

**Clifton Park Town Board Meeting Minutes
May 15, 2000**

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.

Eagle Scouts A.J. Betzwiezer and Paul Sweet of Troop No. 48 led the PLEDGE OF ALLEGIANCE TO THE FLAG

Present: Councilman Paolucci
Councilman Speckhard
Councilman Roth
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Also Present: Town Attorney Pelagalli
Mark Heggen, Comptroller
Michael Shahan, Town Administrator

MOTION by Councilman Roth, seconded by Councilman Paolucci, to approve the minutes of the May 1, 2000 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

AUDIT THROUGH MAY 12TH

General Operating/Utilities #608 to #682 \$106,864.60
Highway Bills #104 to #110 2,292.36
Capital Projects
Ushers/Vischer Ferry Rds. #3 to #4 21,449.90
Moe Road #3 to #4 5,875.44
Veterans Park #3 50,328.44
Lighting District #12 941.87
Olde Nott Farm Sewer #14 to #17 5,714.51
Parks #23 to #29 2,077.47
Rexford Water District #31 to #38 1,048.52

Trust & Agency #19 2,036.53
Engineering #13 185.00
Payroll A/P #2 2.70

MOTION by Councilman Paolucci, seconded by Councilman Walowit, to accept the audit.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett stated there is no public money involved with Boscov's coming to the Mall.

The Supervisor announced the Public Safety Task Force will meet May 31st to hear public comment.

Supervisor Barrett presented A.J. Betzweizer and Paul Sweet of Boy Scout Troop No. 48 with recognition awards in honor of their attaining the rank of Eagle Scout. Resolutions honoring Messrs. Betzweizer and Sweet were read at earlier Town Board meetings.

Richard Kukuk, Clifton Park Water Authority Chairman, reported on the preliminary conclusion of the U.S. Geological Survey covering years 1995 through 1999. He said this survey will be shared with the Town. Mr. Kukuk reviewed his letter of May 15, 2000, attached, which is in response to Supervisor Barrett's request that the Water Authority review their rate structure. He said the primary objective was to improve quality for all customers, not to increase volume so more people could water their lawn with more water. He stated even in the hottest, driest summer only 14 percent go over the 40,000 gallons and of over 150,000 quarterly residential bills only 4.4 percent have gone into premium rates.

Councilman Paolucci asked if there was no premium from any usage steps would there be enough money to cover the operating costs. Mr. Kukuk said yes, but it would be close and there is a debt coverage ratio that has to be obtained. He stated the intent is to benefit the majority and always with the purpose of protecting the integrity of the system. He noted the Authority is deferring any decision on the rate structure until after a review by Directors Stuzin and Bopp and if any change was forthcoming it probably wouldn't occur until the beginning of the year and nothing would be changed without public input.

Supervisor Barrett expressed appreciation for the review and asked if the timetable could be moved up. He said it would be prudent to have someone on the Water Authority Board to whom questions from the public can be referred. Mr. Kukuk agreed with this suggestion.

Councilman Paolucci said the current rate structure can discriminate against larger families and he hopes this will also be taken into account during the review.

Mr. Kukuk said the Authority will continue to look at this issue to see if there is a way to alleviate that burden on those families and noted it is a challenge to segregate the superfluous uses for lawn irrigation versus the essential uses for a large family.

Todd Kerner, Spruce St., asked what the effects of the proposed new water district will be on the system.

Mr. Kukuk said the engineers would design the system to meet demand.

Town Administrator Shahan gave his monthly report, reporting the parks are being readied, and a quote has been received for hydroseeding of the soccer fields on Parkside Trail. He noted work is being started on the 2001 budget.

Town Comptroller Heggen reported the Annual Report was filed electronically on May 1. He said these are unaudited numbers as he is awaiting the final report from the Town auditors. He noted 1999 ended with a \$2.9 million fund balance of which \$1.473 was unrestricted and \$725,000 in reserve fund encumbrances, which includes the money received from the County, and \$700,000 for tax stabilization restricted. This fund balance consists of money received from the County, as well as more mortgage and sales tax and court revenue than was originally budgeted. Mr. Heggen said there is also an increase in the highway fund balance. He reported \$5.3 million cash balance for all funds with the majority in CDs.

Resolution No. 118 of 2000, a resolution authorizing sewer rolls for Woodland Hills Sewer District No. 1.

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

WHEREAS, the Comptroller has compiled the sewer rolls for Woodland Hills Sewer District No. 1 per the Exhibits attached hereto, and

WHEREAS, it is necessary to approve the sewer rolls so that the Comptroller may bill and collect money for sewer services in those districts; now, therefore be it

RESOLVED, that the sewer rolls attached hereto and the Town Board acting as

Commissioners for the Woodland Hills Sewer District No. 1 are hereby approved and the Comptroller is authorized to bill for and collect money for sewer services in those districts.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 119 of 2000, a resolution adopting a budget for Woodland Hills Sewer District No. 1.

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

WHEREAS, the Town of Clifton Park has established a special district for the operation of the Woodland Hills Sewer District No. 1, and

WHEREAS, expenses will be incurred during the remaining calendar year, and

WHEREAS, the Town Board wishes to adopt an operating budget to establish parameters for revenue and expenditures of the Woodland Hills Sewer District No. 1; now, therefore be it

RESOLVED, that the budget for the Woodland Hills Sewer District No. 1 is set forth in Exhibit A to this resolution, is hereby adopted as budgeted.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 120 of 2000, a resolution authorizing sewer rolls for Dutch Meadows Sewer District No. 1.

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

WHEREAS, the Comptroller has compiled the sewer rolls for the Dutch Meadows Sewer District No. 1 per the Exhibits attached hereto, and

WHEREAS, it is necessary to approve the sewer rolls so that the Comptroller may bill and collect money for sewer services in those districts; now, therefore be it

RESOLVED, that the sewer rolls attached hereto and the Town Board acting as Commissioners for the Dutch Meadows Sewer District No. 1 are hereby approved and the Comptroller is authorized to bill for and collect money for sewer services in those districts.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 121 of 2000, a resolution adopting a budget for the Dutch Meadows Sewer District No. 1.

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

WHEREAS, the Town of Clifton Park has established a special district for the operation of the Dutch Meadows Sewer District No. 1, and

WHEREAS, expenses will be incurred during the remaining calendar year, and

WHEREAS, the Town Board wishes to adopt an operating budget to establish parameters for revenue and expenditures of the Dutch Meadows Sewer District No. 1; now, therefore be it

RESOLVED, that the budget for the Dutch Meadows Sewer District No. 1 as set forth in Exhibit A to this resolution, is hereby adopted.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 122 of 2000, a resolution authorizing the hiring of pool staff and water safety instructors as per Schedule A.

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

WHEREAS, the Director of Parks, Recreation and Community Affairs has recommended that individuals listed in Schedule A be hired as part of the pool staff for the summer, and

WHEREAS, the wages to be paid to the hired individuals is 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 pool staff for the Town of Clifton Park for the summer of 2000.

It was noted staff for the Country Knolls pool is paid out of Park District funds.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 123 of 2000, a resolution in connection with extending the boundaries of the Stoney Creek No. 2 Park District.

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

WHEREAS, a public hearing was called to consider the extension of the boundaries of the Stoney Creek No. 2 Park District, and

WHEREAS, a public hearing was held on May 8, 2000 at 7:00 PM to consider the extension of the Stoney Creek No. 2 Park District and no comments were received, and

WHEREAS, such park district will be on the ad valorem basis; now, therefore be it

RESOLVED, as follows:

1. That the Notice of Hearing was published and posted as required by law and is otherwise sufficient,

2. That all property and property owners within the proposed park district are benefited thereby,

3. That all the property and property owners benefited are included within the limits of the proposed park district, and

4. That the creation of such district is in the public interest, and, be it further

RESOLVED, that the boundaries of the Stoney Creek No. 2 Park District shall be established

so as to include premises described in Exhibit A attached hereto, and, be it further

RESOLVED, that such extension shall become effective on June 30, 2000, and, be it further

RESOLVED, that the Town Clerk cause a Notice of Adoption of this Resolution to be posted and published in accordance with Town Law Section 206(1), and, be it further

RESOLVED, that this Resolution is adopted subject to permissive referendum.

Councilman Speckhard explained this is the expansion of a current park district to include a new subdivision. It has been decided to include new subdivisions in park districts when they are approved.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Jan Lemon, Esopus Drive, said she does not agree with the proposed zoning change inside a residential district on Clifton Park Center Road. She said the public should be made aware that a town employee is requesting that zoning change. She expressed concern with the Water Authority planning to purchase water lines from a builder as this has not been done before.

Todd Kerner, Spruce St., expressed concern with the developer laying water lines to serve the hotel and surrounding sites and the work not going out to bid. He stated if a lawsuit resulted from this and the Water Authority is held liable, residents within the Water Authority boundaries would be paying this money. He recommended the Town Attorneys review this.

Supervisor Barrett said it is his understanding that this is a creative way of creating a zone, doesn't force anyone to hook into the system, and only users would pay. He stressed the importance of having public water in that area and feels this is the best way to go.

Mr. Kukuk referred to Section 1120-d6 of the Public Authorities law, which gives the Water Authority the power to purchase any water facility.

Supervisor Barrett said it is his understanding anyone hooking into the system at a later date can do so with capital charges going back five years and emphasized no one is being forced to hook into the system.

MOTION by Councilwoman Walowit, seconded by Councilman Paolucci, to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of Town business.

Motion unanimously carried at 8:30 p.m.

Patricia O'Donnell
Town Clerk