

Clifton Park Town Board Meeting Minutes

March 11, 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
Louis Gerard, Superintendent of Highways
Barbara McHugh, Director of Community Development

MOTION by Councilman Roth, seconded by Councilman Speckhard, to approve the minutes of the February 25 and March 4, 2002 meetings as presented.

ROLL CALL VOTE

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

Noes: None

Abstain: Councilman Paolucci

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett announced Trustco Bank has volunteered to set up an account for "Clifton Park Enduring Freedom" for donations to purchase items to send to the military serving in Afghanistan. Checks may be brought to the Town Hall and will be forwarded to Trustco Bank. He said a resolution would be forthcoming next week authorizing opening the account.

REPORTS

Reports for February from the Sheriff's Department, Transfer Station and Highway

Department were filed with the Town Clerk.

PUBLIC PRIVILEGE ON RESOLUTIONS

Questions from the floor regarding the Memorandum of Understanding between the town and the Friends of Grooms Tavern. Supervisor Barrett said the town is responsible for the facility and the Friends are willing to help with programmatic ideas, as well as with running the facility and the town welcomes the help. He noted the Friends are a partner with the town in this regard. Questions also arose regarding the responsibilities of Friends of Grooms Tavern and the Grooms Tavern Preservation Committee. Supervisor Barrett said the Friends would be involved in the decision making for restorations. Question from the floor asked where the Friends money would be going as opposed to where town money will be going. Supervisor Barrett responded we are all working for the same goal and that is to restore the Grooms Tavern. He stated no additional committees are planned at this time. Councilman Speckhard explained the town committee is primarily going to overlook the restoration efforts, however, there will be input from the Friends during the restoration plan. He said the Town Board has final approval of any restoration project but the town committee is going to be primarily the initiator both of grants, hopefully for restoration and restorations plans, working with the architect, with input from the Town Historian, the Town Board through the liaison, and the Friends. The Friends primary responsibility will be for programs, uses of different rooms, and types of exhibits. They will work with the town liaison the same as the town committee, and will be able to raise funds, apply for grants but the Town Board will have to approve everything. Supervisor Barrett said the Friends of Grooms Tavern is a private group and the Town Board felt a town committee should be formed. He said anyone who wants to help is welcome. Councilman Speckhard the Memorandum of Understanding Agreement is at the initiation of the Friends of Grooms Tavern and the Friends are in agreement with this Memorandum.

Resolution No. 63 of 2002, a resolution authorizing Comptroller Mark Heggen to attend the Saratoga County Delinquent Tax Auction and to bid on property Number 19.

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

WHEREAS, the Town Board wishes to purchase a parcel of land known as SBL 276.7-4-99, and

WHEREAS, purchasing this parcel of land will confer a benefit upon the people of the Town of Clifton Park; now, therefore, be it

RESOLVED, that Comptroller Mark Heggen is hereby authorized to attend the Saratoga County Delinquent Tax Auction and to bid on property Number 19, SBL 276.7-4-99, with authorization to bid a maximum of \$250.00, to be budgeted from A-1950-131 (Assessment Town Property).

Councilman Speckhard noted the town does not have to pay the back taxes but anyone else bidding would have to.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 64 of 2002, a resolution authorizing the Town Supervisor to promote Patrick Gibbins to the position of Building Maintenance Mechanic.

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

WHEREAS, Michael Handerman, Director of Buildings and Grounds, has requested that the vacant position of Building Maintenance Mechanic in the Buildings and Grounds Department be filled, and

WHEREAS, Patrick Gibbins, Sacandaga Road, Galway, has been recommended to be promoted to fill this position; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to appoint Patrick Gibbins, Sacandaga Road, Galway, to the position of Building Maintenance Mechanic, Grade 6, Step 1, effective March 4, 2002, to be budgeted from A-7110 (Buildings & Grounds).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 65 of 2002, a resolution authorizing the Payroll/Benefits Clerk to attend a one day payroll seminar.

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

WHEREAS, Comptroller Mark Heggen has recommended that Payroll/Benefits Clerk Laurie Luse, be authorized to attend a one-day seminar to be held in Albany, New York

on March 19, 2002 at a cost of \$179.00, and

WHEREAS, the amount has been budgeted for 2002 in budget line A-1315-1 (Comptroller-training/conference), and her attendance at the seminar would provide a benefit to the Town; now, therefore, be it

RESOLVED, that Laurie Luse is hereby authorized to attend a one-day payroll seminar in Albany, New York on March 19, 2002, at a cost not to exceed \$179.00, to be budgeted from A-1315-1 (Comptroller-Training/Conference).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 66 of 2002, a resolution appointing Christine R. Mason to assist the Department of Parks, Recreation and Community Affairs.

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

WHEREAS, the Director of Parks, Recreation and Community Affairs has identified a need to sub-contract for promotion of the Town of Clifton Park Summer Programs, and

WHEREAS, the Director of Parks, Recreation and Community Affairs recommends that Christine R. Mason be retained to promote the Summer Recreation/Pools Program, the Fourth of July event, and the Performing Arts Series; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Christine R. Mason to assist the Department of Parks, Recreation and Community Affairs by promoting the Summer Recreation/Pools Program, the Fourth of July event, and the Performing Arts Series, effective May 1, 2002 at an amount not to exceed \$1750, to be budgeted from A-7021-15 (Parks and Rec. Admin.- other contractual).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 67 of 2002, a resolution authorizing a budget transfer within the Building and Development Department to purchase additional office equipment.

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

WHEREAS, certain budgeted transfers of funds within the Building and Development Department are necessary to cover the costs of needed additional office equipment; now, therefore, be it

RESOLVED, that the Town Comptroller is hereby authorized to make a Budget Transfer of \$3,000.00 from A-3620-E0097 (Building & Zoning-Asst. Building Inspector) to A-3620-200 (Building & Zoning-Building Equipment) to purchase additional office equipment in the Building and Development Department.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 68 of 2002, a resolution setting a public hearing to amend Ordinance No. 1, 1992, as amended, to consider raising Convenience Transfer Station Fees.

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

WHEREAS, the Town Board and the Supervisor of the Clifton Park Convenience Transfer Station have determined that a modest increase in the fees charged for use of the Convenience Transfer Station may be necessary, and

WHEREAS, input and comment from the public is necessary before considering amending the ordinance setting such fees; now, therefore, be it

RESOLVED, that a public hearing to consider an increase of the Clifton Park Convenience Transfer Station fees is hereby set for March 18, 2002 at 7:15 p.m. in the Wood Memorial Room at Town Hall, One Town Hall Plaza, Clifton Park and the Town Clerk is directed to publish appropriate notice of the same.

Councilman Speckhard said the town has a policy of running the Transfer Station on a 50/50 basis between the town and the users, excluding salaries. He explained the general rate would increase by \$10.00 per year and the Senior and Social Security Disabled rate by \$5.00.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 69 of 2002, a resolution granting permission to Miss Shen Softball to build a storage building.

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

WHEREAS, existing storage space is inadequate to house needed equipment and supplies for Miss Shen Softball, and

WHEREAS, Miss Shen Softball has requested permission to build a new storage building behind the existing snack bar, near the softball fields on the Clifton Common, and

WHEREAS, the new storage building will help to relieve overcrowding and improve safety around the current snack bar and equipment area; now, therefore, be it

RESOLVED, that the Clifton Park Town Board hereby grants permission to Miss Shen Softball, to build a storage building at their own expense behind the existing snack bar, near the softball fields on the Clifton Common, conditioned upon obtaining all necessary permits and approvals from appropriate Town Departments.

Councilman Speckhard said this is a replacement of an existing building, which will be a little larger than the existing building.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 70 of 2002, a resolution authorizing the Supervisor to sign a Memorandum of Understanding with Friends of Historic Grooms Tavern.

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

WHEREAS, a Memorandum of Understanding with Friends of Historic Grooms Tavern has been proposed as per the attached Schedule A; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to sign a Memorandum of Understanding with Friends of Historic Grooms Tavern as per the attached Schedule A.

Supervisor Barrett expressed appreciation to Councilman Roth for his work as liaison between the town and Friends of Historic Grooms Tavern. Councilman Roth explained the Friends initiated the Memorandum of Understanding and after review some changes were made which were agreed upon by the Town Board. He said Mr. Scherer said as far as he knew everything was acceptable to the Friends. Councilman Roth stated the Memo of Understanding outlines that the town is responsible for the building and the Friends, in coordination with the town, will be concerned with the daily activities. The Friends will also have much input regarding the rooms and restoration of the rooms along with the Town Historian. Councilman Roth said he would like to see the building open on a daily basis and that the Town Historian's office would be located in Grooms Tavern.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Susan Burton, Riverview Road, read a letter from the Friends of Clifton Park Open Space to the Town Board dated March 2002, attached.

Norman Goldman, London Square Drive, said an overall moratorium while waiting for the open space plan is too far reaching and would rather see the open space plan as a proposal before taking that kind of a step.

Supervisor Barrett said the dye was cast for the Exit 9 area many years ago, however, over the past couple of years the green space in the Exit 9 area has been greatly increased than what is required by law.

Frank Berlin, Main St., said a new library should be built in the area behind the Public Safety Building with the Town Hall, shops and offices, and senior housing located in the same area, thereby creating a "Downtown Clifton Park".

Supervisor Barrett said in putting together an open space plan cost and rising property taxes will be big issues. He said property taxes have been controlled and highway taxes

and debt have been reduced and this progress needs to be continued but there has to be some sort of development added to the assessed tax rolls to keep taxes as low as possible. The Supervisor said projects in the Exit 9 area have come in with green space higher than required by law. He said he is more interested in preserving the western part of town than worrying about 45 percent green space in an area surrounded by pavement.

Question from floor regarding IDA tax breaks. Councilman Paolucci stated in most cases the schedule of tax revenues under an IDA plan is still more than that of vacant lands which results in a benefit to the town.

Margaret Catellier, Royal Oak Dr., said the Friends of Clifton Park Open Space are requesting a moratorium on building so there would be time to prepare the open space plan. She noted this is not for present projects but those in the future. Ms. Catellier said there was a great deal of consensus at the charrette. Councilman Speckhard said the comprehensive Open Space Plan will become a plan for the town but will not become part of the overall Comprehensive Plan. Ms. Catellier said the Friends of Clifton Park Open Space are asking for a moratorium in order to give time for the consultant and open space committee to come up with plans.

Supervisor Barrett said cluster zoning, multi-use paths, trails within developments and money being put into trails projects is all part of the ultimate goal to preserve open space and connect neighborhoods to each other as well as to parks.

Jackie Citrinetti, Strawberry Court, said the town should be setting short term and long term goals. She said she is disappointed with the way Clifton Park has turned out in the last six years. She suggested ways to make the Exit 9 area friendlier such as with light fixtures, sidewalks with flowers, shrubs, and two story buildings rather than four. Ms. Citrinetti spoke in favor of a building moratorium.

Supervisor Barrett said the Open Space Plan is a comprehensive long term planning tool and the resources that have been put toward open space are unprecedented.

Susan Burton said big piece of an open space plan is a town center concept as well as preserving open space in other areas of town. Ms. Burton said a town center would draw people from other areas.

Supervisor Barrett noted if sales tax revenue continues to grow, the town can stay without a general fund town tax and the funds will be available to do an open space plan.

Councilman Speckhard said there has not been a single town wide effort that has involved as much time and effort on the part of the Town Board as open space development. He said the last two Comprehensive Plan reviews focused in on open space development with long term goals contained in the Plan. He said the Open Space Plan will essentially implement the goals that are in the Comprehensive Plan by the end of this year. He said a number of beautification efforts have been made in the Exit 9 area, as well as events to bring a sense of community, and in a sense a town center with what is

already there - the Library and YMCA. With regard to the Exit 9 GEIS, the Town Board passed a resolution approving the GEIS, however, at the same time the Town Board did not want to restrict the Planning Board by cutting off all their options if they felt exceptions were needed. Councilman Speckhard said the Director of Planning and the Planning Board have said the GEIS standards have been the rule as far as their dealing with projects in the Exit 9 area and any exceptions have come very close to meeting the standards. Councilman Speckhard commended the Planning Board and Planning Department for the work and the care they have taken with respect to the Exit 9 GEIS and open space. He said open space is a huge undertaking and is a work in progress that comes in at different times and in separate locations. Councilman Speckhard said the Boards over the last ten years plus the Planning Board need to get much more credit than they have gotten with regard to open space. He said the town is at the last step and hopefully goals that have been set out in the Comprehensive Plan can be implemented.

Supervisor Barrett reviewed parcels of land that have been purchased by the town to preserve open space.

Councilman Paolucci noted the Planning Board has even taken the recommended 45 percent green space to areas outside of the GEIS.

Cory Trembath, Troy, said it is important that all the work that has been put in place, such as the charrette, are actually used to full benefit. She said people are concerned that development be done in such a way that it enhances rather than detracts the area and with a building moratorium there is time to step back in order to define what is beneficial to the town. Ms. Trembath said the Friends of Open Space are asking for a more defined master plan for development than what is in place now.

Linda McDermott, Clifton Park Center Road, spoke in agreement with previous speakers and commended the Town Board on the open space work but said focus needs to be on development and recommended architectural standards be developed. She asked if a six-month moratorium is a bad thing and why.

Supervisor Barrett said he doesn't know if a moratorium is something that can be done.

Town Attorney Trainor stated the town cannot just go into a moratorium without any good grounds. There are projects and plans that are already in place. He explained the Town Board would need to make some findings based on certain studies as to why a moratorium should go in place and make a decision based on that. A moratorium would involve public forums and public hearings.

Councilman Speckhard said what has impressed him the most regarding tonight's presentation is the obvious difficulty that involves developing a plan in a situation that is constantly evolving. He asked Mr. Trainor to prepare a memo detailing what would be involved in providing for a moratorium so that the Town Board can set a situation where development and review of the open space plan could be done in a fairly stable environment. He continued, since the open space plan should be completed by the end of

the year it may not make much sense to put a moratorium in place but he would like to see what would be required. He said he thought arguments in support of a moratorium were much stronger than arguments that were critical of the Planning Board. Councilman Speckhard asked Mr. Trainor to also address individual hardship exemptions when looking at the moratorium issue.

Mr. Goldman said not necessarily the same people but the same message has been coming for a long time from what he considers a vocal minority. He encouraged the group to keep pressing their point. He noted he doesn't want to see people who have been saving their property as their livelihood in retirement be put at a disadvantage by a broad moratorium.

Mr. Berlin said Exit 9 area is not attractive and people are worried about where the town is headed.

Jan Lemon, Esopus Drive, spoke in favor of a moratorium stating open space is not a minority issue but a majority issue and people are concerned about growth. She said a moratorium was put into effect in the Exit 8 area until the exit was built and road reconstructed without a lawsuit. She expressed concern that the berm along Crossing Boulevard is gone.

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 8:55 p.m.

Patricia O'Donnell
Town Clerk