

Clifton Park Town Board Meeting Minutes

August 18, 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 Paolucci
Councilman Speckhard
Councilman Roth
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Also Present: Town Attorney Trainor
Louis Gerard, Superintendent of Highways
Mark Heggen, Comptroller
Jason Kemper, Director of Planning
Michael Shahan, Town Administrator

MOTION by Councilman Paolucci, seconded by Councilman Roth, to approve the minutes of the July 21, 2003 and August 4, 2003 meetings as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Speaking with regard to the power outage on August 14th, Councilwoman Walowit thanked Mama's Pizza, Hannaford, and Stewarts for donations of food to the various fire departments and to the volunteer firemen for their dedication. She also thanked the Highway Department and firemen for their work during recent heavy rains.

PUBLIC HEARING 7:10 PM

TO CONSIDER A LOCAL LAW AMENDING LOCAL LAW NO. 10 OF 1996, AND LOCAL LAW NO. 6 OF 1992, BY CHANGING THE ZONING ON A CERTAIN PORTION OF MOE ROAD FROM R-1 TO PIR

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on August 13, 2003

Gordon Nicholson, Environmental Design Partnership, representing M.D.G. Millcreek, L.L.C., purchaser of the property, reviewed location of the property, noting the proximity of 130 acres currently zoned PIR and said the request is to extend the PIR Zone to encompass the 10.62 acres which would be approximately a 12 percent increase to the PIR Zone. He stated the proposed library site and land use is consistent with the Master Plan and land use permitted in the PIR Zone and noted there is sufficient land to support library land use and parking and has sufficient utility infrastructure adjacent to it. Mr. Nicholson said this is an ideal location for the library due to the proximity of the multi-use path on Moe Road, Shenendehowa Schools, YMCA and the new CAPTAIN building. A multi-use path will link the library with the YMCA and school. He continued there will be no impact to Land Conservation zone, Army Corps wetlands or DEC wetlands. He said a traffic study will adequately address any potential impacts on Moe Road. A left hand turn lane into the property is being considered.

Supervisor Barrett said his concern is with buffering between the road and the building and any traffic impact. He asked if another entrance further south could be looked at.

Mr. Nicholson reviewed buffering planned, including shade tree plantings of 20–30 feet high along Moe Road and evergreens on top of the berm behind the trees. He reviewed lighting plans noting there will be very little spillage. He reported the property has 750 feet in common with the PIR Zone. He said it is his understanding the Town Board will not vote on this zoning change until after the library referendum.

Councilman Roth asked if there were any other way to get into the property other than Moe Road.

Mr. Nicholson responded there is, but it would encroach on wetlands and land conservation zone, however, there could be a pedestrian crossing.

The public hearing was opened for comments from the audience at 7:30 p.m.

Darren McGee, Moe Road, lives directly across the street from the proposed site, expressed concern about the zoning change, amount of traffic, and the current space between the road and bike path.

Discussion was held regarding other potential access to the property.

Mr. McGee expressed concern with the turning lane and loss of property. Mr. Nicholson said he wouldn't expect there would be any private property taken with that expansion. Discussion ensued regarding location of a turning lane as well as suggestions for entrances.

Mr. Nicholson reviewed two plans for running the sewer line, noting Saratoga County Sewer District has indicated either is suitable and there is adequate capacity to handle the library flow.

Mr. McGee said he is interested in being on the sewer system. Mr. Nicholson responded it will depend on whether the line runs down the right of way of Moe Road or underneath the wetland through the sewer easement.

Mr. McGee said he is concerned with the size of the building and potential for expansion. He asked the Board not to change the zoning.

Mr. Nicholson said he has heard talk that the expansion might be in the next 20 to 30 years and it is prudent for the library at this point in time to plan for long term growth.

It was noted the cost of the property was \$810,000, with a total estimate of \$15 million. Informational meetings on the proposed new library building are planned for August 25th at 7 p.m. and September 5th at 10 a.m. Plans are on display at the library.

Supervisor Barrett said, with regard to ensuring proper landscaping, etc., the town requires a bond or letter of credit.

Mr. Nicholson said the lighting package that's proposed has to be approved by the town engineer and the Planning Board.

Vince Aceto, Southbury Drive, President of Board of Trustees of the library, said he wants to reassure everybody that the library will be good neighbor and they want to preserve the residential quality of Moe Road as much as possible. He said they expect to minimize as much as possible any impact with neighbors and will ensure that there is proper berm, trees and coverage so that the parking lot and library, for the most part, won't be visible. Mr. Aceto emphasized that the Library Board represents the community and they want the library to have as minimal impact as possible on the surroundings.

Supervisor Barrett explained library trustees are elected and are not affiliated with the Town of Clifton Park.

Norman Goldman, London Square Drive, expressed concern with the berm, shade trees and evergreens, stating this is a major community facility and it should be a show place, not hidden. He stated if it is necessary to hide the building at this location then he is against the zoning change.

Sheila Alfasso, Grooms Point Drive, said in order to satisfy everybody in the community it is necessary to have the shade trees and evergreens. She said the library board looked for every conceivable property that would satisfy the needs to have a better than adequate library.

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 7:55 p.m.

Supervisor Barrett said there were several residents of the Moe Road area at the prior informational meeting and they were fairly split in favor of and against.

Councilman Roth asked Mr. Aceto for copies of the other properties and their locations that the Library Board looked at. Mr. Aceto said the board has decided, in order to be fair to the owners of the properties, it is probably best not to reveal the names and specific locations. He said based on the board's criteria it really came down to the Moe Road site.

Supervisor Barrett said as much as the Town Board would like to see the library expand, this is a difficult decision for the Town Board. He noted no special consideration is given to the library.

Eagle Scout Jared Derochers reviewed his project of building bridges and raised walkways along trails located in Country Knolls. Supervisor Barrett expressed appreciation to him for improving town land.

Town Administrator Shahan reported three town security cars were out patrolling developments during the recent power outage.

Speaking in reference to a proposed resolution on the agenda this evening, Town Comptroller Heggen explained that Milliman USA wants to use town data as a training tool using the new Government Accounting Standards Board standards to determine what the potential costs would be for post retirement health benefits. The advantage to the Town is that we would receive a report showing what the projected benefit would be. The company will give a presentation to the Town Board. Because the Town's data would be used for training, Milliman USA will prepare the report for ten percent of their normal cost with a maximum of \$1000. Mr. Heggen noted the company is well respected and has offices throughout the world. Mr. Heggen reviewed the amendment to the Deferred Compensation Plan. He reported an RFP will be sent out regarding the Plan as it has been five years since the last RFP. Supervisor Barrett reported the town is \$730,000 ahead of last year in sales tax revenue.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 198 of 2003, a resolution granting authorization to hire Matthew Ensel as the gatekeeper at the Kinns Park and Dwaaskill Park.

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

WHEREAS, the Supervisor of Buildings and Grounds has recommended that Matthew

Ensel, 6 Rolling Brook Court, Clifton Park, be hired as a gatekeeper at the Kinns Park and Dwaaskill Park; now, therefore, be it

RESOLVED, that authorization is hereby granted to hire Matthew Ensel, 6 Rolling Brook Court, Clifton Park, as gatekeeper at the Kinns Park and Dwaaskill Park at \$6.50/hour for two hours per day, effective immediately, with funds for payment of salary to be taken from Accounts SP4-7135-E4000 (Dwaaskill Park-Part-time laborer) and A-7111-E4000 (Kinns Rd.-Part-time laborer) with 50% to come from each account.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 199 of 2003, a resolution authorizing Change Order No. 1 with SBR Roofing for Public Safety Building Roofing Project.

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

WHEREAS, a contract to perform services on the Public Safety Building Roofing Project was sent out to bid on May 14, 2003 and awarded to SBR Roofing, Inc. on May 19, 2003 by Resolution No. 128 of 2003 in an amount of \$54,900.00, and

WHEREAS, a Change Order was prepared by McDonald Engineering which provides the breakdown of individual item costs, and

WHEREAS, the Change Order results in a decrease of \$5,551.00 for the Public Safety Building Roofing Project from the current contract amount of \$54,900.00 to arrive at a new contract amount of \$49,349.00; now, therefore, be it

RESOLVED, that Supervisor Barrett is hereby authorized to sign Change Order No. 1 dated July 29, 2003, to the SBR Roofing, Inc. contract for the Public Safety Building Roofing Project.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 200 of 2003, a resolution authorizing the hiring of Staucet's Lawn Service & Landscaping to provide and install trees at the Wyncrest Park District entrance area.

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

WHEREAS, quotes were received by the Town Board as Commissioners of the Wyncrest Park District for the purchase and installation of three (3) 3" caliper maple trees for Wyncrest Park District, and

WHEREAS, the lowest conforming quote for the work to be done is Staucet's Lawn Service and Landscaping in an amount not to exceed a cost of \$325.00/each for a total of \$975.00; now, therefore, be it

RESOLVED, that the Town Board acting as Commissioners of the Wyncrest Park District hereby authorizes Michael Handerhan, Director of Buildings and Grounds to hire Staucet's Lawn Service and Landscaping for the purchase and installation of three (3) 3" caliper maple trees for the Wyncrest Park District, at a cost not to exceed \$325.00/each for a total of \$975.00 to be budgeted from SP11-7140-24 (Wyncrest Park District maintenance).

Councilman Paolucci asked that in the future all park districts submit more formal correspondence when submitted requests.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 201 of 2003, a resolution authorizing the hiring of Vital Signs for the purchase and installation of entrance signs at the Aspenwood Subdivision entrances at the corner of Moe Road and Mystic Lane and Moe Road and Sugarbush Road.

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

WHEREAS, quotes were received by the Town Board as Commissioners of the Stoney Creek I Park District for the purchase and installation of two (2) entrance signs at the Aspenwood Subdivision entrances, and

WHEREAS, the lowest conforming quote for the work to be done is Vital Signs in an amount of \$3980.00; now, therefore, be it

RESOLVED, that the Town Board acting as Commissioners of the Stoney Creek I Park District hereby authorize Michael Handerhan, Director of Buildings and Grounds to hire Vital Signs for the purchase and installation of two (2) entrance signs at the Aspenwood Subdivision entrances, at a cost not to exceed \$3980.00 to be budgeted from SP9-7118-200 (Stoney Creek I Park District equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 202 of 2003, a resolution authorizing the hiring of Rifenburg Construction to pave the Dwaaskill Park parking lot.

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

WHEREAS, quotes were received by the Town Board as Commissioners of the Dwaaskill Park District for paving the parking lot at Dwaaskill Park, and

WHEREAS, the lowest conforming quote for the work to be done is Rifenburg Construction in an amount of \$9598.05; now, therefore, be it

RESOLVED, that the Town Board acting as Commissioners of the Dwaaskill Park District hereby authorizes Michael Handerhan, Director of Buildings and Grounds to hire Rifenburg Construction to pave the parking lot at Dwaaskill Park, at a cost not to exceed \$9598.05 to be budgeted from SP4-7135-200 (Dwaaskill Park District equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 203 of 2003, a resolution authorizing the Transfer Station to open with limited hours from 8:00 a.m. to 12:00 p.m. on holidays that are observed by the Transfer Station on Tuesdays for the year 2003.

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

WHEREAS, in observance of a Monday holiday, the Transfer Station closes on Tuesdays, and

WHEREAS, such practice has created a hardship to Town residents when a holiday falls on a Tuesday and the Transfer Station remains closed the full day, and

WHEREAS, the Town Board would like to allow residents the ability to use the Transfer Station for garbage collection only on a limited basis during a holiday that falls on a Tuesday; now, therefore, be it

RESOLVED, that the Transfer Station will be open for the limited use of garbage collection from 8:00 a.m. to 12:00 p.m. on Transfer Station holidays which are observed on Tuesdays.

Supervisor Barrett said this is being looked at as a trial run. He said only household garbage will be accepted, no recyclables or leaves and brush.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 204 of 2003, a resolution appointing Quiznn Frasier to permanent status as Assistant Director of Parks, Recreation and Community Affairs per Civil Service certification.

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

WHEREAS, Quiznn Frasier, 620 Clifton Park Center Road, Clifton Park, was provisionally appointed to the position of Assistant Director of Parks, Recreation and Community Affairs, and

WHEREAS, Quiznn Frasier successfully passed the Civil Service Exam for the position of Assistant Director of Parks, Recreation and Community Affairs and was certified as a permanent employee on April 14, 2003; now, therefore, be it

RESOLVED, that Quiznn Frasier, 620 Clifton Park Center Road, Clifton Park, is hereby appointed to permanent status as Assistant Director of Parks, Recreation and Community Affairs per civil service certification.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 205 of 2003, a resolution authorizing the hiring of Cliffside Services for work at Dwaaskill Park.

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

WHEREAS, quotes were received by the Town Board as Commissioners of the Dwaaskill Park District to install 2 berms and landscape the entrance area to Dwaaskill Park, and

WHEREAS, the lowest conforming quote for the work to be done is Cliffside Services in an amount not to exceed a cost of \$2395.00; now, therefore, be it

RESOLVED, that the Town Board acting as Commissioners of the Dwaaskill Park District hereby authorizes Michael Handerhan, Director of Buildings and Grounds to hire Cliffside Services to install 2 berms and landscape the entrance area to Dwaaskill Park, at a cost of \$2395.00 to be budgeted from SP4-7135-24 (Dwaaskill Park District-Landscaping)

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 206 of 2003, a resolution authorizing Walter Smead to attend the New York State Assessors' Association Seminar on Assessment Administration.

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

WHEREAS, Walter Smead, Assessor, has requested authorization to attend the New York State Assessors' Association Seminar on Assessment Administration at Lake Placid, NY, on September 8, 9 and 10, 2003, and

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

RESOLVED, that Walter Smead is hereby authorized to attend the New York State Assessors' Association Seminar at Lake Placid, NY, on September 8, 9 and 10, 2003 at a cost not to exceed \$716.00 to be paid from budget line item A1355-01 (Training/Conference).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 207 of 2003, a resolution authorizing the Supervisor to enter into a contract with Milliman USA to prepare projections on Post Retirement Health Benefits, other than Pension.

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

WHEREAS, the Government Accounting Standards Board has issued an exposure draft on Post Retirement Health Benefits, other than pensions, and

WHEREAS, Milliman USA has contacted the Town and would like to use actual data from the Town to be used for training purposes, and

WHEREAS, the Town will receive a written report based on the current exposure draft to determine the liability of the Town for Post Retirement Health Benefits, other than pension, and

WHEREAS, Milliman USA has agreed to prepare the report at a cost of 10% of their normal rates up to a maximum amount of \$1,000; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign an agreement with Milliman USA to prepare projections on Post Retirement Health Benefits, other than pension, with a maximum charge of \$1,000 to come from A-1320-18 (Auditor-Valuation).

Mr. Heggen explained this will be put into the financials in 2007 and updated every two to three years.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 208 of 2003, a resolution waiving permit fees for all not-for-profit groups up to \$150.00 and less collected by the Department of Building and Development for all not-for-profit groups and amending Resolution No. 251 of 1998.

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

WHEREAS, pursuant to Town Code, permit fees are collected by the Department of Building and Development, and

WHEREAS, certain not-for-profit groups frequently pay the permit fee in connection with various activities in the Town, and

WHEREAS, the Town Board wishes to support not-for-profit organizations in the Town; now, therefore, be it

RESOLVED, that the Town Board hereby waives permit fees of up to \$150 for all not-for-profit groups in the Town of Clifton Park and amends Resolution No. 251 of 1998.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 209 of 2003, a resolution permitting the consumption of alcoholic beverages at the Locust Lane Clubhouse for a private party.

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

WHEREAS, Town resident Christina Palmero, President of the Clifton Knolls Civic Association, has requested to serve alcoholic beverages on September 6, 2003 at the Association's celebration of its 40th year as a not-for-profit organization to be held at the Locust Lane Clubhouse, and

WHEREAS, pursuant to the Town code, the Town Board must approve of such request, and

WHEREAS, it is the Town's policy to require the using group to monitor the consumption of alcohol and be responsible for the groups activities; now, therefore, be it

RESOLVED, that Christina Palmero, President of the Clifton Knolls Civic Association, is authorized to serve alcoholic beverages on September 6, 2003 for a private party being held at the Locust Lane Clubhouse contingent upon the execution of an indemnification and hold harmless agreement in favor of the Town.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 210 of 2003, a resolution amending the Town's 457 Plan to conform with New York State regulations.

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

WHEREAS, pursuant to Section 5 of the New York State Finance Law ("Section 5") and the Regulations of the New York State Deferred Compensation Board (the "Regulations"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of the Town of Clifton Park (the "Model Plan") and offers the Model Plan for adoption by local employers, and

WHEREAS, the Town of Clifton Park, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of the Town of Clifton Park, and

WHEREAS, effective January 1, 2003, the Board amended the Model Plan to adopt provisions relating to regulations pertaining to Section 457 and Section 401(a)(9) of the Internal Revenue Code, technical amendments to the Economic Growth and Tax Relief Reconciliation Act of 2001 ("EGTRRA") as they apply to the Model Plan and to adopt modifications that update certain administrative provisions, and

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to

each Model Plan sponsored by a local employer in accordance with the Regulations, and WHEREAS, upon due deliberation, the Town of Clifton Park has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of the Town of Clifton Park by adopting the amended and restated Model Plan, and WHEREAS, the Deferred Compensation Committee has decided to permit loans under this plan, and has established clear procedures for the administration of loans in accordance with Section 6.5 of the Model Plan Document, with Section 9001.4(d) of the Rules & Regulations, and with Sections 457 and 72(p) of the Internal Revenue Code and any Treasury Regulations promulgated there under; now, therefore, be it

RESOLVED, that the Town of Clifton Park hereby amends the Deferred Compensation Plan for Employees of the Town of Clifton Park effective August 18, 2003 by adopting the amended and restated Model Plan effective January 1, 2003, in the form attached hereto as Exhibit A.

Councilman Roth recommended an informational session for employees regarding loans and their repayment. Mr. Heggen said there will be meetings.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 211 of 2003, a resolution setting a public hearing to consider a Local Law of 2003, a local law establishing the new B4A (Highway Business/Restricted Retail) Zoning District, and changing the zoning from B3 to B4A along a certain portion of Route 9, per attached Exhibit A, and amending Local Law No. 10 of 1996, the Zoning Code of the Town of Clifton Park, as amended.

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

WHEREAS, the Town Board wishes to consider creating a new zoning district which would contain the same permitted uses of the current B4 (Highway Business) Zoning District except that retail establishments would be limited to a maximum of 30,000 square feet of total gross floor space, and

WHEREAS, the environmental significance of the proposed Local Law will be reviewed at said public hearing, and

WHEREAS, the proposed local law establishing the new B4A zoning district is attached hereto and the proposed zoning change map and list of affected parcels are on file at the Town Clerk's office; now, therefore, be it

RESOLVED, that a Public Hearing be scheduled for September 2, 2003 at 7:10p.m. in

the Wood Memorial Room at One Town Hall Plaza, Clifton Park to consider Local Law No. ___ of 2003, a local law establishing the new B4A (Highway Business/Restricted Retail) zoning district; and be it further

RESOLVED, that the Director of Planning and the Town Clerk mail and publish, respectively, appropriate notice of said hearing.

Supervisor Barrett noted there has been a previous public hearing in this regard and both Messrs. Kelley, Chairman of the ZBA, and Clemens, Director of Building and Zoning spoke positively about a zoning change in the Route 9 area.

Councilman Roth said this area of Route 9 is primarily retail and commercial with only a couple of residences. This change is necessary to make the area business friendly instead of businesses having to go through zoning variances. He said this also addresses size of buildings.

Councilman Paolucci asked if this local law adds another type of zoning designation called B4A, as well as changing the zoning along a certain portion of Route 9.

Town Attorney Trainor responded yes and explained initially this was proposed as two separate public hearings and for expediency it was thought the two could be combined.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Bob Renna, 26 Blue Jay Way, reported drainage problems in the back of his property and distributed photos. He asked if there is anything that can be done to alleviate this problem.

It was noted both Messrs. Kemper and Clemens are reviewing the situation.

Mr. Kemper said the problem is this subdivision was approved in the mid to late '80s and there are no easements in place for this section of Peacock Glen. He reported two or three landowners are in the process of speaking with an engineer to see if the ditch can be redesigned.

Tiberiu Siclovan, 22 Blue Jay Way, said he would like to see this issue resolved and asked the Town Board to keep an eye on what is going on in the area.

Norman Goldman, London Square Drive, said he asked that the Sr. Van Dispatcher collect data on unmet need and wondered if this has been done. He recommended putting money aside for a third senior bus or van.

Supervisor Barrett said the existing van will be retired and a new handicapped van purchased.

Mr. Goldman asked if there is a manual for the decimeter.

Mr. Shahan responded yes and it is available for Mr. Goldman's review.

MOTION by Councilman Roth, 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 9:22 p.m.

Patricia O'Donnell
Town Clerk