

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

**April 14, 2003**

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 was led by Webelos Den 5 Pack 44

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

Also Present: Town Attorney Trainor  
Jason Kemper, Director of Planning  
Michael O'Brien, Environmental Specialist  
Michael Shahan, Town Administrator

### **ANNOUNCEMENTS AND COMMUNICATIONS**

Supervisor Barrett announced mosquito dunks are available through Environmental Specialist Michael O'Brien's office and asked that residents advise Mr. O'Brien of any standing bodies of water.

**PUBLIC HEARING, 7:10 PM  
TO CONSIDER A LOCAL LAW REGARDING AMENDING SECTION 208-109C,  
BOARD OF APPEALS- POWERS, RELATING TO ZONING USE VARIANCES IN  
THE L-C ZONE.**

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on April 10, 2003. The public hearing notice was declared insufficient as the last three paragraphs of the proposed law were not published. It was decided to proceed with this public hearing and schedule another for April 21, 2003.

Town Attorney Trainor summarized the proposed local law explaining this section of the Zoning Code deals with use variances and these changes provide for some input from the Planning Board to the Zoning Board of Appeals decisions. Input is advisory in nature and Planning Board recommendations are not binding on the ZBA.

The public hearing was opened for comments from the audience at 7:20 p.m.

Councilman Speckhard asked if it is possible to remove zoning from the authority of the

Zoning Board. Mr. Trainor said potentially the Town Board through legislation could restrict what the ZBA has the power to rule on but the Town Board would then have to make the decisions. Councilman Speckhard asked if the possibility of a variance could be eliminated from the Land Conservation zone. Mr. Trainor said the Town Board may be able to reserve that through legislation similar to a PUD. Councilman Paolucci noted the variance process is one of the due process issues that a property owner has. Councilman Speckhard noted number (8) in the proposed legislation and said the purpose of the Land Conservation Zone is quite specific, explicit and important, and he would hate to see the L-C zones become normally developed zones. Mr. Trainor said the proposed legislation provides more oversight rather than less so that both the ZBA and the Planning Board have a say as to what goes into an L-C zone. Councilman Roth said this had to do with the fact that the Planning Board gets so much more involved with site determination. Councilman Speckhard said since the L-C Zone cannot be exempted from variances then this legislation is a good idea as it improves controls by adding the role of the Planning Board.

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one else wished to be heard. Supervisor Barrett declared the public hearing closed at 7:25 p.m.

#### PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 80 of 2003, 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 Paolucci.

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, 2003 at an amount not to exceed \$1,750, 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. 81 of 2003, a resolution authorizing appointments to the Project Adventure Staff as recommended per Schedule A, and authorizing the hiring of a Director for Project Adventure.

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

WHEREAS, it is necessary that the Project Adventure Staff and Director be appointed to conduct the Project Adventure Program within the Department of Parks, Recreation and Community Affairs; now, therefore, be it

RESOLVED, that the individuals on the annexed Schedule A are appointed to said positions at the salary amounts listed, effective April 19, 2003 and that Larry Rorick, 34 Guilder Place, Ballston Lake, be appointed as Director of the Project Adventure Program at a salary of \$1,178 all to be budgeted from A7621-Project Adventure.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 82 of 2003, a resolution authorizing the hiring of Summer Recreation Directors and Pool Managers.

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

WHEREAS, Patricia Haffner, the Director of Parks, Recreation and Community Affairs, has identified a need for Summer Recreation Directors and Pool Managers, and

WHEREAS, staff needs to be in place for Summer Recreation Programs to commence when pools open; now, therefore, be it

RESOLVED, that the Director of Parks, Recreation and Community Affairs is hereby authorized to hire Summer Recreation Directors and Pool Managers as per attached Schedule A,

effective immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 83 of 2003, a resolution authorizing a hiring for mowing services for Stoney Creek II Park District.

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

WHEREAS, quotes were received by the Town Board as Commissioners of the Stoney Creek II Park District for lawn mowing services for Stoney Creek II Park District, and

WHEREAS, the lowest conforming quote for the work to be done is Staucet's Landscaping in an amount not to exceed \$5,100 for the season; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Stoney Creek II Park District, hereby authorizes Michael Handerhan, Director of Buildings and Grounds to hire Staucet's Landscaping for mowing services for Stoney Creek II Park District from May to October, 2003, at a cost not to exceed \$5,100 to be budgeted from SP0-7120-24 (Stoney Creek #2, Park Lane,-General Maintenance).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No 84 of 2003, a resolution recognizing the month of April 2003, as "Organ and Tissue Donation Awareness Month".

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

WHEREAS, there are over 75,000 people on the national list waiting for a life-saving organ, and

WHEREAS, every sixteen minutes a new name is added and every day twelve Americans will die because organs were not donated in time to save their lives, and

WHEREAS, the need for donated organs and tissues continues to increase dramatically each year, and

WHEREAS, recognition of the increasing need for organ and tissue donation provides an opportunity to remind the community of the need to provide the "Gift of Life" through organ and tissue donation; now, therefore, be it

RESOLVED, that the Town Board for the Town of Clifton Park hereby proclaims the month of April, 2003, "Clifton Park Organ and Tissue Donor Awareness Month"; and be it further

RESOLVED, that a copy of this resolution be forwarded to the Center for Donation and Transplant in Guilderland, New York, and that this resolution be posted on the Community Bulletin Boards throughout the Town.

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

Resolution No. 85 of 2003, a resolution setting a public hearing to consider Local Law No. \_\_\_\_\_ of 2003, a local law amending Section 208-109 C of the Town of Clifton Park Zoning Code, regarding zoning use variances in the L-C Zone.

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

WHEREAS, on January 13, 2003, Local Law No. 1 of 2003 adopted an Interim Application Procedure with regard to construction within a Town Land Conservation Zone, in order to review the Town's L-C Zoning Law for possible modifications, and

WHEREAS, the office of the Town Attorney has recommended that the Town Board consider the changes to Town Code Section 208-109 C proposed in the attachment hereto, and

WHEREAS, the Town Board wishes to obtain comments from the public regarding the proposed code changes; now, therefore, be it

RESOLVED, that a public hearing be held at 7:20 p.m. on Monday April 21, 2003, in One Town Hall Plaza, Clifton Park; and be it further

RESOLVED, that the Town Clerk is directed to publish appropriate notice of same.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Webelo Scout, Brant Cerkowski Dahoda asked if the Town of Clifton Park could become a city.

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

Motion carried at 7:36 p.m.

Patricia O'Donnell  
Town Clerk