levy of the Clifton Gardens Park District is enough to support the

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principal and interest payments, as well as the annual operating expenses. Councilman Paolucci explained the bonding resolution is for more than the estimated cost of the project as the process is very rigorous and if the quotes come in higher, costs will be covered.

Jeff Trzeciak, McDonald Engineering, said the area consists of two full size tennis courts and one basketball court with six poles around it, is over 30 years old and past its useful life. He reviewed the proposed project which, along with reconstruction of the courts, will include new tennis nets with removable posts, and fence replacement. Mr. Trzeciak said these improvements should last 20 plus years. The cost is estimated to be \$155,000, including engineering and inspection fees. Town Comptroller Heggen said the park district had approximately \$70,000 at the end of 2009 and is looking at authorizing up to \$120,000 in the bond with the anticipation of spending approximately \$90,000. He noted this is a 15 year bond. In response to Councilman Romano's questions, Director of Parks & Recreation Kramer said this park is not used for the summer recreation program.

The public hearing was opened for comments from the audience at 7:30 p.m.

Nick Tisesnchek, Lori Lane, member of the park committee, reported the courts are in bad shape and this project will not be a "band aid" solution but a start over project. He said an open meeting was held with advertisement in the Community News and flyers distributed to residents.

Bob Davison, Esopus Drive, member of the park committee, said the courts have deteriorated to the point where they are a safety issue. He said the park will not be vibrant and useful without the courts. Mr. Davison said taxes won't be raised as there is a good fund balance.

Councilman Paolucci said the park district committee has been very diligent in exploring a number of options and this repair should not be an issue for decades.

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one else wished to be heard. Supervisor Barrett declared the public hearing closed at 7:35 p.m.

Speaking with regard to the parking situation on Parkside Trail, Supervisor Barrett asked if the no parking signs are enforceable. Mr. Shahan responded no. The Supervisor stated the signs need to be made enforceable.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 44 of 2010, a resolution authorizing the Clifton Knolls Mill Creek Civic Association to serve alcoholic beverages at the annual association-sponsored Wine and Cheese Party at the Locust Lane Clubhouse.

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

WHEREAS, Keri Horton, 24 Juniper Drive, Clifton Park, has requested permission to serve alcoholic beverages on March 6, 2010 at a Wine and Cheese Party to be held at the Locust Lane Clubhouse, and

WHEREAS, it is the Town's policy to require the using group to monitor the consumption of alcohol and be responsible for the group's activities; now, therefore, be it

RESOLVED, that the Clifton Knolls Mill Creek Civic Association is authorized to serve alcoholic beverages on March 6, 2010, from 7:00-11:00 pm, at an adults only civic association event being held at the Locust Lane Clubhouse, contingent upon the execution of an indemnification and a hold harmless agreement in favor of the Town and the provision of a certificate of liability insurance naming the Town as an additional insured and in a coverage amount acceptable to the Town.

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ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 45 of 2010, a resolution hiring Wild Goose Chase, New Lebanon, New York, to rid the Clifton Knolls ponds of Canada Geese.

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

WHEREAS, the Canada Geese continue to be a problem in the Clifton Knolls ponds, and

WHEREAS, the Town Board, as Commissioners of the Clifton Knolls/Mill Creek Park District, has received a request from the Park District to authorize the hiring of Wild Goose Chase to chase the geese away before they lay their eggs, and

WHEREAS, the company utilizes border collies to herd and harass the birds until they leave, and

WHEREAS, the Clifton Knolls/Mill Creek Park District has been pleased with the service and commitment of Wild Goose Chase to Clifton Knolls and their results in keeping the ponds clear of Canada Geese; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Clifton Knolls Mill Creek Park District, hereby authorizes the hiring of Wild Goose Chase, New Lebanon, New York, to reduce the Canada Geese from taking root in the Clifton Knolls ponds at a cost not to exceed \$5,000 for the season, to be paid from SP37131-24 (Clifton Knolls Park District).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 46 of 2010, a resolution awarding a contract for landscaping services for the Meadow/Addison Estates Park District.

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

WHEREAS, quotes were received by the Town Board, as Commissioners of the Meadow/Addison Estates Park District, for landscaping services for the District, and

WHEREAS, the lowest conforming quote for the work to be done which includes mowing, mulching, weeding and pruning of shrubs and planting flowers in the Meadow/Addison Estates Park District was submitted by A to Z Property Management, 12 Burning Bush Boulevard, Ballston Lake, New York, in an amount not to exceed \$5,190; now, therefore, be it

RESOLVED, that the Town Board, as Commissioners of the Meadow/Addison Estates Park District, hereby awards the contract to A to Z Property Management, Ballston Lake, New York, for landscaping services at the Meadow/Addison Estates Park District, at a cost not to exceed \$5,190, \$4,100 to be paid from SP127142-24 (Meadow Estates Park District) and \$1,090 to be paid from SP12-7148-24(Addison Estates Park District), and be it further

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RESOLVED, that if all parties agree, the contract for landscaping services for Meadow/Addison Estates Park District can be extended through 2012.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 47 of 2010, a resolution awarding a contract for landscaping services for the Wyncrest Park District.

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

WHEREAS, quotes were received by the Town Board, as Commissioners of the Wyncrest Park District, for landscaping services for the District, and

WHEREAS, the lowest conforming quote for the work to be done for landscaping services which includes weeding, trimming, mulch work, planting of fall flowers, grading and seed work in the Wyncrest Park District was submitted by A to Z Property Management, 12 Burning Bush Boulevard, Ballston Lake, New York, in an amount not to exceed \$2,015; now, therefore, be it

RESOLVED, that the Town Board, as Commissioners of the Wyncrest Park District, hereby awards the contract to A to Z Property Management for landscaping services at the Wyncrest Park District, at a cost not to exceed \$2,015 to be paid from SP117140-24 (Wyncrest Park District); and be it further

RESOLVED, that if all parties agree, the contract for landscaping services for Wyncrest Park District can be extended through 2012.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 48 of 2010, a resolution awarding a contract for landscaping services for the Sherwood Forest Park District.

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

WHEREAS, quotes were received by the Town Board, as Commissioners of the Sherwood Forest Park District, for landscaping services for the District, and

WHEREAS, the lowest conforming quote for the work to be done which includes mowing, trimming of shrubs, mulch work and trimming, in the Sherwood Forest Park District was submitted by Staucet's Landscaping LLC, 8 Chevy Chase Lane, Clifton Park, New York. in an amount not to exceed \$7,430; and

WHEREAS, Michael Handerhan, Supervisor of Buildings and Grounds. has recommended acceptance of the quote by Staucet's Landscaping, 8 Chevy Chase Lane, Clifton

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Park, New York. notwithstanding receipt of a competing bid which although appears lower, does not include all required work to be done which includes mowing, trimming of shrubs, mulch work and string trimming in the Sherwood Forest Park District in an amount not to exceed \$7,430, and

WHEREAS, Mr. Handerhan's recommendation is based on the more complete and verifiable quote from Staucet's as compared with the lowest bidder which omitted actual figures for mulch work and included a per yard cost; now, therefore, be it

RESOLVED, that the Town Board, as Commissioners of the Sherwood Forest Park District, hereby awards the contract to Staucet's Landscaping, Clifton Park, New York, for landscaping services at the Sherwood Forest Park District, at a cost not to exceed \$7,430, to be budgeted from SP87125-24 (Sherwood Forest Park District-Maintenance); and be it further

RESOLVED, that if all parties agree, the contract for landscaping services for Sherwood Forest Park District can be extended through 2012.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 49 of 2010, a resolution awarding a contract for landscaping services for the Longkill I Park District.

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

WHEREAS, quotes were received by the Town Board, as Commissioners of the Longkill I Park District, for landscaping services for the District, and

WHEREAS, the lowest conforming quote for the work to be done for landscaping services which includes mowing, Spring/Fall clean-up, planting of flowers, and mulching in the Longkill I Park District was submitted by A Cut Above, 18 Pleasant Avenue, Schaghticoke, New York, in an amount not to exceed \$14,875; now, therefore, be it

RESOLVED, that the Town Board, as Commissioners of the Longkill I Park District, hereby awards the contract to A Cut Above for landscaping services at the Longkill I Park District, at a cost not to exceed \$14,875 for 2010, \$12,875 to be paid from SP57123-24 (Longkill I Park District-General Maintenance) and \$2,000 from SP57151-24 (Country Knolls Pool-Maintenance); and be it further

RESOLVED, that if all parties agree the contract can be extended for 2011 at a cost of \$15,125 and for 2012 at a cost of \$15,375 for landscaping services for Longkill I Park District.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

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Resolution No. 50 of 2010, a resolution awarding a contract for landscaping services for the Stoney Creek II Park District.

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

WHEREAS, quotes were received by the Town Board, as Commissioners of the Stoney Creek II Park District, for landscaping services for the District, and

WHEREAS, the lowest conforming quote for the work to be done for landscaping services which includes weeding, tree pruning trimming, mulch work, and Spring cleanup in the Stoney Creek II Park District was submitted by A to Z Property Management, 12 Burning Bush Boulevard, Ballston Lake, New York, in an amount not to exceed \$10,990; now, therefore, be it

RESOLVED, that the Town Board, as Commissioners of the Stoney II Creek Park District, hereby awards the contract to A to Z Property Management for landscaping services at the Stoney Creek II Park District, at a cost not to exceed \$10,990 to be paid from SP0 7120- (Stoney Creek II Park District); and be it further

RESOLVED, that if all parties agree, the contract for landscaping services for Stoney Creek II Park District can be extended through 2012.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 51 of 2010, a resolution authorizing the hiring of summer staff for the Buildings and Grounds Department as per Schedule A.

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

WHEREAS, a need exists for summer workers in the Buildings and Grounds Department, and

WHEREAS, Michael Handerhan, Buildings and Grounds Supervisor, has recommended that the individuals listed in Schedule A be hired to fill these positions, and

WHEREAS, the wages to be paid to the hired individuals are listed in Schedule A, as budgeted; now, therefore, be it

RESOLVED, that the individuals listed in Schedule "A", attached hereto, be hired as part of the summer Buildings and Grounds Department staff for the summer of 2010, effective immediately, to be paid from A7110-E4000 (Buildings & Grounds-part-time labor seasonal).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

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Resolution No. 52 of 2010, a resolution authorizing the Supervisor to sign a Lease Agreement with Pitney Bowes for a DM 525 Postal Meter for use by the Clifton Park Town Justice Court.

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

WHEREAS, quotes were received by the Town Justice Court for a new postal machine, and

WHEREAS, based on past experience in using the Pitney Bowes postal machine, the Court has recommended that the quote of Pitney Bowes, Troy, New York, for \$190 per month be accepted as the lowest conforming quote to meet the needs of the Court, and

WHEREAS, the Pitney Bowes postal machine is better able to meet the volume of the work in the Court and is the only meter that is removable for loading postage; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign a Lease Agreement with Pitney Bowes for a DM 525 postal meter for fifty-one months at \$190 per month, to be paid from A1110-009 (Justice Courts-Lease Rentals).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 53 of 2010, a resolution authorizing the Town Administrator to purchase a 2010 Chevrolet Impala for use by the Security Department.

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

WHEREAS, Michael Shahan, Town Administrator, has identified a need for a new vehicle for use by the Security Department, and

WHEREAS, the Town Administrator has requested authorization to purchase a model year 2010 Chevrolet Impala under State Contract No. 21895-PF-ES, as described in Schedule A, at a cost not to exceed \$23,450; now, therefore, be it

RESOLVED, that Michael Shahan, Town Administrator, is hereby authorized to purchase a model year 2010 Chevrolet Impala under State Contract No. 21895-PF-ES from Hoselton Fleet, as described in Schedule A, at a cost not to exceed \$23,450, to be paid from A-3120-022 (Security Dept.-Vehicle Expense), as budgeted.

Mr. Shahan said the current vehicle is approaching 230,000.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

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Resolution No. 54 of 2010, a resolution scheduling a public hearing to consider an application for a Historic Conservation Easement.

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

WHEREAS, the Town's Historic Conservation Easement requires public comment on properties proposed to be included in the program, and

WHEREAS, Frank and Nancy Berlin, 980 Main Street, Jonesville, have requested inclusion of their house at 980 Main Street, Jonesville (SBL 259.9-3-19) in the program; now, therefore, be it

RESOLVED, that a public hearing is scheduled for March 15, 2010 at 7:10 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider the property owned by Nancy and Frank Berlin, 980 Main Street, Jonesville, (SBL 259.9-3-19) for inclusion in the Historic Conservation Easement program, and be it further

RESOLVED, that the property owner give notice to all adjacent property owners and other entities as provided in the Town's Historic Conservation Easement legislation in advance of the public hearing and submit receipts of mailing to the Town Clerk's office prior to the date of the public hearing; and be it further

RESOLVED, that the Town Clerk is directed to publish appropriate notice of the same.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 55 of 2010, a resolution scheduling a public hearing related to the Town's opportunity to file an application for a New York State Community Development Block Grant, Public Facilities program.

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

WHEREAS, the Town of Clifton Park is pursuing filing an application for a New York State Community Development Block Grant to renovate the Town's Senior Center, and

WHEREAS, in order to file the grant application a minimum of two public hearings are required, the first of which is to discuss the New York State Community Development Grant program funding opportunities including guidelines, regulations and requirements, as well as how the program will proceed if the application is funded, and

WHEREAS, the Town Board would like to obtain comments from the public regarding this matter; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for March 15, 2010, at 7:20 p.m. in the Wood Memorial Room at One Town Hall Plaza, Clifton Park, regarding the Town's opportunity to file an application for a New York State Community Development Block Grant, Public Facilities program; and be it further

RESOLVED, that the Town Clerk publish notice of same.

Councilman Paolucci noted the senior center has space needs. He said two public hearings are required with the second one planned for April 19th. The grant application is due in mid April.

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ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 56 of 2010, a resolution authorizing the hiring of Summer Recreation Directors, Pool Managers and a Pool Director for the 2010 season.

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

WHEREAS, it is necessary that staff be hired by the Department of Parks, Recreation and Community Affairs to operate the Town of Clifton Park summer recreation programs, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that the individuals listed in Schedule A, attached hereto, be hired for such purpose; now, therefore, be it

RESOLVED, that the individual specialists listed in Schedule A, attached hereto, shall be hired to staff the Town of Clifton Park's summer recreation programs; and be it further

RESOLVED, that all hires are effective with start dates and ending dates as per Schedule A.

Ms. Kramer noted the Camp Director pay rate is per week.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Martha Chromik, Parkside Trail, distributed a letter to the Town Board describing an unsafe parking situation on Parkside Trail. She said she came close to hitting a child who ran out between two SUVs. She stated people are parking on both sides of the street for sledding and soccer and this is an accident waiting to happen. Ms. Chromik said she was told no parking signs were put up to deter parking but were not enforceable and she considers this signage a waste of tax money.

Supervisor Barrett said anything needed to be done to legally to enforce no parking will be done.

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 8:09 p.m.

Patricia O'Donnell
Town Clerk