

Clifton Park Town Board Meeting Minutes

May 10, 2004

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
Donald Clemens, Director of Building and Zoning
Patricia Haffner, Director of Parks, Recreation and Community Affairs
Michael Handerhan, Supervisor of Buildings and Grounds
Jason Kemper, Director of Planning
Barbara McHugh, Director of Community Development
Michael Shahan, Town Administrator

MOTION by Councilman Roth, seconded by Councilwoman Walowit, to approve the minutes of the April 19, 2004 meeting as presented.

ROLL CALL VOTE

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

Noes: None

Abstain: Councilman Paolucci

MOTION CARRIED

Supervisor Barrett announced the May 12, 2004 Western Part of Town GEIS Workshop has been moved from the Town Hall to the Shenendehowa Senior Center.

PRESENTATION

Diane Eusepi, President of the Shenendehowa Senior Citizens, thanked the Town Board for the new space at the Senior Center. She presented a plaque to Mike Handerhan, Supervisor of Buildings and Grounds, in appreciation of the remodeling and

reconstruction work done by the staff of Buildings and Grounds. Mrs. Eusepi thanked Councilman Paolucci, liaison to the Senior Center, for his efforts in this process. Councilman Paolucci praised Mr. Handerhan and his staff for their outstanding craftsmanship in the remodeling work.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 124 of 2004, a resolution creating the position of Safety Officer and appointing Louis Pasquarell to the position.

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

WHEREAS, the Saratoga County Civil Service Commission has approved the job title of Safety Officer for the Town of Clifton Park, at Grade 5 per attached Schedule A, and

WHEREAS, the Town of Clifton Park wishes to create the position of Safety Officer and current employee Louis Pasquarell has been recommended to fill the position; now, therefore, be it

RESOLVED, that effective immediately, Louis Pasquarell, Vischer Ferry Road, Clifton Park, is hereby appointed as Safety Officer, at pay Grade 5, Step 2, (\$30, 047), to be paid with a transfer from Un-Appropriated Fund Balance to A-3010-E256 (Public Safety Administration).

Supervisor Barrett explained this position is needed as the town continues to grow with more personnel, equipment, parks and recreational areas and events. He noted this is subject to a civil service exam in the future. Councilman Roth stated he supports the resolution, noting this is a preventative maintenance position. He recommended the creation of a Safety Committee made up of members of the Highway, and Buildings and Grounds Departments, as well as representatives from Town Hall as a Safety Officer needs feedback. He offered to be liaison to the Committee if formed.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 125 of 2004, a resolution authorizing the Assistant Comptroller to attend the Fourth Annual Town Finance and Management School.

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

WHEREAS, Comptroller Mark Heggen has requested authorization to send the Assistant Comptroller, Denise Burrall, to the Fourth Annual Town Finance and Management School in Saratoga Springs, from May 12-14, 2004, and

WHEREAS, attendance at this conference by the Assistant Comptroller 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 Denise Burrall is hereby authorized to attend the Fourth Annual Town Finance and Management School in Saratoga Springs, May 12-14, 2004, at a cost not to exceed \$175 per person, to be paid from A-1315-1 (Comptroller-travel and conference) to be vouchered appropriately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 126 of 2004, a resolution authorizing the hiring of two summer workers for the Buildings and Grounds Department.

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

WHEREAS, a need exists for summer workers in the Buildings and Grounds Department, and

WHEREAS, Michael Handerhan, Buildings and Grounds Supervisor, has recommended that Christopher Mott, 5 Arbor Lane, Clifton Park and Andrew Merwin, 37 Pepper Hollow, Clifton Park, be hired to fill these positions; now, therefore, be it

RESOLVED, that Christopher Mott, 5 Arbor Lane and Andrew Merwin, 37 Pepper Hollow, are hired as summer staff for the Buildings and Grounds Department, at \$8.00 per hour, to be paid as budgeted from A7110 E4000, (Buildings and Grounds Summer Hire), effective immediately.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth,

Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 127 of 2004, a resolution to establish a permanent membership structure for the Citizen Corps Council.

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

WHEREAS, the Citizen Corps Council was created in Clifton Park by Resolution No. 317 of 2003, and

WHEREAS, the Town of Clifton Park wishes to establish a permanent membership structure for the Citizen Corps Council to help provide for continuity and consistency, and

WHEREAS, the Citizen Corps Council members approved Schedule A, a list of organizations and members to be appointed at their April 22, 2004 meeting; now, therefore, be it

RESOLVED, that the organizations listed in Schedule A shall be permanent members of the Council, and be it further

RESOLVED, that the individual representatives of the permanent organization members listed in Schedule A are hereby appointed to serve a two (2) year term, to expire December 31, 2005, but there shall be no limit to the number of terms an individual representative may be appointed to serve; and be it further

RESOLVED, that the Citizens at Large members of the Council listed in Schedule A are hereby appointed to one (1) year terms, to expire December 31, 2004, but there shall be no limit to the number of terms a Citizen at Large may be appointed to serve.

Supervisor Barrett thanked Myla Kramer and Barbara McHugh for putting the Committee together.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 128 of 2004, a resolution awarding the bid for lawn fertilization services for the Longkill I Park District.

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

WHEREAS, sealed bids were received and opened on March 19, 2004 for lawn fertilization services, and

WHEREAS, TruGreen Lawn Services was the sole bidder for lawn fertilization services, and

WHEREAS, Michael Handerhan, Supervisor of Buildings and Grounds, recommends that the Town Board accept the bid of TruGreen Lawn Services for the Longkill I Park District per the attached Schedule A; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Longkill I Park District, hereby accepts the bid of TruGreen Lawn Services for the Longkill I Park District per the attached Schedule A at a total cost of \$4785 to be budgeted from SP5-7123-24 (Longkill I Park District Maintenance).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 129 of 2004, a resolution awarding a contract for landscaping services for Longkill I Park District.

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

WHEREAS, quotes were received by the Town Board, as Commissioners of the Longkill I Park District, for landscaping and lawn services for Longkill I Park District, and

WHEREAS, the lowest conforming quote for the work to be done was \$19,063, and

WHEREAS, the Town Board desires to award the contract to the lowest responsible landscaper for the work to be performed, Staucet's Lawn Care, in the amount of \$19,063; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Longkill I Park District, hereby award the contract to Staucet's Lawn Care for landscaping and lawn services for Longkill I Park District at a cost not to exceed \$19,063 to be budgeted from SP5-7123-24 (Longkill I Park District Maintenance).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 130 of 2004, a resolution hiring summer help for the Clifton Knolls/Mill Creek Park District.

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

WHEREAS, a need has been identified for summer help at the Clifton Knolls/Mill Creek Park District to do watering and light landscaping chores, and

WHEREAS, Eric Flynn, 15 Beechwood Drive, Clifton Park, has been recommended to be hired for this position; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Clifton Knolls/Mill Creek Park District, hereby authorizes the summer hiring of Eric Flynn, 15 Beechwood Drive, Clifton Park, for the Clifton Knolls/Mill Creek Park District at \$7.50 per hour, effective immediately, to be paid from SP3-7131-24 (Clifton Knolls/Mill Creek Park District Maintenance).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 131 of 2004, a resolution authorizing the transfer of \$5,000 from contingency for utilities and renovations at the Public Safety Building.

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

WHEREAS, the Town Board has made a commitment to provide free rent to the New York State Police at the Public Safety Building, and

WHEREAS, the Town Board has made a commitment to provide free of charge all utilities and maintenance to the New York State Police, and

WHEREAS, the New York State Police have been hampered in conducting some of their activities due to lack of space; now, therefore, be it

RESOLVED, that the Town Board makes a further commitment to allow the New York State Police to occupy an additional 1200 square feet of space at the Public Safety Building with the same terms of free rent, utilities and maintenance to assure the State Police continue their presence in the Town of Clifton Park; and be it further

RESOLVED, that \$3,000 be transferred to A-1621-002 (Utilities) and \$2,000 transferred to A-1621-024 (Repairs and Maintenance) from the Contingency Fund.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 132 of 2004, a resolution referring the Village Plaza Planned Development District amendment to the Planning Board for review and comment.

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

WHEREAS, application has been made to the Town Board for the amendment to the Village Plaza Planned Development District, and

WHEREAS, the Town Code requires a review of all PDD applications by the Planning Board; now, therefore, be it

RESOLVED, that the Village Plaza Planned Development District amendment is hereby referred to the Town Planning Board for review and comment and that the Planning Board report back to the Town Board within 60 days.

Councilman Roth said he will not support the resolution at this point in time because when this PDD was amended previously he expressed concern that green space was being taken; however, he voted to approve the amendment in order for the town to get the

“pond property” at the end of Clifton Country Road and to environmentally maintain it in the future. He doesn’t feel there should be new buildings until the vacant retail sites are rented. Supervisor Barrett reported sales tax generates approximately 80 percent of the town’s revenue. Councilman Speckhard asked that Councilman Roth’s comments be attached to the PDD application when it goes to the Planning Board. He said the Code requires the Town Board to pass an PDD application on to the Planning Board. Councilwoman Walowit said her recollection is when the amendment was proposed (in 1998) the applicant said they would not come back again. Councilman Paolucci said he’s not sure the application is complete. He said the Code allows the Town Board to pass the application to the Planning Board. He said in the past, if the Town Board had any desire not to pass the amendment or PDD, to be efficient, it was not forwarded to the Planning Board. He asked if this proposed 8000 square foot building was on the original plan or if it is new. Mr. Kemper responded this was not on the original plan. Councilman Paolucci said the application does not reference green space. He doesn’t think this proposal was taken into account in the GEIS, doesn’t know the impact that it will have on the cumulative PDD and before asking the Planning Board for a review he would like to see this information. Supervisor Barrett said the green space would be part of the Planning Board review and at this point it would be prudent to attach these comments to the application or send separate letter to the Planning Board, along with the minutes, to let them get started with their review. Councilman Paolucci said he will not vote for this amendment when it comes back from the Planning Board if the green space isn’t right and the Board should know upfront what it is sending to the Planning Board. Supervisor Barrett responded he would like to have the Planning Board give us the information rather than the developer. Mr. Kemper said a more detailed site plan is necessary and he will research what previous approvals have been granted and what promises were or were not made. It was decided to table this resolution until more information is received.

MOTION TO TABLE by Councilman Paolucci, seconded by Councilman Speckhard,

ROLL CALL VOTE ON MOTION

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

Noes: None

MOTION CARRIED

Resolution No. 133 of 2004, a resolution authorizing the hiring of pool staff as per Schedule A.

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

WHEREAS, the Director of Parks, Recreation and Community Affairs has recommended that individuals listed in Schedule A be hired as part of the pool staff for the summer, and

WHEREAS, the wages to be paid to the hired individuals is listed in Schedule A as budgeted; now, therefore, be it

RESOLVED, that the individuals listed in Schedule A attached hereto be hired as part of the pool staff for the Town of Clifton Park for the summer of 2004 pool season effective immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 134 of 2004, a resolution authorizing the Highway Superintendent to install "No Parking" signs on Park side Trail.

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

WHEREAS, the residents of Parkside Trail have brought to the Town Board's attention a potentially dangerous situation on Parkside Trail, and

WHEREAS, during some Park activities, people are parking on both sides of Parkside Trail, not only creating a traffic hazard but also curtailing the potential safe passage of emergency vehicles; now, therefore, be it

RESOLVED, that the Highway Superintendent is hereby authorized to make portions of Parkside Trail, adjacent to Town owned recreational facilities, on both sides, a "No Parking" area with signs to be placed accordingly; and be it further

RESOLVED, that the Town's Security Force is directed to issue citations to anyone parking within the designated "No Parking" area as authorized in the Town Code.

Supervisor Barrett said no parking signs will not work. He said the Monday through Thursday practices have been moved to the school and another location is needed for the Saturday events. Councilman Paolucci said he believes the residents want the fields used but there is an issue with parking. He agreed that no parking signs will not fix the situation and asked if a solution isn't found does that mean the Parkside fields won't be used He mentioned Parkside Trail resident Chris Lemire's recommendation at the May 3rd Town Board meeting of an auxiliary parking facility south of the soccer fields. Supervisor Barrett said there is no way to solve the parking problems and it is necessary to shift activities to other areas. He said the field can be used on a limited basis; e.g. an

extra practice or for the town recreational programs. Councilman Speckhard said he does not want to see the soccer league blamed for this situation. Supervisor Barrett responded it is not the soccer leagues fault but a failing of the town and the situation can't continue. The Town Board agreed the wording in the first Resolve should be changed from "the full length of Parkside Trail" to "portions of Parkside Trail adjacent to town owned recreational facilities on both sides".

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 135 of 2004, a resolution authorizing the Director of Building and Zoning to purchase a Model Year 2004 Ford Ranger XLT Supercab, 4 x 4 pickup truck for the Building Department.

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

WHEREAS, Donald Clemens, Director of Building and Zoning, has identified the need for a new vehicle for use by the Building Department, and

WHEREAS, the Director of Building and Zoning has requested authorization to purchase a Model Year 2004 Ford Ranger 4 x 4 pickup truck under state contract as described in Schedule A; now, therefore, be it

RESOLVED, that Donald Clemens, Director of Building and Zoning, is hereby authorized to purchase a Model Year 2004 Ford Ranger 4 x 4 pickup truck under state contract from Genesee Truck Sales, Henrietta, NY as described in Schedule A at a cost not to exceed \$15,375.25 with the funds to come from A-3620-200 (Building-Equipment) as budgeted.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 136 of 2004, a resolution authorizing the hiring of Catherine DeSantis as a temporary seasonal clerk in the Department of Building and Development.

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

WHEREAS, the need exists to employ a temporary seasonal clerk to assist the Department of Building and Development, and

WHEREAS, the Director of the Department of Building and Development has recommended Catherine DeSantis, 98 Stony Creek Drive, Clifton Park, for the position and the Town Board has considered the same; now, therefore, be it

RESOLVED, that Catherine DeSantis, 98 Stony Creek Drive, Clifton Park, is hereby appointed temporary seasonal clerk to assist the Department of Building and Development commencing May 11, 2004 through September 10, 2004 at a rate of \$10.00 per hour, to be paid from budget line A-03620-E4000 (Building & Development – Seasonal Staff).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 137 of 2004, a resolution appointing Robert Leonard to permanent status as a part-time Security Officer per Civil Service certification.

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

WHEREAS, Robert Leonard, 14 Noord Lane, Ballston Lake, was provisionally appointed to the position of Security Officer for the Town of Clifton Park, and

WHEREAS, Robert Leonard successfully passed the Civil Service Exam for the position of Security Officer and was certified as a permanent employee on May 7, 2004; now, therefore, be it

RESOLVED, that Robert Leonard is hereby appointed to permanent status as a part-time Security Officer for the Town of Clifton Park, per Civil Service Certification as of May 7, 2004.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 138 of 2004, a resolution appointing Brian Della Porta to permanent status as part-time Security Officer per Civil Service certification.

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

WHEREAS, Brian Della Porta, 9 Chevy Chase Lane, Clifton Park, was provisionally appointed to the position of Security Officer for the Town of Clifton Park, and

WHEREAS, Brian Della Porta successfully passed the Civil Service Exam for the position of Security Officer and was certified as a permanent employee on May 7, 2004; now, therefore, be it

RESOLVED, that Brian Della Porta, 9 Chevy Chase Lane, Clifton Park, is hereby appointed to permanent status as a part-time Security Officer for the Town of Clifton Park per Civil Service Certification as of May 7, 2004.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Daniel Hulihan, 32 Blue Jay Way, Rexford, reported the swale behind his house in which his sump pump drains is being filled in by a neighbor and asked where his sump pump can drain. He asked who will maintain pipes that have been installed under the swale.

Mr. Kemper said he was not aware of this particular situation but will look at it.

Henry Boyars, 30 Blue Jay Way, Rexford, addressing the same issue, said several properties uphill from his have been filling in the swale without any consideration of the consequences as this is just moving water to the next individual's property. Mr. Boyars said when he bought his home he was told there was an easement behind his property. He asked if filling in the swale would require authorization of the Building Department.

Mr. Kemper said the town could not stop the people from filling in the trench. He explained every person along that line that put in a pipe submitted information from an engineer to the Planning Department verifying that it had capacity to handle whatever

was upstream. He said no standing water was created from any pipe being installed along the swale. Mr. Kemper reported the water goes to a catch basin and into the ponds at the end of Blue Jay Way. He said since the top course was put in he has not seen any standing water.

David VanDusen, 28 Blue Jay Way, Rexford, said he is concerned about flooding in general in the area. He asked who is responsible for the swale if it gets backed up.

Supervisor Barrett said he would be happy to act as intermediary between neighbors if necessary.

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 8:40 p.m.

Patricia O'Donnell
Town Clerk