

September 7, 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  
Richard Kukuk, Superintendent of Highways  
Mark Heggen, Comptroller  
Barbara McHugh, Director of Community Development  
John Scavo, Director of Planning

MOTION BY Councilman Romano, seconded by Councilman Paolucci, to approve the minutes of the August 16, 2010 meeting as presented.

**ROLL CALL VOTE**

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

Noes: None

**MOTION CARRIED**

**ANNOUNCEMENTS AND COMMUNICATIONS**

Councilwoman Walowit announced a free "Lost Pet" website is now on [cliftonpark.org](http://cliftonpark.org).

Supervisor Barrett thanked all involved in the successful Shenendehowa Adult Community Center's Community Fair.

Supervisor Barrett introduced town resident Michael Bloss, newly endorsed 2010-2011 President of the NYS Elks Association. Mr. Bloss reported on his responsibilities and activities of the organization.

**PUBLIC PRIVILEGE ON RESOLUTIONS**

No one wished to be heard.

Resolution No. 217 of 2010, a resolution accepting easements necessary for the construction and maintenance of sewer lines along Riverview Road, Rivercrest Drive and Route 146 in the Rivercrest Sewer District Extension No. 1 in the Town of Clifton Park.

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

WHEREAS, the Town of Clifton Park has created the Rivercrest Sewer District Extension No. 1 in the Town of Clifton Park (District) to provide sewer service improvements to a portion of the Town, and

WHEREAS, the installation of the improvements requires the Town to acquire easement rights from landowners within the District, and

WHEREAS, McDonald Engineering has prepared legal descriptions for easements necessary for providing sewer service to a portion of the Town; now, therefore, be it

RESOLVED, that the Town Board hereby accepts the following easements necessary for construction and maintenance of sewer lines along Riverview Road, Rivercrest Drive and Route 146 in the Town of Clifton Park:

- Mark Tessier 942 Riverview Road
- Meredith Williams 958 Riverview Road
- Kenneth W. Smith 954 Riverview Road
- Melvin L. Crenshaw 962 Riverview Road
- John Ericson & Gloria B. Ericson 938 Riverview Road
- Kevin Fountain & Tina Tian Jing Fountain 930 Riverview Road
- Richard D. & Karen P. Wang 14 Rivercrest Drive
- Lawrence D. Anderson & Judy M. Anderson 1643 Route 146
- Lesley H. Smith, Lynn A. Holmes & John H. Holmes 964 Riverview Road

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 218 of 2010, a resolution accepting the recently constructed sewer line from the Niskayuna Central School District.

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

WHEREAS, the Niskayuna Central School District and the Town of Clifton Park entered into an Intermunicipal Agreement dated June 15, 2009 to construct the sewer line at the Glencliff Elementary School and connect the sewer line to the Rivercrest Sewer District facilities and to the Alplaus Sewer District facilities in the Town of Glenville, and for alternate treatment and pumping to the Schenectady Wastewater Treatment Plants, and

WHEREAS, the Town and School District have completed the sewer line, and

WHEREAS, ownership of the sewer line by the Town of Clifton Park is necessary and in the interest of the Town in order to allow other homeowners on the line to connect to the new line, and

WHEREAS, the Intermunicipal Agreement contemplated a dedication of the line to the Town for maintenance and operation, and

WHEREAS, on August 17, 2010 at a regular meeting of the Board of Education of the Niskayuna Central School District (the "Board of Education") the Board of Education dedicated the sewer line as depicted on the attached Exhibit "A" to the Town of Clifton Park for its sole ownership, operation and maintenance; now, therefore, be it

RESOLVED, that the Town of Clifton Park hereby accepts the dedication and ownership of the recently constructed sewer line from the Niskayuna Central School District, per attached Exhibit "A"; and be it further

RESOLVED, that the Supervisor is authorized to execute a standard easement agreement for access to the southeast corner of Glencliff Elementary School property for purposes of maintaining and accessing the dedicated sewer line.

Supervisor Barrett commented that the Niskayuna School District was great to work with throughout the process.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 219 of 2010, a resolution authorizing the Supervisor to sign Change Orders No. 3 and No. 4 for Mohawk Landing Construction Contract.

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

WHEREAS, Resolution No. 248 of 2008 authorized a contract for the construction phase of Mohawk Landing (formerly known as Riverfront 6-acre Public Access Project) to Peter Luizzi & Brothers in an amount of \$268,710, and

WHEREAS, Change Orders No. 1 and No. 2 decreased the contract amount by \$3500, from the contract price of \$268,710 to \$265,210, and

WHEREAS, Change Order No. 3 was prepared by Clough Harbour & Associates in an amount of \$245,210 which provides for a decrease in the contract price from \$265,210 to a new contract price of \$245, 210, a decrease of \$20,000, and

WHEREAS, Change Order No. 4 was prepared by Clough Harbour & Associates in an amount of \$234,885 which provides for a decrease in the contract price from \$245,210 to a new contract price of \$234,885, a decrease of \$10,325; now, therefore, be it

RESOLVED, that Supervisor Barrett is hereby authorized to sign Change Order No. 3 dated June 1, 2010, and Change Order No. 4, dated June 11, 2010 to Peter Luizzi & Brothers; and be it further

RESOLVED, that the decrease amount of Change Order No. 3 for \$20,000 and Change Order No. 4 for \$10,325, (total \$30,325 from Change Orders No. 3 and No. 4) be released from encumbrances in A-7180-200 (General Fund-Riverfront Park Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 220 of 2010, a resolution authorizing a neighborhood block party to be held in Crescent Estates Subdivision.

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

WHEREAS, the residents of Crescent Estates wish to conduct a block party within the subdivision on Saturday, September 25, 2010 between the hours of 12:00 pm and 4:00 pm and have requested permission to use Walnut Drive from No. 55 to the intersection of Irene 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 Walnut Drive from No. 55 to the intersection of Irene Drive on Saturday, September 25, 2010 from 12:00 pm to 4:00 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

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 Romano,  
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 221 of 2010, a resolution in connection with a block party to be held in the Woodland Hills Subdivision.

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

WHEREAS, the residents of the Woodland Hills Subdivision plan to conduct its annual summer block party within the subdivision on September 25, 2010 from 12:00 pm to 4:00 pm and have requested permission to use portions of Arnold and Peck 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 portions of Arnold and Peck Drive on September 25, 2010 from 12:00 pm to 4:00 pm for their party activities, but must not block off the streets 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 Romano,  
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 222 of 2010, a resolution in connection with a block party to be held in the Hunter Meadow Subdivision.

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

WHEREAS, the residents of the Hunter Meadow Subdivision plan to conduct a block party within the subdivision on September 18, 2010 from 1:00 pm to 9:00 pm and have requested

permission to use Hunter Meadow off of Pine Hill Bend 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 Hunter Meadow off of Pine Hill Bend, September 18, 2010 from 1:00 pm to 9:00 pm for their party activities, but must not block off the streets 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 Romano,  
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 223 of 2010, a resolution authorizing the transfer of \$60,000 from Highway Undesignated Funds to into Highway Paving Account and to transfer \$15,000 from Hand Tools to Parts Account.

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

WHEREAS, Richard Kukuk, Superintendent of Highways has requested that \$60,000 be transferred from Highway Undesignated Funds into Highway Paving in order to meet unanticipated paving expenses, and

WHEREAS, Superintendent of Highways Kukuk further requests that \$15,000 be transferred from DA 05130-0220 (Highway-Hand Tools) to DA05130-00231 (Highway-Parts); now, therefore, be it

RESOLVED, that authorization is hereby granted to the Comptroller to transfer \$60,000 from (Highway Undesignated Fund Balance) DA-909 into (Highway Paving) DA-5110-00030 for the asphalt repaving of Ray Road and English Road; and be it further

RESOLVED, that the Comptroller is authorized to transfer \$15,000 from DAO5130-00220 (Highway-Hand Tools) into DAO5130-00231 (Highway-Parts).

Superintendent of Highways Kukuk reported the major project is in Calico Colony and is almost complete with an estimate of just under \$300,000. Paving is being done on rural roads and asphalt is being added to make better roads. He explained there are nine trucks in the plowing fleet that are 15 years and older so parts need to be replaced.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 224 of 2010, a resolution declaring September “National & Town Preparedness Month” to increase public awareness about the importance of preparing for emergencies.

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

WHEREAS, in September, the U.S. Department of Homeland Security & FEMA are sponsoring the 7<sup>th</sup> Annual National Preparedness Month (NPM) with support from more than 3200 coalition members, including the Town of Clifton Park and consisting of national, regional, state and local organizations all combining their efforts to encourage all Americans to take steps to prepare for emergencies, and

WHEREAS, National Preparedness Month is a nationwide effort to encourage Americans to take simple steps to plan and prepare their families for emergencies in their home by making an emergency supply kit, a family emergency plan, becoming informed about the different emergencies that might affect them and getting involved in community preparedness, and

WHEREAS, during National Preparedness Month, we also honor our nation’s police officers, firefighters and emergency personnel for their hard work and commitment to protecting others, and

WHEREAS, the Town of Clifton Park wishes to encourage individuals to volunteer with the Town’s Citizen Corps and to promote participation in the Community Emergency Response Team, R.U.OK and Medical Reserve Corps emergency programs, and

WHEREAS, Clifton Park wishes to provide critical emergency preparedness information to the citizens of the Town of Clifton Park through our [cliftonpark.org](http://cliftonpark.org) web site which will provide instructional preparedness videos and downloadable brochures and forms to assist citizens to “Be Ready” and to encourage attendance at the free classes being offered by the Town, such as Basic First Aid & CPR, Community Preparedness and Red Cross Babysitter Classes; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park, does hereby declare September as National & Town Preparedness Month.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 225 of 2010, a resolution authorizing the Town of Clifton Park to sponsor CPR and AED classes as part of the Citizen Corps Grant Public Safety Education Program.

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

WHEREAS, the Citizen Corps grant funding provides emergency training to residents as provided by the Clifton Park-Halfmoon Ambulance Corps certified instructors and provides participants with an American Heart Association Certificate, and

WHEREAS, the CPR and AED class is scheduled to be conducted on Saturday, November 13, 2010 by the Clifton Park-Halfmoon Ambulance Corps, at a total cost not to exceed \$650.00, and

WHEREAS, this class is mandatory for new and current CERT volunteers needing re-certification and is also open to the residents of the Town at no charge; now, therefore, be it

RESOLVED, that authorization is hereby given to the Town of Clifton Park to sponsor a CPR and AED class provided by the Clifton Park-Halfmoon Ambulance Corps at a cost not to exceed \$650.00, for books, materials and certifications, to be paid from A-8762-015 (Citizen Corps Grant Funding).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 226 of 2010, a resolution authorizing the Town to sponsor a Community Emergency Response Training (CERT) Program through the Citizen Corps Grant.

Introduced by Councilman Hughes, 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, as part of the Town's recognition of September as Town Preparedness Month and commitment to providing residents with useful training as a means to encourage citizens to volunteer during disasters and emergencies of all kinds, the Town wishes to provide CERT training for six weeks on Thursday evenings, beginning September 30<sup>th</sup> through November 4<sup>th</sup>, at the Public Safety Building for residents of the Town at no charge, and

WHEREAS, the program will prepare residents to join the group of CERT trained volunteers available to assist the Town during disasters, emergencies and major incidents and will provide equipment to assist students and volunteers during emergencies; now, therefore, be it

RESOLVED, that the Town Board authorizes CERT training for residents of the Town of Clifton Park on six consecutive Thursdays, from September 30, 2010 through November 4, 2010, at a total cost not to exceed \$4000, 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. 227 of 2010, a resolution authorizing the Citizen Corp to showcase a new emergency response program resource sponsored by the American Red Cross and the local clown volunteer organization entitled "Red Nose Response".

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

WHEREAS, Red Nose Response was founded as a response to the devastation witnessed following the 2005 hurricanes Katrina and Rita, and

WHEREAS, Red Nose Response is now an organization of more than seven-hundred fifty clowns throughout the United States and Canada who are ready, willing and able to respond in times of natural and manmade disasters, everything from local to national, and

WHEREAS, Red Nose Response provides a soft response, emphasizing comic relief, while assisting with and in various aspects of recovery operations, and

WHEREAS, Red Nose Response is capable of assisting local community leaders with their disaster planning efforts by providing a very entertaining disaster preparedness training program, and

WHEREAS, the Town Board is supportive of the Red Nose Response presenting a demonstration and overview to members of the community and emergency responders; now therefore, be it

RESOLVED, that the Town Board supports the presentation by the American Red Cross and the local clown volunteer organization of a program entitled "Red Nose Response" on September 29, 2010 at 6:30 pm, in the Town's Public Safety Building's meeting room; and be it further

RESOLVED, that attendance at this meeting will confer a benefit to the members of the community and to emergency responders.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett announced Farm Fest will be held the weekend of September 10-11.

The Supervisor said he would like to establish a pool committee to look at rules and regulations involving pool operations.

PUBLIC PRIVILEGE

Norman Goldman, London Square Drive, continued to express his concern with the Adult Use Business zone and asked if the Board had any questions regarding comments he presented at the July 19<sup>th</sup> Town Board meeting. Regarding the demolished historic building on Fire Road, he suggested erecting an historic sign at the site indicating the original building had been illegally demolished. Mr. Goldman asked if the temporary/political sign at Route 146 and Clifton Country Road Extension had a permit.

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 7:58 p.m.

Patricia O'Donnell  
Town Clerk