

Clifton Park Town Board Meeting Minutes

January 16, 2001

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 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 Councilwoman Walowit, to approve the minutes of the January 2, 2001 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

With regard to security patrols, Supervisor Barrett stressed the importance of residents advising the Town of problems in neighborhoods. He also offered any assistance necessary for neighborhoods to start Neighborhood Watch Programs.

Supervisor Barrett reported 60 percent of the surveys regarding bringing water to Eastside Drive have been received but an additional 20 percent is required. He said a second mailing will be done encouraging residents to respond.

The Supervisor Barrett reported, with regard to Town history, he would like to see an historic page created on cliftonpark.org, a plaque on the mall noting there is an historic area in Town known as "Clifton Park Center", and the placement of more historic signs

throughout the Town. He said Councilman Roth will be spearheading this effort.

Supervisor Barrett reported he and Councilman Paolucci attended a meeting in Round Lake regarding the proposed adult use zone. He said it is important to get public input but there are limited options and no non-controversial area in town.

Town Clerk O'Donnell reported that the Town Code is now on the Internet.

Supervisor Barrett announced the Audubon Society will give a presentation at the February 5th Town Board meeting. This will be a kick off to Open Space Planning.

Town Comptroller Heggen reviewed the monthly financial report ending December 31st reporting expenditures of approximately \$8 million, which is approximately \$300,000 less than what was originally budgeted, and revenues of \$8.2 for 2000. Approximately \$1 million in sales tax is expected in January and February, cable franchise fees of \$50,000 to \$60,000, as well as court revenue. He noted both franchise and court fees exceed revenue projections for 2000. Councilman Roth said the balance in the "Welcome to Clifton Park" sign fund is \$3500 (fees donated by polling places) and he will be asking for \$2000 to \$2500 from contingency fund to erect a Welcome to Clifton Park sign in the Exit 8 area. He said this money would be returned to contingency.

Councilman Speckhard asked Mr. Heggen to indicate the current balances in the accounts that reflect the refund from the County.

Town Administrator Shahan reviewed activities during the month of December, including costs connected with the computer upgrade, the Moe Road project, which may be slowed due to the number of telephone poles that have to be removed, as well as an update on security patrols. Mr. Shahan reported the Town is seeking an Environmental Specialist.

Resolution No. 16 of 2001, a resolution authorizing Sanford Roth, Lynda Walowit, Patricia O'Donnell, Michael Shahan, Paul Pelagalli, Mark Heggen, Robert Rybak and Anita Daly to attend the Association of Towns Meeting.

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

WHEREAS, the New York State Association of Towns will be holding its annual meeting from February 18-21, 2001 in New York City consisting of seminars and other educational meetings, and attendance at those seminars and meetings would provide a public benefit to the Town, and

WHEREAS, \$600.00 per person has been budgeted in 2001 for expenses in connection with the annual meeting; now, therefore be it

RESOLVED, that the Comptroller is authorized to reimburse up to \$600.00 each as

budgeted to Sanford Roth, Lynda Walowit, Patricia O'Donnell, Michael Shahen, Paul Pelagalli, Mark Heggen, Robert Rybak and Anita Daly after attending the New York State Association of Towns meeting in New York City from February 18-21, 2001 to be vouchered appropriately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 17 of 2001, a resolution rescheduling the February 20, 2001 Town Board Meeting to February 26, 2001.

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

WHEREAS, members of the Town Board will be attending the Association of Towns meeting in New York as scheduled for February 18-21, 2001, and

WHEREAS, the third Town Board meeting for the month of February is scheduled for February 20, 2001; now, therefore be it

RESOLVED, that the Town Board meeting scheduled for February 20, 2001 is hereby rescheduled for February 26, 2001 in order to permit Town Board members and various Town Officials to attend the annual New York State Association of Towns meeting.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 18 of 2001, a resolution waiving the Building Department fee paid by the Rexford Fire District.

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

Roth.

WHEREAS, the Rexford Fire District has requested a building permit to construct a Fire Station at 1601 Route 146, and

WHEREAS, the Rexford Fire District has requested that the fee of approximately \$1500 for the building permit be waived based upon the Fire District's status as a government entity; now, therefore be it

RESOLVED, that the fee of approximately \$1500 for a building permit issued to the Rexford Fire District for construction of a Fire Station at 1601 Route 146 is hereby waived.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 19 of 2001 a resolution adopting Local Law No.1 a local law amending, Dogs, Section 92-13, Penalties for Offenses, as amended and Clifton Common, Section 152-12, Dogs.

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

WHEREAS, changes to sections of the Clifton Park Town Code relative to control of dogs were identified and drafted, and

WHEREAS, a public hearing was held on November 20, 2000 to consider the adoption of said proposed local laws, and

WHEREAS, comments received from the public have been considered by the Town Board; now, therefore be it

RESOLVED, that the Town Board of the Town of Clifton Park hereby adopts Local Law No. 1 of 2001 a local law amending Dogs, Section 92-13, Penalties for Offenses, as amended and Clifton Common, Section 152-12, Dogs; and, be it further

RESOLVED, that the Town Clerk file said local law with the New York State Department of State as required by law.

Chapter 92 Dogs
Article II

Section 92-13 Penalties for offenses.

Any person convicted of a violation of this Part 2 shall be deemed to have committed a violation and shall be subject to the following fines:

- A. A minimum fine of at least \$40 and not more than \$60 for the first conviction of a violation of this Part 2.
- B. A minimum fine of at least \$60 and not more than \$100 for the second conviction of this Part 2 within one year of the first conviction of a violation of this Part 2.
- C. A minimum fine of at least \$100 and not more than \$150 for the third conviction of a violation of this Part 2 within one year of the first conviction of a violation of this Part 2.
- D. A minimum fine of at least \$150 and not more than \$250 for the fourth or additional convictions of a violation of this Part 2 within one year of the first conviction of a violation of this Part 2.

Chapter 152 – Parks and Preserves
Article III

Section 152-12. Dogs

All dogs upon the Clifton Common must be kept upon a leash and under leash control.

Supervisor Barrett explained a tremendous number of complaints of dogs running loose come from users of the Clifton Common. It was noted no dogs shall be permitted within the fenced areas of the fields located on Clifton Common per Section 152-12.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 20 of 2001, a resolution authorizing the hiring of two clerks in connection with the 2000-2001 Microfilming Grant.

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

WHEREAS, the Town has received a grant from New York State for microfilming of documents, and

WHEREAS, it is necessary to hire two individuals to prepare documents for microfilming; now, therefore be it

RESOLVED, that Eleanor Franza, 29 Valdepenas Lane, Clifton Park and Dorothy Cimpi, Oakbrook Commons, Clifton Park be hired to prepare documents for microfilming in the Town of Clifton Park at a pay rate of \$9.35 per hour, not to exceed a total amount of \$5000, payable from line 1410-070, Grant Expense.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 21 of 2001, a resolution reappointing William Sekellick as Chairperson of the Board of Assessment Review.

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

WHEREAS, the Town Board wishes to reappoint William Sekellick, 632 Plank Road, Clifton Park, as Chairperson of the Board of Assessment Review; now, therefore be it

RESOLVED, that William Sekellick is hereby reappointed Chairperson of the Board of Assessment Review with the term to expire on September 30, 2001.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 22 of 2001, a resolution reappointing Joanne Coons as Chairman of the Historic Preservation Commission.

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

WHEREAS, the Town Board wishes to reappoint Joanne Coons, 359 Riverview Road, Rexford, as Chairperson of the Historic Preservation Commission; now, therefore be it

RESOLVED, that Joanne Coons, 359 Riverview Road, Rexford, is hereby reappointed as Chairperson of the Historic Preservation Commission with the term to expire December 31, 2001.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Bob Gauvreau, Oakwood Blvd., asked if the Town would consider a townwide leash law. Supervisor Barrett said this has been considered but at this time it is felt requiring dogs on a leash on the Common is a more prudent step as complaints are coming from this area and this legislation immediately addresses the problem. He stated a townwide leash law will continue to be considered.

MOTION by Supervisor Barrett, seconded by Councilwoman Walowit, to recess until 8:25 p.m. Motion unanimously carried at 8:12 p.m.

The meeting was reconvened at 8:25 p.m. to hold the Public Evidentiary Hearing to consider a rate increase request for CK Sanitary Systems, Inc.

Official transcript of proceedings attached.

The Evidentiary Hearing was adjourned at 10:10 p.m.

Public comment relating to CK Sanitary Systems, Inc. rate increase application is included in the official transcript.

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 10:35p.m.

Patricia O'Donnell
Town Clerk