

December 6, 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  
 Deputy Town Clerk Brobston

Also Present: Town Attorney McCarthy  
 Michael Shahen, Town Administrator  
 Richard Kukuk, Superintendent of Highways  
 Mark Heggen, Comptroller  
 Barbara McHugh, Director of Community Development  
 Walter Smead, Assessor  
 Michael Montague, Environmental Specialist

MOTION BY Councilwoman Walowit, seconded by Councilman Romano, to approve the minutes of the November 4, 8 & 15, 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 reported the Town has closed on the Clifton Knolls Golf Course and thanked Councilman Romano for his lead in the project.

Councilman Hughes announced a Blood Drive being held at the Town Hall this Wednesday, December 8 from Noon – 6PM.

Supervisor Barrett announced the Clifton Park Community Chorus will be holding a concert “Making Spirits Bright” on December 12 at 2PM at Gowana Middle School.

**RECOGNITION AND PRESENTATIONS**

The Saratoga County Board of Supervisors recently honored Mr. Bob Piper from Clifton Park in their deceased veterans’ ceremony. Supervisor Barrett stated the attendance at Mr. Piper’s ceremony was the most he had seen and is a testament to Mr. Piper’s life in the community.

Mr. Alan Atwell, VFW Representative, explained Mr. Piper volunteered for the United States Air Force and became a gunner and has seen many missions during his career. He stated Mr. Piper was very active in his church, the Clifton Park Halfmoon VFW and was in the Honor Guard for the Saratoga Veteran’s Cemetery, having served more than 1,000 hours with the Honor Guard.

Supervisor Barrett presented Mrs. Carol Piper with the flag that flew over the Saratoga County offices for the previous month in Bob’s honor.

Mrs. Piper thanked the County Board of Supervisors for recognizing her husband. She was quite surprised with the amount of people in attendance at the ceremony in his honor. Mrs. Piper thanked her family, friends and VFW post for all their support.

Supervisor Barrett recognized Peter Aust for his service to Southern Saratoga County during his Presidency of the Southern Saratoga County Chamber.

Supervisor Barrett, on behalf on the Environmental Conservation Commission and the Town Board, presented Mr. Sanford Roth with the Environmental Stewardship Award for his legacy left behind by his advocacy for protecting the environment.

Supervisor Barrett recognized Mr. Dennis Ryan for his heroic efforts in performing CPR and saving the life of Town employee Kim Robetor who suffered a seizure in the Kinn's Road Park recently. The Supervisor emphasized the importance of learning CPR and the Town's efforts in providing CPR classes to residents of the community.

Mr. Dennis Ryan, Plank Rd., thanked the Town Board for offering free CPR and AED classes to the residents of Clifton Park and emphasized the importance of the knowledge. He thanked God for being in the Park on that day.

#### PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 277 of 2010, a resolution honoring Peter Aust for his many years of service to the community.

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

WHEREAS, Peter Aust has held the position of President and CEO of The Chamber of Southern Saratoga County since 2001, and

WHEREAS, under his leadership, the Chamber has been instrumental in attracting local businesses and shoppers to Clifton Park including the recent "Think. Buy. Local." campaign launched with support from Town officials, and

WHEREAS, the Chamber's successful support of businesses in Saratoga County and generally in the Town of Clifton Park have improved the quality of life and tax base for local residents and small business owners, and

WHEREAS, Mr. Aust brought a wealth of experience, ability and energy to the Southern Saratoga County Chamber having served in leadership positions with the Adirondack Regional Chamber, and

WHEREAS, Mr. Aust has been instrumental in achieving dramatic growth in the membership and effectiveness of the local chamber, acquiring a reputation for hands on support for individual members, and

WHEREAS, Mr. Aust has also served in local leadership positions with the Futures Committee of the Shenendehowa Central School District and the Southern Saratoga County YMCA; now, therefore, be it

RESOLVED, that the Town Board pauses its deliberations to thank Peter Aust for his dedicated service to the Clifton Park community and wish him well in his future endeavors.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 278 of 2010, a resolution awarding Sanford “Sandy” I. Roth the Environmental Stewardship Award for his many years of environmental service to the Community.

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

WHEREAS, the Environmental Conservation Commission has nominated Sanford Roth to be the recipient of the 2010 Environmental Stewardship Award, and

WHEREAS, Mr. Roth has served as the Town Board liaison to the Environmental Conservation Commission throughout his tenure on the Town Board providing guidance and leadership on environmental issues, and

WHEREAS, in 1995 Mr. Roth saw a need for the recycling of household hazardous waste and thus Household Hazardous Waste Day was established with Mr. Roth continuing to coordinate the project, and

WHEREAS, since its inception, thousands of gallons of hazardous waste and thousands of pounds of electronics have been recycled by the residents of Clifton Park and surrounding communities, and

WHEREAS, throughout his seventeen years on the Town Board and continuing today, Sanford Roth has been a strong advocate for the environment; now, therefore, be it

RESOLVED, that the Town Board joins with the Environmental Conservation Commission in commending Sanford Roth for his hard work and dedication helping Clifton Park become a “greener” place to live; and be it further

RESOLVED, that the Town Board congratulates Sanford Roth as the 2010 recipient of the Environmental Conservation Commission’s Environmental Stewardship Award.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 279 of 2010, a resolution authorizing the Assessor to re-levy delinquent sewer charges on the 2011 property tax bills.

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

WHEREAS, Michael O’Brien, Collection Systems Manager of the Clifton Park Sewer District No.1, has reported unpaid sewer bills, per the attached schedule, for users of the Old Nott Farm Sewer District, and

WHEREAS, it is necessary for the Assessor to re-levy the unpaid bill on the property owner's 2011 tax bills to ensure payment of the same; now, therefore, be it

RESOLVED, that the Town Board accepts the reported delinquent sewer charges for the Old Nott Farm Sewer District, per the attached schedule, and authorizes the Assessor to re-levy that amount on the property owners' 2011 Town and County Tax bills; and be it further

RESOLVED, that all proceeds be returned in February to the Old Nott Farm Sewer District.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 280 of 2010, a resolution authorizing the Assessor to re-levy delinquent sewer charges on the 2011 property tax bills.

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

WHEREAS, the Saratoga County Sewer District No. 1 has reported unpaid sewer bills, per the attached schedule, for the Saratoga County Sewer District No. 1, and

WHEREAS, it is necessary for the Assessor to re-levy the unpaid bill on the property owner's 2011 tax bills to ensure payment of the same; now, therefore, be it

RESOLVED, that the Town Board accepts the reported delinquent sewer charges for the Saratoga County Sewer District No. 1, per the attached schedule, and authorizes the Assessor to re-levy that amount on the property owners' 2011 Town and County Tax bills; and be it further

RESOLVED, that all proceeds be returned in February to the Saratoga County Sewer District No. 1.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 281 of 2010, a resolution authorizing the Assessor to re-levy delinquent water charges on the 2011 property tax bills.

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

WHEREAS, the Town of Ballston Water Department has reported unpaid Town of Ballston water bills for Town of Clifton Park users per the attached, and

WHEREAS, it is necessary for the Assessor to re-levy the unpaid bill on the property owner's 2011 tax bill to ensure payment of the same; now, therefore, be it

RESOLVED, that the Town Board accepts the reported delinquent water charges for the Town of Ballston Water Department, per the attached, and authorizes the Assessor to re-levy that amount on the property owners' 2011 Town and County Tax bill; and be it further

RESOLVED, that all proceeds be returned in February to the Town of Ballston.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 282 of 2010, a resolution creating a Capital Projects Account (H35) budget for the Crescent Road Pathway Project.

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

WHEREAS, Resolution No. 147 of 2009 authorized an Intermunicipal Agreement with the Town of Halfmoon for the design and construction of an asphalt paved multi-use trail along Crescent Road, and

WHEREAS, the Town signed a consultant agreement with MJ Engineering Land Surveying for preliminary engineering and design for a cost of \$154,000, and

WHEREAS, it is necessary to create a Capital Projects account (H35) budget for the project; now, therefore, be it

RESOLVED, that Capital Projects account H35 is hereby created with a budget of \$154,000 with revenues from:

H35-4090 (Federal Revenue)	\$123,200
H35-5031 (Interfund transfer)	<u>\$ 30,800</u>
	\$154,000

Expenditures from:

H35-7629-135 (Crescent Road Pathway-Engineering)	\$154,000
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and be it further

RESOLVED, that funds are to come from amounts set aside in Resolution No. 88 of 2010.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett announced the next public meeting for the Crescent Road Pathway Project at Okte School will be Thursday, Dec. 9<sup>th</sup> at 7pm.

Resolution No. 283 of 2010, a resolution authorizing the Supervisor to sign Change Order No. 1 for needed additional work at the Longkill I Park Multiuse Path Project.

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

WHEREAS, Resolution No. 97 of 2010 authorized a contract for the Longkill I Multiuse Path Project in an amount of \$51,865, and

WHEREAS, Change Order No. 1 was prepared by John M. McDonald Engineering, P.C. in an amount of \$59,860 which provides for an increase in the contract price from \$51,865 to a new contract amount of \$59,860; an increase of \$7,995 for additional clearing, grubbing and tree removal; now, therefore, be it

RESOLVED, that Supervisor Barrett is hereby authorized to sign Change Order No. 1, dated November 5, 2010, to J. Prior Construction Co. in an amount of \$7,995; and be it further

RESOLVED, that the increase amount of \$7,995 for the additional required work be paid with a transfer of \$396 from SP5-7123-E4000 (Longkill I -Equipment) to SP5-7123-200 (Longkill I -Part-time employee) and \$7599 to be paid from SP5-7123-200 (Longkill I -Part-time employee).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 284 of 2010, a resolution authorizing the Town Supervisor to sign Change Order No. 2 for Rivercrest Sewer District Extension No. 1, Part A-Contract No. 1, Niskayuna Central School District Sanitary Sewer.

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

WHEREAS, by Resolution No. 246 of 2009, the Town Board accepted the bid of Jablonski Excavating Inc. for the Rivercrest Drive Sewer Extension No. 1 Contract in an amount of \$367,800, and

WHEREAS, previous change orders increased the contract amount from \$367,800 to \$452,766.08, and

WHEREAS, Change Order No. 2 was prepared by John M. McDonald Engineering, P.C. for \$457,303.37 which increased the contract price from \$452,766.08 to \$457,303.37, an increase of \$4,537.29 for additional sewer lateral and patio work, and

WHEREAS, McDonald Engineering recommends the acceptance of Change Order No.2 to the Jablonski Excavating Contract for additional sewer lateral and patio work in an amount of \$4,537.29; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign Change Order No. 2, approved by McDonald Engineering, in an amount up to \$4,537.29, and be it further

RESOLVED, that the increase amount of up to \$4,537.29 be expended from H30-811-200 (Sewer contractual-equipment); and be it further

RESOLVED, that the additional cost of \$4,537.29 is to be reimbursed to the Town of Clifton Park by Niskayuna Central School District.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 285 of 2010, a resolution authorizing the Town of Clifton Park to sponsor a CPR and AED class as part of the Citizen Corps Grant Public Safety Education Program.

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

WHEREAS, the Citizen Corps grant funding provides emergency training to residents 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 coincide with the completion of the Fall 2010 CERT Basic Class and will be conducted by the Clifton Park-Halfmoon Ambulance Corps at a total cost not to exceed \$875, 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 \$875 for books, materials, refreshments 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. 286 of 2010, a resolution authorizing the Highway Department to provide stormwater maintenance to the area located behind 36 Greenridge Drive and to authorize a transfer of \$7,100 from Stormwater Capital to the Highway Department for expenses related to the Project.

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

WHEREAS, a drainage problem exists at the rear of 36 Greenridge Drive and in the Town owned park common area heading north, and

WHEREAS, per McDonald Engineering, the drainage swale has become filled in over the years and as a result the creation of water ponds at the rear of the yards and in the common park area on each side of the approximately three foot wide grass and gravel path, and

WHEREAS, McDonald Engineering has recommended jetting and cleaning the existing drainage swale from the rear of 36 Greenridge Drive, and

WHEREAS, bids for the project are anticipated to be in the \$30,000 to \$40,000 range, and

WHEREAS, Highway Superintendent Richard Kukuk has submitted an estimate of \$7,040, per attached, for cleaning and jetting the storm water piping; now, therefore, be it

RESOLVED, that the Highway Department is hereby authorized to provide stormwater maintenance to the area behind 36 Greenridge Drive and in the Town owned park area heading north; and be it further

RESOLVED, that a transfer of \$7,100 is authorized from A-8540-200 (Stormwater Capital) to DA-51110-00024 (Highway-Construction Repairs/Maintenance).

Highway Superintendent Kukuk explained the Jet System Equipment purchased recently will be used for this project.

Councilman Paolucci questioned if the remaining material taken out of the swale will be removed and taken away.

Superintendent Kukuk answered material will be removed from the site.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 287 of 2010, a resolution authorizing the Town Supervisor to sign a memorandum of understanding for repairs to the Round Lake Road sewer line.

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

WHEREAS, the Town of Clifton Park Sewer District maintains extensive sewer facilities within the Village of Round Lake and Town of Malta as a result of the abandonment of the facilities of the prior C.K. Sanitary Transportation Corporation, including an approximately one hundred eighty-five (185) linear foot sewer line in the Village on Round Lake Road, and

WHEREAS, Farone-Amedore has acquired rights to construct the Victorian Landing Planned Development District, and

WHEREAS, Farone-Amedore proposes to design and construct the sewer infrastructure improvements necessary to bring the one hundred eighty-five (185) foot section of the former C-K Sanitary Transportation Corporation Round Lake line up to Saratoga County standards and to connect the proposed Victorian Landing Development sewer line into that system, and

WHEREAS, completion of the Victorian Landing Development connection and upgrades will include upgrades to one hundred and eighty five (185') feet of the Round Lake Road sewer line maintained by Clifton Park Sewer District No. 1 sufficient for Saratoga County standards; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign a memorandum of understanding for repairs to the Round Lake sewer line.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 288 of 2010, a resolution creating the employee title of Golf Course Superintendent for the 2011 Fiscal Year.

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

WHEREAS, the Town has recently closed on it's purchase of the Clifton Knolls Executive Golf Course (CKEGC) which is to be operated as a golf course property by the Town, and

WHEREAS, by it's nature, a golf course facility is a seasonal activity which requires special attention to open and close and expertise to operate which the Town does not currently exercise, and

WHEREAS, the Town Board wishes to create a new category of seasonal employee to work the seasonal schedule which coincides with the anticipated operational requirements of the golf course operation; now, therefore, be it

RESOLVED, that the Town Board hereby creates the position of Golf Course Superintendent for the Clifton Knolls Executive Golf Course pending confirmation of title and classification by the Saratoga County Personnel office, and be it further,

RESOLVED, that the Golf Course Superintendent shall be a seasonal, three quarter time position, and is authorized to work 40 hours per week from early March through mid December during fiscal year 2011, including holidays as appropriate for the position, at a Grade 5, Step 4, (\$20.25 per hour), and be it further,

RESOLVED, that the work week and schedule will be determined by the Director of Buildings and Grounds, and be it further

RESOLVED, that the position will not be a member of any collective bargaining unit, and be it further

RESOLVED, that the Golf Course Superintendent shall be eligible for health benefits, proportionate sick time and ten days leave with pay per year, and shall be exempt from FLSA (Fair Labor Standards Act) requirements; and be it further

RESOLVED, that the employee manual be amended to reflect the three quarter time seasonal position.

MOTION by Supervisor Barrett, seconded by Councilman Romano, to amend the step level from 2 (\$19.09) to 4 (\$20.25)

ROLL CALL VOTE ON MOTION

Ayes: Councilman Paolucci, Councilman Hughes, Councilman Romano,  
Councilwoman Walowit, Supervisor Barrett  
Noes: None

MOTION CARRIED

ROLL CALL VOTE ON RESOLUTION

Ayes: Councilman Paolucci, Councilman Hughes, Councilman Romano,  
Councilwoman Walowit, Supervisor Barrett  
Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Jim Baisley, Barkwood Lane, voiced concern for residents and employees with the amount of dust created as trucks go over a short strip of driveway, near the ticket booth, at the Transfer Station.

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 8:15 p.m.

Teresa J. Brobston  
Deputy Town Clerk