

Clifton Park Town Board Meeting Minutes

July 7, 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

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

Absent: Councilman Paolucci
Councilman Speckhard

Also Present: Town Attorney Trainor
Donald Clemens, Director of Building and Zoning
Jason Kemper, Director of Planning
Michael Shahen, Town Administrator
Walter Smead, Assessor

MOTION by Councilman Roth, seconded by Councilwoman Walowit, to approve the minutes of the June 9 and 16, 2003 meetings as presented.

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Paolucci, Councilman Speckhard

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett expressed appreciation to all involved in the 4th of July celebration.

Councilman Roth reminded the Board the arena auditors will be at the July 21st Town Board meeting.

Councilman Roth announced that the Grooms Tavern Preservation Committee is looking for members. The Committee is responsible for reviewing all the architectural documents

pertaining to the restoration of the Tavern, hold fundraising events that do not conflict with the fundraising efforts of the Friends of Grooms Tavern, and prepare a detailed plan of any other activities they would like to undertake.

Councilman Roth further announced the 9th Annual Special Collection Day will be held October 4, 2003 from 8:00 a.m. to 4:00 p.m. and registration forms are available at the Town Hall.

Councilman Roth announced the Not So Common Players production of South Pacific is being presented July 5,6 and 9,10,11,12.

Supervisor Barrett congratulated the members of the Shenendehowa Crew Team for their outstanding season and recognized their achievements in Resolution No. 156 adopted this evening. Michele Cravetz, President of Friends of Shen Crew, Inc., introduced team members and acknowledged their accomplishments.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 156 of 2003, a resolution honoring the Shenendehowa Crew Team.

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

WHEREAS, the Shenendehowa Crew Team has excelled in the 2003 school year and has compiled an outstanding record, and

WHEREAS, the Town Board recognizes the value of athletics to the high school students of our Town, and further recognizes the hard work and dedication of these athletes and their coaches, and

WHEREAS, the Town Board further recognizes the tremendous commitment of time expended by the Shenendehowa Crew Team and their coaches in preparation for their exemplary season, and

WHEREAS, the Town Board further recognizes and supports the outstanding leadership skills of these athletes as exemplified by their captains; now, therefore, be it

RESOLVED, that the Town Board honors the members of the Shenendehowa Crew Team for their outstanding 2003 Spring Season winning Sectional, State and Eastern States Titles and in early June, finishing 6th in the Nationals in Cincinnati, Ohio and commends them for their outstanding dedication to their sport, school and community.

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 157 of 2003, a resolution authorizing Walter Smead, Sole Assessor, to attend a Seminar on Appraising.

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

WHEREAS, Walter Smead, Sole Assessor, has requested authorization to attend a Seminar on Appraising at Cornell University July 14-18, 2003, and

WHEREAS, Walter Smead's attendance at this Seminar will confer a benefit to the Town; now, therefore, be it

RESOLVED, that Walter Smead is hereby authorized to attend a Seminar on Appraising at Cornell University, Ithaca, New York, July 14-18, 2003 at a cost not to exceed \$915.00 to be paid from budget line item A1355-01 (Assessor-Travel & Conference).

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 158 of 2003, a resolution appointing Ryan P. McCarty as part-time Data Collector in the Assessment office.

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

WHEREAS, Walter Smead, the Sole Assessor for the Town of Clifton Park, has identified a need for a part-time Data Collector in the Assessment office, and

WHEREAS, Walter Smead has recommended that Ryan P. McCarty, 990 Hudson River Road, Mechanicville, be appointed to fill the position; now, therefore, be it

RESOLVED, that Ryan P. McCarty, 990 Hudson River Road, Mechanicville, be appointed as a part-time Data Collector in the Assessment office, effective July 8, 2003, at \$11.00 per hour to be paid from A1355-015 (Assessor-Data Clerk Contractual).

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 159 of 2003, a resolution accepting a quote for replacement of a guard rail fence and gate at the entrance to Dwaaskill Park.

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

WHEREAS, quotes were received for replacement of a guard rail fence and gate for the entrance at Dwaaskill Park, and

WHEREAS, the lowest conforming quote for the installation of a guard rail fence and gate is Bruce Fence Co. in an amount not to exceed \$3,265.00; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Dwaaskill Park District, hereby authorizes Michael Handerman, Director of Buildings and Grounds, to accept the quote of Bruce Fence Company for replacement of a guard rail fence and gate for the entrance at Dwaaskill Park in an amount not to exceed \$3,265.00 to be paid from SP4-7135-200 (Dwaaskill Park District-Maintenance and Repairs).

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 160 of 2003, a resolution designating Glen Valle as the Pool Administrator for the Country Knolls Pool.

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

WHEREAS, the Longkill I Park District has recommended that Glen Valle, Ballston

Lake, be designated as the Pool Administrator for the Country Knolls Pool, and

WHEREAS, the duties and responsibilities of the Pool Administrator will be designated jointly by the Park District and the Town's Department of Parks, Recreation and Community Affairs; now, therefore, be it

RESOLVED, that the Town Board, acting as the Commissioners of the Longkill I Park District, hereby designate Glen Valle, Ballston Lake, as Pool Administrator for the Country Knolls Pool.

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 161 of 2003, a resolution authorizing a salary increase for Head Lifeguards and Water Safety Instructors.

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

WHEREAS, the Director of Parks, Recreation and Community Affairs has recommended that the hourly rates for Head Lifeguards at the Country Knolls and Locust Lane Pools be increased as well as the hourly rates for Lifeguards who recently obtained their Water Safety Certification per Schedule A; now, therefore, be it

RESOLVED, that the Director of Parks, Recreation and Community Affairs is hereby authorized to increase the hourly rates for the Head Lifeguards at the Country Knolls and Locust Lane Pools and for the Lifeguards who have recently obtained their Water Safety Certification per Schedule A, to be paid from A7152- E4680 (Locust Lane Pool Guards), SP5-7151-E4690 (Country Knolls Pool Guards) and A7310-E4575 (Summer Rec. Water Safety Instructors), effective May 26, 2003.

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 162 of 2003, a resolution in connection with a Halloween party to be held on October 25, 2003.

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

RESOLVED, that the Town Highway Superintendent is authorized to close Dyer Drive on October 25, 2003 from 4:30 - 5:30 p.m. to facilitate a local social event of the Jonesville Fire Company, and be it further

RESOLVED, that the residents, with the approval and advice of the Highway Superintendent, shall block the roadway off but shall open it immediately in case of emergency service needs such as fire, police or ambulance protection, and be it further

RESOLVED, that the Jonesville Fire Company shall be responsible for all clean-up activities on Town property or on the street Right-of-Way resulting from the social activity; and be it further

RESOLVED, that a copy of this resolution be sent to the Jonesville Fire Department, the Ballston Lake Ambulance Corps., Sheriff's Department and the State Police.

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 163 of 2003, a resolution authorizing the ninth annual Special Collection Day on October 4, 2003.

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

WHEREAS, the Town Board of the Town of Clifton Park wishes to conduct the ninth annual Special Collection Day for household hazardous waste to be held on October 4, 2003, from 8:00 am to 4:00 pm at the Ray Road site, and

WHEREAS, an application will be made to the New York State Department of Environmental Conservation for reimbursement of up to 50% of eligible costs, and

WHEREAS, the citizens of Clifton Park have supported such programs in the past; now, therefore, be it

RESOLVED, that authorization is hereby granted to allocate up to \$16,000 from Account A-8989-00150 (Special Collections), in order to conduct the Special Collection Day; and it is further

RESOLVED, that authorization is given to the Town Environmental Specialist to apply for funding for reimbursement of up to 50% of eligible costs.

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 164 of 2003, a resolution authorizing Change Order No. 2 for cleaning the Plank Road Sewer System.

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

WHEREAS, a bid was awarded for cleaning & filming of the Plank Road Sewer System to Municipal Services of Fort Edward, NY, and

WHEREAS, Municipal Services of Fort Edward, NY have found additional lines that were not depicted on any drawings, and

WHEREAS, it is necessary for cleaning and filming of these lines to occur at an additional cost of \$1,711.90; now, therefore, be it

RESOLVED, that the Town Board, acting as Owners due to the abandonment of the Plank Road Sewer System, hereby authorizes the Town Administrator to agree to Change Order No. 2 in the amount of \$1,711.90, for the additional cleaning and filming services to the Plank Road Sewer System; and be if further

RESOLVED, that payment of the contractor's invoice for \$1,711.90 shall be advanced from Contingency funds, then reimbursed by the users of the system at a later date.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth,

Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 165 of 2003, a resolution scheduling a public hearing to consider adoption of Local Law No. _____ of 2003, a local law amending Local Law No. 6 of 1995 as amended by Local Law No. 5 of 1997, Local Law No. 9 of 1999 and Local Law No. 8 of 2001, regarding the Comprehensive Plan of the Town of Clifton Park.

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

WHEREAS, it is both necessary and appropriate to update the Town's Comprehensive Plan from time to time, and

WHEREAS, several modifications have been proposed, and it is appropriate to obtain comments from the public regarding the same; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled to consider the adoption of Local Law No. _____ of 2003, a local law amending Local Law No. 6 of 1995 as amended by Local Law No. 5 of 1997, Local Law No. 9 of 1999 and Local Law No. 8 of 2001 regarding the Comprehensive Plan of the Town of Clifton Park to be held in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, on July 21, 2003 at 7:10 p.m. and the Town Clerk is directed to publish appropriate notice of the same.

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 166 of 2003, a resolution authorizing the Assistant Comptroller to attend the NYSSCPA Internal Control Design and Implementation Course.

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

WHEREAS, Comptroller Mark Heggen has requested that Assistant Comptroller James

Tunney be authorized to attend the NYSSCPA Internal Control Design and Implementation Course to be held in Albany, New York, July 29, 2003, and

WHEREAS, his attendance at this conference will confer a benefit upon and be in the best interest of the Town of Clifton Park; now, therefore, be it

RESOLVED, that Assistant Comptroller James Tunney is hereby authorized to attend the NYSSCPA Course, July 29, 2003 in Albany, New York, at a cost not to exceed \$250.00 to be paid from A-1315-1 (Comptroller-travel and conference) to be vouchered appropriately.

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 167 of 2003, a resolution rescinding Resolution No. 27 of 2003.

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

WHEREAS, by State Law the Town of Clifton Park Water Authority was established as a public benefit corporation to acquire, create, service and/or maintain a water distribution system within the Town of Clifton Park, and

WHEREAS, the enabling legislation also provides that the Town Board may adopt a resolution authorizing the Water Authority to sell water service to an area located outside the Town of Clifton Park, and

WHEREAS, the Town of Clifton Park Town Board granted approval to supply water to a subdivision submitted by Michael Abele, owner of property located in the Town of Halfmoon, upon request by the CPWA, and

WHEREAS, upon performing additional research it was determined that the property was originally approved as a 4 lot subdivision in June 2000 by the Town of Halfmoon Planning Board, and

WHEREAS, the subdivision map was filed in the Saratoga County Clerks office on June 20, 2000 with the following restriction on the plans "No further subdivision of lots 1,2,3,4 is permitted," and

WHEREAS, the previously approved permission granted to the Water Authority was contrary to the conditions of said subdivision approval; now, therefore, be it

RESOLVED, that the Town Board hereby rescinds Resolution No. 27 of 2003; and be it further

RESOLVED, that any approval by the CPWA to extend water to the site will need a resolution from the Town of Clifton Park Town Board to serve any additional lots proposed for this project.

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 168 of 2003, a resolution authorizing the purchase of a Ford Taurus.

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

WHEREAS, Michael Shahen, Town Administrator, has identified a need for a new vehicle for Town Hall, and

WHEREAS, bids were received and the bid of Morris Automotive Group was the lowest conforming bid at \$15,960.00, and

WHEREAS, the Town Administrator has requested authorization to accept the bid of Morris Automotive Group for a Model Year 2003 Ford Taurus as described in Schedule A; now, therefore, be it

RESOLVED, that Town Administrator Michael Shahen is hereby authorized to purchase a Model Year 2003 Ford Taurus as described in Schedule A at a cost not to exceed \$15,960.00 with \$13,960.00 to be paid from A-1620-200 (Town Hall Equipment) per Resolution No. 149 of 2003 and \$2,000.00 to be paid from A-1620-9 (Town Hall Leases).

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 169 of 2003, a resolution hiring Amy Drislane and Eric Flynn to work as summer help for the Clifton Knolls Park District .

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

WHEREAS, a need has been identified for help at the Clifton Knolls Park District to water trees and shrubs, and

WHEREAS, Amy Drislane, 25 Beechwood Drive and Eric Flynn, 15 Beechwood Drive, have been recommended to be hired for this position; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Clifton Knolls Park District, hereby authorizes the hiring of Amy Drislane, 25 Beechwood Drive and Eric Flynn, 15 Beechwood Drive, to water trees and shrubs for the Clifton Knolls Park District, effective immediately through Labor Day, September 1, 2003, at \$7.50 per hour, not to exceed 2 hours per day, Monday through Friday, to be paid from SP3-7131-024, (Clifton Knolls Park District- Maintenance).

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 170 of 2003, a resolution adopting Local Law No. 3 of 2003, a local law amending Chapter 103, Article II, Section 103-16, Building Permit Fees of the Town Code.

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

WHEREAS, the Building Department has recommended that the Town Board consider amending Section 103-16, Building Permit Fees, to enact changes to the fees charged by the Building Department, and

WHEREAS, a public hearing was held on June 9, 2003 to obtain comment from the

public; now, therefore, be it

RESOLVED, that Local Law No. 3 of 2003, a local law amending Chapter 103, Article II, Section 103-16, regarding Building Permit Fees, is hereby adopted, 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; and be it further

RESOLVED, that this local law shall take effect upon its filing at the New York State Department of State but shall also be immediately effective upon a person or entity personally served with a copy before then.

Local Law No. 3 of 2003, a local law amending Chapter 103
Article II, Section 103-16, Building Permit Fees of the Town Code

§ 103-16. Building permit fees. [Amended 9-15-1988 by L.L. No. 15-1988; 10-17-1988 by L.L. No. 23-1988; 12-16-1996 by L.L. No. 14-1996; 4-6-1998 by L.L. No. 2-1998]

Except as set forth hereinabove, the Building Inspector shall collect, at the time of a building permit application, a building permit fee pursuant to the following schedule:

Permit Fee

Reroofing

Commercial \$150.00

Septic systems (new or replaced)

Commercial \$150.00

Sewer and water utility lines, to include lateral connections

Commercial \$150.00

Utility lines other than laterals (sewer, \$150.00 water, etc.) minimum, plus \$25 per acre for each acre or partial acre exceeding 1 acre of soil-disturbing activity (SDA) application

Commercial permits

New structures, additions to existing \$20.00
structures and changes of tenancy, per 100 square feet or any portion thereof

Signs

Minimum \$50.00
Soil-disturbing activity
application

Any additional plan review (changes or additions \$50.00
to original permit)
Timber harvesting \$50.00

Supervisor Barrett explained the town has incurred additional expenses over the last few years, e.g. additional employees, vehicles and training for the new New York State Code. These fees are in line with other municipalities.

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 171 of 2003, a resolution awarding a service contract for the Special Collection Day 2003.

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

WHEREAS, proposals have been submitted for professional services related to packaging, labeling, transport, and disposal of household hazardous waste to be collected at the ninth annual Special Collection Day to be conducted on October 4, 2003, and

WHEREAS, the Town Environmental Specialist has reviewed the proposals submitted for such professional services and recommends that the proposal of CARE Environmental Corp. of Orbin, NJ, be accepted, and

WHEREAS, the Town has previously employed the services of CARE Environmental Corporation of Orbin, NJ, to provide professional services for past Special Collection Days; now, therefore, be it

RESOLVED, that the contract to perform professional services relating to the packaging, labeling, transport and disposal of household hazardous waste to be collected at the Town of Clifton Park's ninth annual Special Collection Day on October 4, 2003 is hereby awarded to CARE Environmental Corporation of Orbin, NJ, with funds for services not to exceed \$16,000 after reimbursement with such funds to come from A-8989-00150 (Community Development-Special Collection Day).

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci
DECLARED ADOPTED

Resolution No. 172 of 2003, a resolution requesting that the Saratoga County Department of Public Works conduct a speed study of a section of Longkill Road between Ushers Road and the Town Line.

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

WHEREAS, it is necessary to conduct a study of the traffic pattern of a section of Longkill Road between Ushers Road and the Town Line, and

WHEREAS, since Longkill Road is a County Road, a resolution of the Town Board requesting that the Saratoga County Department of Public Works initiate a study of the traffic pattern on Longkill Road between Ushers Road and the Town Line is needed; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park hereby requests that the Saratoga County Department of Public Works initiate a traffic study of Longkill Road between Ushers Road and the Town Line.

Supervisor Barrett said with the expansion of the Van Patten Golf Course, he will ask the county to study the Main Street/Longkill Road intersection.

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 173 of 2003, a resolution determining that action to organize Miller Road Water District No. 1 and acquire, construct and install improvements to the water system will not have a significant effect on the environment.

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

WHEREAS, the Town Board of the Town of Clifton Park, Saratoga County, New York (the "Town") proposes to establish a water district in the Town to be known as Miller Road Water District No. 1 (the "District") and also proposes to acquire, construct and install a water supply and distribution system in the District, including (a) construction and installation of water transmission mains and lines and related facilities, (b) acquisition of furnishings, equipment, machinery or apparatus required in connection therewith, and (c) acquisition of land or rights in land, all as more particularly described in the report of John M. McDonald Engineering, P.C. which is on file in the office of the Town Clerk (the "Project"), and

WHEREAS, pursuant to Article 8 of the Environmental Conservation law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations"), the Town Board desires to determine whether the Project may have a "significant effect on the environment" (as said quoted term is defined in the SEQR Act and the Regulations) and therefore require the preparation of an environmental impact statement, and

WHEREAS, to aid the Town Board in determining whether the Project may have a significant effect upon the environment, an environmental assessment form (the "EAF") has been presented to and reviewed by the Town Board, copies of which EAF are on file in the office of the Town Clerk, and

WHEREAS, pursuant to the Regulations, the Town Board has examined the EAF in order to make a determination as to the potential environmental significance of the Project, and

WHEREAS, the Project does not appear to constitute a "Type I Action" (as said quoted term is defined in the Regulations); now, therefore, be it

RESOLVED, that the members of the Town Board of the Town of Clifton Park as follows:

(1) Based upon an examination of the EAF, and based further upon the Town Board's knowledge of the area surrounding the proposed District and such further investigation of the Project and its environmental effects as the Town Board has deemed appropriate, the Town Board makes the following findings with respect to the Project:

(A) The Project consists of the organization of the District and the acquisition, construction and installation of a new water system in the District, including (i) construction and installation of water transmission mains and lines and related facilities, (ii) acquisition of furnishings, equipment, machinery or apparatus required in connection therewith, and (iii) acquisition of land or rights in land, all as more particularly described

in the report of John M. McDonald Engineering, P.C. which is on file in the office of the Town Clerk.

(B) No potentially significant impacts on the environment are noted in the EAF, and none are known to the Town Board.

(2) Based upon the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact therein indicated, the Town Board makes the following findings and determinations with respect to the Project:

(A) The Project constitutes an "Unlisted Action" (as said quoted term is defined in the Regulations);

(B) The Project will result in no major impacts and, therefore, is one which will not cause significant damage to the environment. Therefore, the Town Board hereby determines that the Project will not have a significant effect on the environment, and the Town Board will not require the preparation of an environmental impact statement with respect to the Project; and

(C) As a consequence of the foregoing, the Town Board has prepared a negative declaration with respect to the Project.

(3) The Town Supervisor is hereby directed to file with the Town Clerk a negative declaration with respect to the Project, which shall be available for public inspection during regular business hours.

(4) This resolution shall take effect immediately.

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 174 of 2003, a resolution scheduling a public hearing regarding the establishment of Miller Road Water District No. 1.

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

WHEREAS, the Town Board of the Town of Clifton Park, Saratoga County, New York (the "Town") has caused a map, plan and report (the "Maps and Plans") to be prepared in a manner and detail as determined by the Town Board in connection with the proposed

establishment and improvement of a water district in the Town to be known as Miller Road Water District No. 1 (the "District"), and

WHEREAS, the boundaries of the proposed District are set forth on Exhibit A attached hereto, and

WHEREAS, the Town proposes to acquire, construct and install a water supply and distribution system and related facilities in the District (the "Improvements"), including (a) construction and installation of water transmission mains and lines and related facilities, (b) acquisition of furnishings, equipment, machinery or apparatus required in connection therewith, and (c) acquisition of land or rights in land, all as more particularly described in the Maps and Plans, and

WHEREAS, the maximum amount proposed to be expended for the Improvements is \$377,500, and

WHEREAS, the cost of the proposed District to the typical property in the District is estimated to be approximately \$1,077.50 per year, and

WHEREAS, the proposed method of financing the costs of the Improvements consists of the issuance of serial bonds and bond anticipation notes of the Town to mature in annual installments over a period not exceeding 25 years, payable in the first instance from assessments levied on real property in the proposed District, and

WHEREAS, the cost of acquiring, constructing and installing the District Improvements will be assessed among the properties in the District in proportion to the assessed value of each property, and

WHEREAS, usage, operation and maintenance fees will be charged in accordance with the Clifton Park Water Authority standard fee schedule, and

WHEREAS, the Maps and Plans describing the foregoing, including a detailed explanation of how the estimated cost of the District to the typical property was computed, have been filed in the Town Clerk's office and are available for public inspection during regular business hours; now, therefore, be it

RESOLVED that the Town Board will hold a public hearing to hear all persons interested in the establishment of the District and the proposed water system improvements, which public hearing shall be held in the Wood Memorial Room, Town Hall, One Town Hall Plaza, in the Town of Clifton Park on July 21, 2003 at 7:20 p.m., and be it further

RESOLVED, and ordered that the Town Clerk give notice of such hearing by publishing in the official Town newspaper a copy of this resolution and by posting a copy of this resolution on the Town's official sign-board not less than ten nor more than twenty days before such hearing.

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 175 of 2003, a resolution awarding the bid for the CAPTAIN's Building, Contract No. 2 – Electrical Work.

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

WHEREAS, on July 2, 2003, bids were received for the above referenced contract, and

WHEREAS, the low bidder for Contract No. 2 – Electrical Work is Harold Clune, Inc. in the amount of \$47,900.00, and

WHEREAS, as per letter from McDonald Engineering, dated July 3, 2003, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that Harold Clune, Inc. be accepted as the lowest most responsible bidder; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid in the amount of \$47,900.00 to Harold R. Clune, Inc. and the total to be paid from a budget transfer from prior year unappropriated funds to A-1621-200 (Public Safety Building-Equipment).

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 176 of 2003, a resolution awarding the bid for the CAPTAIN's Building, Contract No. 3 – Plumbing Work.

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

WHEREAS, on July 2, 2003, bids were received for the above referenced contract, and

WHEREAS, the low bidder for Contract No. 3 – Plumbing Work is John V. Warren, Inc. in the amount of \$24,500.00, and

WHEREAS, as per letter from McDonald Engineering, dated July 3, 2003, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that John V. Warren, Inc. be accepted as the lowest most responsible bidder; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid in the amount of \$24,500.00 to John V. Warren, Inc. and the total to be paid with a budget transfer from prior year unappropriated funds to A-1621-200 (Public Safety Building-Equipment).

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

Resolution No. 177 of 2003, a resolution awarding the bid for the CAPTAIN'S Building, Contract No. 4 – HVAC Work.

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

WHEREAS, on July 2, 2003, bids were received for the above referenced contract, and

WHEREAS, the low bidder for Contract No. 4 - HVAC Work is Family Danz Heating & Air Conditioning, Inc. in the amount of \$48,180.00, and

WHEREAS, as per letter from McDonald Engineering, dated July 3, 2003, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that Family Danz Heating & Air Conditioning, Inc. be accepted as the lowest most responsible bidder; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid in the amount of \$48,180.00 to Family Danz Heating & Air Conditioning, Inc. and the total to be paid with a transfer from prior year unappropriated funds to A-1621-200 (Public Safety Building-Equipment).

ROLL CALL VOTE

Ayes: Councilman Roth, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilman Paolucci

DECLARED ADOPTED

PUBLIC PRIVILEGE

Sonia Tlaige, 971 Grooms Road, stated her water is dark and has a bad odor and asked the town to find a way to get water to her area. She said she lives 100 feet away from a fire hydrant and the next house over on her block has water. It was determined this would be in the Rexford Water District service area. The Supervisor asked that George Petersen be consulted on this situation.

Cheryl Pollock, Pine Hill Bend, referred to her letter of June 24, 2003 regarding applying for a special use permit, attached. She asked that the Town Board to amend the fee schedules to make it more reasonable for small business owners to have a little part time business in their home. Supervisor Barrett noted the process is there for the protection of neighbors. He said the fee schedule can be looked at and asked Mr. Kemper for recommendations but stated it is of utmost importance that everyone is treated fairly. Mr. Kemper said the Planning Department narrowed the list down from 90 to 39, Ms. Pollock paid a conceptual and preliminary fee and the final fee was waived. He noted that the application fee contains all fees required and feels the Planning Department did everything they could to work with Ms. Pollock. Ms. Pollock responded for the time extended the cost was too high. Mr. Kemper explained the purpose of the special use permit.

MOTION by Councilwoman Walowit, 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 8:35 p.m.

Patricia O'Donnell
Town Clerk