

**Clifton Park Town Board Meeting Minutes
February 7, 2005**

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 Roth
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Absent: Councilman Speckhard

Also Present: Town Attorney Trainor
Patricia Haffner, Director of Parks, Recreation and Community Affairs
Jason Kemper, Director of Planning
Michael O'Brien, Environmental Specialist
Michael Shahen, Town Administrator

MOTION by Councilman Paolucci, seconded by Councilwoman Walowit, to approve the minutes of the January 10 and 18, 2005 meetings as presented.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett thanked Pat Haffner and Mike Handerhan for their work involved with the successful Winter Block Party. He thanked Twin Bridges Rotary for their donation of the flag pole and stone for the "Spirit of Volunteerism Park" located at the corner of Moe and Clifton Park Center Roads. The dedication of the flagpole was held February 5, 2005.

Councilman Roth stressed the importance of the Citizen Corp Council and knowledge of CPR.

Councilman Roth updated the Board on the progress of the Committee on Middle and Lower Income Senior Housing. He reported Wartburg Lutheran is interested in developing a project in town, as well as Omni Housing Development. He said he will approach state and federal departments as to how block funding can be found.

County Supervisor Anita Daly spoke in support of the appointment of Richard Kukuk for Highway Superintendent, noting his management skills, attention to detail, tireless volunteerism and ability to work with people as evidenced by his commitment and eleven year tenure as Chairman of the Clifton Park Water Authority. Supervisor Daly said Mr. Kukuk's proven background in finance will work well for the town.

Supervisor Barrett said Mr. Gerard was a great public servant and co-worker who did so much for the Town of Clifton Park. The Supervisor asked for a moment of silence in memory of Lou Gerard.

Supervisor Barrett acknowledged the passing of Town Engineer Jack McDonald's wife, Joann, and Ed Renzi, husband of former Assessment Clerk Nancy Renzi.

MOTION by Supervisor Barrett, seconded by Councilman Paolucci, to move into Executive Session to discuss a legal matter and a personnel issue.

Motion carried at 7:22 p.m.

In attendance: Supervisor Barrett, Councilman Paolucci, Councilman Roth, Councilman Walowit, Town Attorney Trainor, Deputy Town Attorney Renzi, Town Administrator Shahan, Town Clerk O'Donnell. Absent: Councilman Speckhard

Regarding the personnel issue, discussion ensued as to the Grade and Step for the Superintendent of Highways. It was unanimously agreed this position would continue as a Grade 13 and at this time Step 1, with a salary of \$58,534.

Regarding the legal matter, no action was taken.

MOTION to return to the regular meeting. Motion unanimously carried at 8:00 p.m.

PUBLIC PRIVILEGE

No one wished to be heard.

Resolution No. 22 of 2005, a resolution permitting the consumption of alcoholic beverages at the Locust Lane Clubhouse for a Clifton Knolls Mill Creek Civic Association event.

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

WHEREAS, Loretta Parsons, President of the Clifton Knolls Mill Creek Civic Association, has requested permission to serve alcoholic beverages on March 12, 2005 at a Civic Association Wine and Cheese Party to be held at the Locust Lane Clubhouse, and

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

RESOLVED, that the Clifton Knolls Mill Creek Civic Association is authorized to serve alcoholic beverages on March 12, 2005, from 8 -11 pm, at a Civic Association Wine and Cheese 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 Roth,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 23 of 2005, a resolution appointing Chaule Unlimited to provide janitorial services during sports league play in Town Parks.

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

WHEREAS, it is both necessary and appropriate to appoint janitors for Town parks during sports league play from April 1, 2005, through October 31, 2005, and payment for these services has been budgeted for 2005; now, therefore, be it

RESOLVED, that Chaule Unlimited, 26 Stonegate Road, Ballston Lake, be appointed as janitors serving Town parks through the completion of sports league play, at a cost not to exceed \$18,823 for the year (\$2,689 per month), to be paid as budgeted from A-7112-23 Clifton Common Cleaning \$14,117, A-7113-23 Collins Park Cleaning \$3,765, and A-7024-23 Veteran's Park Cleaning \$941.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 24 of 2005 a resolution setting a public hearing to consider adoption of Local Law No. _____ of 2005, a local law amending Chapter 208, Zoning, Article II, Section 7, Definitions, Article IX, Light Industrial Districts, L1, Section 64, Permitted and prohibited uses and Section 111, Penalties.

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

WHEREAS, the Town Board is considering amending Article II, Section 7, Article IX, Section 64 and Section 111 of the Town Code regarding Chapter 208, Zoning, and

WHEREAS, the Town Board wishes to solicit the comments of the Town's citizens regarding the proposed changes; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for February 28, 2005, at 7:20 PM in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, to consider the adoption of Local Law No. _____ of 2005, a local law amending Chapter 208, Zoning as per the attached Exhibit A and the Town Clerk is directed to publish notice of the same.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 25 of 2005, a resolution reclassifying Kathy Boni's title from Account Clerk Typist to Senior Account Clerk with the recommendation and approval of the Saratoga County Department of Personnel.

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

WHEREAS, the job title of Kathy Boni has been reclassified by the Saratoga County Department of Personnel; now, therefore, be it

RESOLVED, that Kathy Boni's title reclassification is hereby approved by the Clifton

Park Town Board from Account Clerk Typist to Senior Account Clerk, Competitive, Grade 5, Step 4 (\$32, 514) salary difference of \$3,100 to be paid from A-7021-015 (Parks & Recreation-Boni), retroactive to January 1, 2005.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 26 of 2005, a resolution scheduling a public hearing regarding the establishment of the Clifton Park Sewer District No. 1.

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

WHEREAS, the CK Sanitary Sewer system was abandoned by its owners to the Town of Clifton Park (the Town) December 1, 2004, and

WHEREAS, a map, plan and report (the "Maps and Plans") have been prepared in a manner and detail as determined by the Town Board regarding the establishment of a proposed Sewer district comprising the property previously served by CK Sanitary Sewer System, and

WHEREAS, the Maps and Plans have been filed in the Town Clerk's office and are available for public inspection during regular business hours, and

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

WHEREAS, no immediate improvements to the sewer system are anticipated, all as more particularly described in the Maps and Plans, and

WHEREAS, the cost of the proposed district to the typical property in the district is estimated to be approximately \$159.50 per year. No additional hook-up fees are anticipated. A detailed explanation of how the estimated cost of the district to the typical property was computed and is on file with the Town Clerk for public inspection during regular business hours, and

WHEREAS, the rates for the calendar year beginning January 1, 2005 and ending July 1, 2005 will be as follows:

Annual Rate Semi-Annual Rate
January 1, 2005 \$158.00 \$79.00
July 1, 2005 \$161.00 \$80.50

and

WHEREAS, in addition, each property is located within the Saratoga County Sewer District and will pay an annual transportation and treatment charge currently in the amount of \$138; now, therefore, be it

RESOLVED, that the Town Board will hold a public hearing to hear all persons interested in the establishment of the Clifton Park Sewer District No.1 which public hearing shall be held in Wood Memorial Room, 1 Town Hall Plaza, in the Town of Clifton Park on February 28, 2005 at 7:10 PM, and be it further

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

Supervisor Barrett explained with the abandonment of CK Sanitary Sewer Systems, it is necessary to form a taxing district but stated nothing is going to change. The Supervisor commended Environmental Specialist O'Brien for his work involved with this sewer system.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 27 of 2005, a resolution authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

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

WHEREAS, a Project for the Reconstruction of Clifton Park Center Road, Ushers Road and Vischer Ferry Road from Miller Road to Moe Road, Van Patten Drive to CR 82 and Route 146 to Clifton Park Center Road, P.I.N. 1753.43 ("the Project") is eligible for funding under Title 23 U. S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal

funds, and

WHEREAS, the Town of Clifton Park desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering and ROW Incidentals.

Now therefore the Town Board, duly convened does hereby

RESOLVE, that the Town Board hereby approves the above-subject project, and it is hereby further

RESOLVED, that the Town Board hereby authorizes the Town of Clifton Park to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering and ROW Incidentals work for the Project or portions thereof, and it is further

RESOLVED, that the sum of \$935,000.00 (Nine hundred thirty five thousand dollars and no cents) had already been appropriated from Highway Department funds and made available to cover the cost of participation in the Preliminary Engineering and ROW Incidentals phases of the Project, and it is further

RESOLVED, that the sum of \$184,500.00 (One hundred eighty four thousand five hundred dollars and no cents) has already been appropriated from H9-3310-140 and made available to cover the cost of participation in the ROW Acquisition phase of the Project, and it is further

RESOLVED, that an additional sum of \$177,000.00 (One hundred seventy seven thousand dollars and no cents) is hereby appropriated from H9-3310-140 and made available to cover the additional cost of participation in the Preliminary Engineering phase of the Project, and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Town Board of the Town of Clifton Park shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Town Supervisor of the Town of Clifton Park be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Town of Clifton Park with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 28 of 2005, a resolution appointing Margaret Kasky to permanent status as a Senior Account Clerk per Civil Service certification.

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

WHEREAS, Margaret Kasky, 12 Garrison Lane, Ballston Lake, was provisionally appointed to the position of Senior Account Clerk in the office of Buildings and Grounds, and

WHEREAS, Margaret Kasky successfully passed the Civil Service Exam for the position of Senior Account Clerk and was certified as a permanent employee on February 2, 2005; now, therefore, be it

RESOLVED, that Margaret Kasky, 12 Garrison Lane, Ballston Lake, is hereby appointed to permanent status as a Senior Account Clerk in the office of Buildings and Grounds per Civil Service Certification as of February 2, 2005.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 29 of 2005, a resolution appointing Kelly Miller as a permanent Assessment Clerk in the Assessor's Office.

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

WHEREAS, Kelly Miller had previously been hired as a full time permanent Assessment Clerk on a contingency basis, and

WHEREAS, a vacancy now exists in the Assessor's Office for a full time permanent Assessment Clerk, and

WHEREAS, Walter Smead, Assessor, has recommended that Kelly Miller, 13 Kimberly Court, Clifton Park, be hired for the position as a full time permanent Assessment Clerk and the Town Board has considered the same; now, therefore, be it

RESOLVED, that Kelly Miller, 13 Kimberly Court, Clifton Park, is hereby appointed as a full time permanent Assessment Clerk in the Assessor's Office per Civil Service certification.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 30 of 2005, a resolution appointing Richard Kukuk to the position of Highway Superintendent.

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

WHEREAS, due to the recent retirement of Highway Superintendent Louis W. Gerard an opening exists for the position of Highway Superintendent, and

WHEREAS, the Town Board wishes to appoint Richard Kukuk, 6 Bradbury Court, Clifton Park, to fill the unexpired term of Highway Superintendent Louis W. Gerard; now, therefore, be it

RESOLVED, that Richard Kukuk, 6 Bradbury Court, Clifton Park, is hereby appointed to the position of Highway Superintendent to fill the unexpired term of Louis W. Gerard,

term to expire December 31, 2005, at a salary of \$58,534 Grade 13, Step 1, effective immediately.

Supervisor Barrett noted Mr. Kukuk has been the Clifton Park Water Authority Chairman for over a decade, steering the Water Authority through its roughest times, and thanked him for all his work with the Water Authority.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Mr. Kukuk offered his resignation from the Clifton Park Water Authority since he has been appointed as Superintendent of Highways, an elective position.

In his capacity as Supervisor, Supervisor Barrett appointed Helmut Gerstenberger as Chairman of the Clifton Park Water Authority, noting he has his and the Board's full confidence.

PUBLIC PRIVILEGE

No one wished to be heard.

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 8:38 p.m.

Patricia O'Donnell
Town Clerk