

**Clifton Park Town Board Meeting Minutes
March 21, 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 Speckhard
Councilman Roth
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Also Present: Town Attorney Trainor
Patricia Haffner, Director of Parks, Recreation and Community Affairs
Jason Kemper, Director of Planning
Michael Shahan, Town Administrator

MOTION by Councilman Paolucci, seconded by Councilman Roth, to approve the minutes of the March 7, 2005 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Councilman Speckhard asked that two resolutions he has distributed to the Town Board regarding the Rexford Water District be brought to the table this evening. Councilman Paolucci asked that the Resolution regarding hook up fees for new users of the Rexford Water system be held until it can be reviewed further.

Councilman Roth announced the annual Special Collection Day has been scheduled for October 1, 2005.

Supervisor Barrett presented the following Resolution to Kathryn Gleason.

Resolution No. 66 of 2005, a resolution honoring Kathryn “Kitty” Gleason on the occasion of her recognition by AARP as a “Special Woman of Achievement”.

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

WHEREAS, Kathryn “Kitty” Gleason of Coachman Square, Clifton Park, has been an active volunteer in many organizations in the Town of Clifton Park over the last twenty-five years, most notably with CAPTAIN, the YMCA and as a volunteer in the Family Assistance and We Care Referral Programs, and

WHEREAS, Kitty has been intimately involved with CAPTAIN for nineteen years as Manager of CAPTAIN’S Treasures Shop, Volunteer Coordinator, Principal Caregiver, and “Cheerleader”, and

WHEREAS, AARP has recently recognized Kitty as a “Special Woman of Achievement”; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park wishes to thank Kathryn “Kitty” Gleason for all her volunteer services on behalf of the residents of Clifton Park and honors her on the occasion of her recognition by AARP as a “Special Woman of Achievement”.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

MOTION BY Councilman Paolucci, seconded by Councilwoman Walowit, to move into Executive Session for the purpose of discussing litigation.

Motion carried at 7:10 p.m.

In Attendance: Supervisor Barrett
Councilman Paolucci
Councilman Speckhard
Councilman Roth
Councilwoman Walowit
Town Attorney Trainor
Town Administrator Shahan

Town Clerk O'Donnell

Discussed was held regarding litigation. No action was taken.

MOTION by Councilman Paolucci, seconded by Councilwoman Walowit, to return to the regular meeting. Motion carried at 7:50 p.m.

PUBLIC HEARING, 7:10 PM
TO CONSIDER A LOCAL LAW CREATING THE CLIFTON PARK-HALFMOON
LIBRARY DISTRICT PLANNED UNIT DEVELOPMENT DISTRICT

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on March 14, 2005. .

Supervisor Barrett explained this second public hearing is necessary since 500 foot notices were not sent by the applicant prior to the first public hearing.

The public hearing was opened for comments from the audience at 7:55 p.m.

Norman Goldman, London Square Drive, stated this community deserves a library that will meet the needs of residents and a large, busy, heavily trafficked facility is not compatible with a residential neighborhood in a residential zone. He said residents in a residential neighborhood have a right to expect that their neighborhood will not be negatively impacted by imposition of such a facility. Mr. Goldman stated the Town Board has gone to great lengths to protect certain residents where much less harm, if any, was being done to a residential neighborhood and is less considerate of the Moe Road residents. He said if more people understood that for the next nine years a bond will still be paid on the old library, the vote might have been different. Mr. Goldman asked if any of the 500 foot notices were undeliverable. Mr. Vuillaume responded two were non deliverable and 34 were deliverable.

Supervisor Barrett said the comments made two weeks ago are part of the record.

Eileen Mendoza, Center Court, asked what happened with the Maxwell Road Environmental Statement regarding water and traffic and was this taken into consideration for the Moe road site. Mr. Kemper said Ms. Mendoza is referring to the Exit 9 GEIS and the extension of Maxwell Road South was an alternative within that GEIS. Mr. Kemper was GEIS was not completed for the library site. He stated this is a Type 1 action under SEQRA and it is up to the Town Board to decide whether or not there will be a significant impact to the environment. Ms. Mendoza asked that an EIS be done for this area. She stated traffic will increase significantly at the Moe and Clifton Park Center Roads intersection. In response to Ms. Mendoza's question, Supervisor Barrett said a traffic study has been done. Ms. Mendoza asked that the speed limit be reduced from 40 to 35 or 30 miles per hour. She questioned how the library vote could be held before a zoning change took place.

Gordon Nicholson, Environmental Design Partnership, representing the Clifton Park Halfmoon Library, explained the purpose of easements shown on the plans. He stated the library will have no impact on drainage in the area and the project will not increase off site run off. He said if the legislation is approved, a detailed engineering review will be held at the Planning Board level.

Darren McGee, 470 Moe Road, home across from the proposed site, asked who would be lead agency. Mr. Kemper explained the Town Board would be lead agency with input from DEC, Department of Health, DOT, and the Saratoga County Planning Department. Mr. McGee asked if this information was being given to the Latham Water District. Mr. McGee said the library vote should not have taken place before any zoning change.

Supervisor Barrett said it is important to see what the final product was going to be.

Mr. McGee expressed concern with motor oils and antifreeze going into the stormwater management system and getting into a public water supply. He asked that all environmental impact statements be done. Mr. Nicholson explained the design of the stormwater management system. Mr. McGee stated due to the bike path the speed limit on Moe Road should be 30 miles per hour. He asked, as a resident living directly across the street, that the lighting be reviewed as this can be as much of a pollutant as sound.

Gavin Vuilluame reviewed the lighting plan to be used, stating this will not be the type of lighting used in retail.

Supervisor Barrett noted the Planning Board can put restrictions on the lighting if necessary.

Mr. Kemper said the Latham Water District was not consulted as part of the lead agency as they do not want to be informed if activity is more than 1000 feet from their high water mark, however, he will forward the information to the District.

Mr. Vuilluame said in response to the last meeting, 12 evergreen trees will be planted as a buffer to the residents. Landscaping will also be increased along the access road.

John Ritter, Meadow Valley Drive, said he grew up across the street from a library and there were no adverse effects.

Joann Robbins, Brookline Drive, spoke in favor of the library and its importance to the community, noting it will favorably impact neighborhood involvement. She urged the Town Board to pass the PUD.

Supervisor Barrett said the opinions are very strong on either side of this issue but all of the processes, environmental and otherwise, will be looked at by the Planning Board should this project be approved.

Larry Brown, Hearthside Drive, Ballston Lake, wondered if there could be a comparison between the library lights and noise and the lights and noise when there is a game at Shenendehowa High School.

Mr. Nicholson explained the Moe Road site had the fewest problems and is the most easily accessible site with pedestrian circulation all the way around. The school expansion will be tied in through multi-use paths. He said the library has attempted to provide enough information related to all the potential impacts of the project to, hopefully, convince the Town Board that this is the appropriate location for the library.

Supervisor Barrett stated though there are many positives, there are negatives that need to be mitigated.

Wendy Cimino, Creighton Manning Engineering, gave a brief overview of the traffic study and said the only improvement recommended is at the site which warrants a left hand turning lane. She stated no improvements are necessary at the Moe and Clifton Park Center Roads or the Moe Road and Route 146 locations.

Mr. Goldman said zoning should have been one of the most important considerations in the initial screening of possible sites in this whole process. He felt the presentations should have been made at the beginning of the public hearing and then take questions and comments.

Clerk's Note: The following are comments from the public hearing held March 7th.

Norman Goldman, London Square Drive, asked if the changes reflected in the site plan were on file in the Town Clerk's office as part of the public hearing. Mr. Kemper responded no, since when the public hearing was set, the ESAB changes had not yet been made. Mr. Goldman read a prepared statement, attached.

Mary Blaauboer, Balbina Lane, spoke in support of the proposed location of the library and plans on using the bike path to go to the library. She said this will add to property values.

Janet Grey, Locust Lane, stated this is for the greater good of the community, is the perfect location, a benefit to the school district and urged the Town Board to move forward.

Darren McGee, Moe Road, across from the library, spoke in agreement with Mr. Goldman. He doesn't see students walking to the library since students are bused from various distances to school. He expressed concern with the library size and would like to see the speed limit reduced on Moe Road due to the bike path. Mr. McGee asked that all environmental impact statements be followed. He wants to see a berm for privacy and is concerned with the lighting in the parking lot. Mr. Connor said there will be no lighting on the building itself. Mr. McGee asked that lighting be at a minimum when the library is closed. He spoke against the location of the library.

Mr. Vuillaume said the stormwater management area will be a very shallow mowed lawn area.

Supervisor Barrett said the effect on the residences on the other side of Moe Road needs to be addressed.

Mr. Kemper stated all required SEQRA documentation has been submitted and the Town Board has initiated coordinated review with all involved agencies.

Mr. McGee asked if his neighbor's well water would be affected if water had to be drained off due to the high water table at the proposed library location.

Mr. Vuillaume said the ground water appears to be approximately 5 to 6 feet below the surface and it is not anticipated this will have to be drawn down.

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 8:45 p.m.

Town Administrator Shahan updated the Board regarding the Clifton Park Sewer District. He announced more security will be brought in during April for the summer months. He further reported receiving more requests for the radar sign.

Supervisor Barrett announced another successful year for the Town of Clifton Park with a \$2.9 surplus for 2004.

Ron Stewart, Vischer Ferry, asked about water being brought to Vischer Ferry stating a petition had been sent to the Board a few years ago.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 67 of 2005, a resolution authorizing the Town Supervisor to enter into an agreement with John M. McDonald Engineering, P.C. to provide for Wastewater Treatment Plant Operation and Technical Support services for the Olde Nott Farm and Riverview Landing Wastewater Treatment Plants. Introduced by Councilman Roth, who moved its adoption, seconded by Councilman Paolucci.

WHEREAS, quotes were solicited and received for Wastewater Treatment Services and Technical Support Services for the Olde Nott Farm and Riverview Landing Treatment Plants, and WHEREAS, the quote of John M. McDonald Engineering, P.C. was the lowest conforming quote in the amount of \$2,336 per month for Olde Nott Farm and \$520 for Riverview Landing to provide Operation Services and Technical Support, and WHEREAS, the Town Board of the Town of Clifton Park, acting as Commissioners of the Olde Nott Farm Sewer District No.1 and Riverview Landing Sewer District No. 1,

wishes to contract with John M. McDonald Engineering, P. C. to provide Wastewater Treatment Plant Services and Technical Support Services for the Sewer Districts, and WHEREAS, such an agreement with John M. McDonald Engineering, P.C. is consistent with the Town Board's efforts to protect the health, safety and welfare of the community; now, therefore, be it RESOLVED, that the Town Board, acting as Commissioners of the Olde Nott Farm Sewer District No. 1 and Riverview Landing Sewer District No. 1, hereby authorizes the Town Supervisor to enter into an agreement with John M. McDonald Engineering, P.C. to provide Wastewater Treatment Plant Services and Technical Support Services for the Olde Nott Farm and Riverview Landing Sewer Districts, at a cost not to exceed \$21,024, for Riverview Landing Sewer District No. 1 as budgeted from G1-8111-024 (Olde Nott Farm Sewer Dist.-Maintenance) and \$4680 for Olde Nott Farm Sewer District No. 1, as budgeted from G3-8111-024 (Riverview Landing Sewer Dist.-Maintenance) and effective from April 1, 2005 through December 31, 2005.

Mr. Shahan said there will be no impact on the budget. McDonald Engineering is familiar with the system as the company designed the lift station and treatment plant.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 68 of 2005, a resolution awarding the bid for the Miller Road South Water District No. 1, Contract No. 1-Water System Construction.

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

WHEREAS, on March 10, 2005 bids were received for the above referenced contract, and

WHEREAS, the low bidder for Contract No. 1-Water System Construction is Jablonski Excavating, 678 County Hwy 108, St. Johnsville, NY, in the amount of \$174,851, and

WHEREAS, as per letter from McDonald Engineering dated March 16, 2005, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that Jablonski Excavating 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 \$174,851 to Jablonski Excavating, 678 County Hwy 108, St. Johnsville, NY.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 69 of 2005, a resolution appointing John Marzola to the Clifton Park Water Authority.

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

WHEREAS, a vacancy exists on the Clifton Park Water Authority, and

WHEREAS, the Town Board finds John Marzola of 2 Des Forges Court, Rexford, to be qualified for the position; now, therefore, be it

RESOLVED, that John Marzola, 2 Des Forges Court, Rexford, is hereby appointed as a member of the Clifton Park Water Authority to fill the unexpired term of Richard Kukuk, term to expire December 31, 2008, effective immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 70 of 2005, a resolution related to water usage rates for the Rexford Water District No. 2.

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

WHEREAS, the current water rate for water used by the customers of the Rexford Water District No. 2 is \$2.35 per 1000 gallons, and

WHEREAS, the Town of Glenville charges the Rexford Water District No. 2 \$2.35 per 1000 gallons, and

WHEREAS, due to water lost, the revenue received by the district for water usage does not cover the cost of the water as charged by the Town of Glenville, and

WHEREAS, the Rexford Water District No. 2 Study Committee recommends that the rate be changed to more fully recover the cost of water to the District; now, therefore, be it

RESOLVED, that the water usage rate be increased from \$2.35 to \$2.55 per 1000 gallons, and it is further

RESOLVED, that this new rate is to be effective at the beginning of the next billing cycle in April of 2005, and be it further

RESOLVED, that Section 14 of the Rules and Regulations for the Rexford Water District No. 2 be changed to reflect this new rate; and be it further

RESOLVED, that the Town Clerk shall deliver a copy of this resolution to the Water Superintendent.

Councilman Speckhard said this resolution came out of discussion with the Rexford Water District Committee.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Bob Gauvreau, Oakwood Blvd., expressed concern about not being allowed in the meeting room during the Supervisor's press conference. He asked if there is a report on the town's Tsunami Relief effort. Mr. Shahan replied approximately \$1100 has been collected. Councilman Roth reported one check has been sent for approximately \$900.

Norman Goldman, London Square Drive, expressed concern about not being allowed in the meeting room during the Supervisor's press conference.

Supervisor Barrett explained the press conference began at 6:00 p.m. and he asked that interruptions be kept at a minimum during the taping. The press conference will be televised tomorrow evening.

MOTION by Councilman Speckhard, 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 9:11 p.m.

Patricia O'Donnell
Town Clerk