

## **Clifton Park Town Board Meeting Minutes**

**January 14, 2002**

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 Trainor  
Mark Heggen, Comptroller  
Michael Shahan, Town Administrator

MOTION by Councilman Roth, seconded by Councilwoman Walowit, to approve the minutes of the January 2, 2002 meeting as presented.

### **ROLL CALL VOTE**

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

Noes: None

### **MOTION CARRIED**

### **ANNOUNCEMENTS AND COMMUNICATIONS**

The Town Board acknowledged, with profound sadness, the death of Times Union reporter Michael Hurewitz. Mr. Hurewitz, who covered the Town of Clifton Park, died while donating a portion of his liver to his brother.

Councilman Roth acknowledged a letter to Mr. Shahan from Maia Newman, Executive Director of the Shenendehowa Senior Citizens, expressing appreciation for the new sign on Vischer Ferry Road.

Supervisor Barrett reviewed the program for the annual Winter Block Party to be held February 2, 2002.

## REPORTS

Reports for December from the Saratoga County Sheriff's Department, Justice Court and Parks, Recreation and Community Affairs were filed with the Town Clerk

Town Administrator Shahan updated the Board on monthly activities reporting some of the projects approved by Resolutions No. 152 and 287 of 2001 have come in under the projected costs. He will have final numbers in a day or so.

Town Comptroller Heggen reviewed the financial report for December, which also includes the quarterly reports for special districts. He said it appears the town is spending \$1 million more this year than last and includes the Rec 2000 BAN repayment, Round Lake Reservoir, MacElroy Road, Transfer Station and other various projects. He reported it appears there will be an increase in the fund balance between \$400,000 and \$600,000. Mr. Heggen explained the January and February sales tax revenues count towards 2001. He reported federal monies for the Moe Road project have been received. Councilman Roth said there is \$14,000 left in the Contingency Fund and asked if this can be spent. Mr. Heggen explained it would roll over into unreserved fund balance.

## PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 13 of 2002, a resolution rescheduling the February 19, 2002 Town Board Meeting to February 25, 2002.

Introduced by Councilman Roth, 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 17-20, 2002, and

WHEREAS, the third Town Board meeting for the month of February is scheduled for February 19, 2002; now, therefore, be it

RESOLVED, that the Town Board meeting scheduled for February 19, 2002 is hereby rescheduled to February 25, 2002 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. 14 of 2002, a resolution authorizing Sanford Roth, Lynda Walowit, Michael Shahen, Barbara McHugh, Thomas Paolucci, Mark Heggen, James Trainor and Robert Rybak 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 17-20, 2002 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; now, therefore, be it

RESOLVED, that the Comptroller is authorized to reimburse Sanford Roth, Lynda Walowit, Michael Shahen, Barbara McHugh, Thomas Paolucci, Mark Heggen, James Trainor and Robert Rybak for reasonable transportation, board and lodging after attending the New York State Association of Towns meeting in New York City from February 17-20, 2002, to be vouchered appropriately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 15 of 2002, a resolution adopting Local Law No. \_\_\_\_\_ of 2002, a local law amending Local Law No. 11 of 1996, Telecommunication Towers and Section 208-95- Local Law No. 10 of 1996, Zoning Code.

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

WHEREAS, the Town Board wishes to adopt certain changes to Section 208-95 Telecommunication Towers, and

WHEREAS, the Town Board of the Town of Clifton Park held a public hearing on January 7, 2002 concerning proposed changes to Section 208-95 Telecommunication Towers at which time input was received from the public, and

WHEREAS, the Town Board has considered the comments from the public in this regard; now, therefore, be it

RESOLVED, that the Town Board hereby adopts Local Law No. \_\_\_\_ of 2002 a local law amending Local Law No. 11 of 1996, Telecommunication Towers and Section 208-95- Local Law No. 10 of 1996, Zoning Code per schedule A; and be it further

RESOLVED, that this Local Law shall take effect upon filing with the New York State Department of State but shall take effect upon a person personally served a copy after its adoption.

Supervisor Barrett noted the moratorium will be expiring February 6th. He said this law will give a buffer between the residents and a tower containing telecommunication equipment and also includes an automatic application fee of \$2500.

Councilman Roth said though he supports the legislation, asked that this resolution be tabled until the February 4, 2002 as he has been approached by individuals who have questions and would like to give them more time. He stated he is not proposing any changes to this law but thinks it is important to have everybody's input and especially that the numbers contained in the law are defensible. Supervisor Barrett said he had no problem with tabling the resolution. Councilman Speckhard questioned when a law is effective. Town Clerk responded upon filing with the NYS Dept. of State.

MOTION BY Councilman Roth, seconded by Councilman Speckhard, to table the resolution until February 4, 2002.

#### ROLL CALL VOTE

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

Noes: None

#### MOTION CARRIED

Resolution No. 16 of 2002, a resolution re-appointing Bonnie Bettcher Clerk as Court Clerk.

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

WHEREAS, Bonnie Bettcher, 12 Grooms Pointe, Clifton Park, has been serving as Court Clerk for the Town of Clifton Park, and

WHEREAS, the Town Board wishes to re-appoint Bonnie Bettcher as Court Clerk; now, therefore, be it

RESOLVED, that Bonnie Bettcher, 12 Grooms Pointe, Clifton Park, is hereby re-appointed as Court Clerk effective January 1, 2002.

## ROLL CALL VOTE

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

Noes: None

## DECLARED ADOPTED

Resolution No. 17 of 2002, a resolution authorizing the filing of an application for State Assistance from the Household Hazardous Waste (HMW) State Assistance Program and signing of the Associated State Contract, under the Appropriate Laws of New York State.

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

WHEREAS, the State of New York provides financial aid for household hazardous waste programs, and

WHEREAS, the Town of Clifton Park herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws, and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid; now, therefore, be it

RESOLVED, by the Town Board of the Town of Clifton Park, that the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized, and be it further

RESOLVED, that Michael O'Brien, Environmental Specialist, is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required but that the Supervisor is authorized to sign the resulting contract if said application is approved by the STATE, and be it further

RESOLVED, that the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs, and be it further

RESOLVED, that the MUNICIPALITY or MUNICIPALITIES set forth their respective responsibilities by attached joint resolution relative to a joint program, and be it further

RESOLVED, that five (5) Certified Copies of this Resolution be prepared and sent to the NYSDEC together with a complete application; and be it further

RESOLVED, that this resolution shall take effect immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 18 of 2002, a resolution accepting a conveyance of the following utility easements.

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

WHEREAS, as a condition of approval of the Applegarth Subdivision, the Town of Clifton Park Planning Board required that the developer convey to the Town of Clifton Park certain roadways and utility easements, and

WHEREAS, the Town Board has already accepted the roadways known as Excalibur Court and Tintagel Way by Resolution No. 326 of 2001 on November 19, of 2001, and

WHEREAS, a Bond has been provided to the Town Planning Department as security for the contractor to complete all remaining punch list items; now, therefore, be it

RESOLVED, that the Town Board accepts the conveyance of the following utility easements briefly described as follows:

Street Name of Owner

- 40-foot wide Utility Easement Masullo Brothers Builders, Inc.  
through Lot 11 Sandpiper Lane  
for Lot 13 Sandpiper Lane  
house sewer and water service  
installation and maintenance
- 20-foot wide Utility Easement  
through Lot 9 Sandpiper Lane  
for Lots 11 and 13 Sandpiper Lane  
house sewer service installation  
and maintenance

and be it further

RESOLVED, that this conveyance is expressly conditioned upon receipt of an approval by the Town Attorney and Town Engineer of all necessary documents, provisions of a title report which is acceptable to the Town Attorney, and upon payment of all taxes and assessments; and be it further

RESOLVED, that there be appended to the within resolution a copy of the recorded conveyance after it has been returned from the Saratoga County Clerk.

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

Resolution No. 19 of 2002, a resolution authorizing the Supervisor to enter into an agreement with Wise Financial Services, Inc.

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

WHEREAS, the Town wishes to provide its employees with additional benefits whereby personal insurance policies may be paid for through payroll deductions, and

WHEREAS, Wise Financial Services, Inc. has offered to provide this service at no cost to the Town; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign a Payroll Deduction Service Agreement with Wise Financial Services, Inc. subject to the review and approval of the final agreement by the Town Attorney.

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

Resolution No. 20 of 2002, a resolution transferring two voting machines to the Town of Greenfield.

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

Paolucci.

WHEREAS, due to the purchase of electronic voting machines, the Town of Clifton Park has excess mechanical voting machines which have exceeded their useful life to the Town, and

WHEREAS, storage space and repair parts for the excess machines is both limited and expensive such that transferring the machines will result in a financial savings to the Town, and

WHEREAS, the Town of Greenfield is in need of two mechanical voting machines and has requested same from the Town of Clifton Park, and

WHEREAS, the Town of Greenfield will arrange for pickup of these machines "as is"; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park hereby authorizes the transfer of two mechanical voting machines to the Town of Greenfield, at no charge.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Ed Dussault, Grooms Road, said the sign at the Stewart's Shop in Rexford is not appropriate at that end of town.

Beverly Czub asked when the traffic lights at Moe Road are going to be activated. Supervisor Barrett said he has asked Mr. Kemper to contact Clough, Harbour & Associates to see when these lights will be activated. Mr. Shahen said the equipment is in hand and should be done in two weeks.

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 7:50 p.m.



Patricia O'Donnell  
Town Clerk