

**Clifton Park Town Board Meeting Minutes  
April 4, 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  
Richard Kukuk, Superintendent of Highways  
Barbara McHugh, Director of Community Development  
Michael O'Brien, Environmental Specialist  
Michael Shahan, Town Administrator  
James Hughes, Town Justice

MOTION by Councilman Roth, seconded by Councilwoman Walowit, to approve the minutes of the March 14 and 21, 2005 meetings as presented.

**ROLL CALL VOTE**

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

Noes: None

Absent: Councilman Paolucci  
**MOTION CARRIED**

Councilman Paolucci arrived at 7:08 p.m.

**ANNOUNCEMENTS AND COMMUNICATIONS**

Councilman Speckhard called for a moment of silence in remembrance of Pope John Paul II, spiritual and world leader for over 25 years, who died April 2, 2005.

Supervisor Barrett and Councilman Paolucci presented the Key to the Town of Clifton Park to Francine Rodger as well as the following Resolution.

Resolution No. 71 of 2005, a resolution honoring Francine Rodger for her many years of service to the Town of Clifton Park and its residents.

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

WHEREAS, Francine Rodger, 34 Hemlock Drive, Clifton Park, has been an active volunteer in many organizations in the Town of Clifton Park for over thirty years, most notably with the Shenendehowa Senior Citizens Center, the League of Women Voters, Shenendehowa Free Library and as the Chairman of the Town of Clifton Park's Citizen's Advisory Council on Arts and Culture, and

WHEREAS, Francine has been a member of the Shenendehowa Senior Citizen Center Board of Directors since 1990 and has served as Treasurer since 2000 and in this position has established many fund raising strategies and public giving campaigns including "Annual Appeal", a creative solution to meet Senior Center budget shortfalls and continues today to bring new strategies to the Board to help meet both the Center's financial needs as well as the needs of the senior population, and

WHEREAS, as a volunteer of the Shenendehowa Free Library helped establish the library and led its growth, founded "Friends of the Library" and served as its first president, co-chaired and initiated a building campaign, resulting in the building at the current location, and

WHEREAS, in 1971 Francine was a founding member of the Shenendehowa League of Women Voters of Saratoga County and established "Meet the Candidates Night" for many local elections, and

WHEREAS, in addition, from 1983 to 2002, Francine found the time to work as Director of the Shenendehowa School Food Service Program serving 9,000 to 10,000 lunches daily and serving on numerous school/citizen committees including long range planning and Superintendent selection committees for the school district, and

WHEREAS, Francine was an integral part of the American Field Service student exchange program, having served as Chapter President and always hosting foreign exchange students and teachers in her home, and

WHEREAS, in her position as Chairman of the Clifton Park Advisory Council on Arts and Culture she helped to establish the Town sponsored Clifton Park Community Chorus and Not So Common Players, art events, music events, and also supported local art groups; now, therefore, be it

RESOLVED, that the Town Board wishes to thank Francine Rodger for all her volunteer

services on behalf of the residents of the Town of Clifton Park.

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

#### PUBLIC HEARING, 7:10 PM TO CONSIDER A LOCAL LAW REGARDING PENALTIES FOR VIOLATIONS OF CERTAIN CHAPTERS OF THE TOWN CODE

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on March 28, 2005.

Supervisor Barrett explained this will update the code involving certain fines and punishment with regard to infractions. The proposed changes come at the recommendation of Deputy Town Attorney Louis Renzi and the Town Attorney's office.

Mr. Renzi explained the proposed local law, comments attached. He noted that many sections of the Town Code currently include a jail component and adoption of this proposed legislation will make all of the code provisions consistent and predicable and will allow for both fair and adequate punishment and deterrence. Mr. Renzi said adding the jail component to the town code will give the court the capability of having a warrant issued for an individual who received a ticket and didn't bother to show up or to enforce the payment of the fine after an individual has been given time to pay. He noted at the present time there is very little that can be done.

Councilman Roth said this law would be at the judges' discretion and basically gives the judges more leverage.

Mr. Renzi said it didn't seem sensible to have some of the code provisions allow for jail and others not. He is asking the Town Board to allow the judges a little extra latitude to enforce the mission they have been charged with doing. Mr. Renzi stated adding the jail component gives the court some leverage. He noted in conversation with the Town of Clifton Park judges, as well as judges in other towns, judges are extremely reluctant to send somebody to jail unless their hand is forced.

Councilwoman Walowit said this draft legislation also proposes incarceration for repetition of the same crime.

Supervisor Barrett said it makes no sense to have parts of the code that can't be defended to the end.

The public hearing was opened for comments from the audience at 7:35 p.m.

Ann Hilger, Westbury Court, expressed concern about the ducks and geese situation on the George Sarris property, noting there are hundreds and hundreds of ducks flying in and out every day. Mr. Renzi responded that the matter is currently pending in Supreme Court in Ballston Spa.

Town Justice James Hughes explained if an individual doesn't appear in court, a warning letter is sent. If the individual doesn't appear the second time a warrant can be issued, however, due to the fact there are many sections of the Town Code that do not include jail provision, there is not much the judges can do. Justice Hughes said there is a community service provision He said jail time would be an absolute last resort but the courts need that last resort.

Ann Frantti, Azalea Court, commended town employees Elaine Sausville, Gerald Oakes, the late Louis Gerard, Attorney Pelagalli and Donald Clemens and how they represent the town. She related an experience she had in which there were no consequences and supports the Town Board in making penalties that will preserve the quality of life in town.

George Sarris, Woodside Drive, stated the minimum fines should be standardized and even raised. He noted the Town Security does not have the power of custodial arrest and the Sheriff's Department and State Police are already overburdened. He said if a corporation is guilty of a violation, though they can't be sent to jail, their ability to do business in town can be suspended. Mr. Sarris urged the Board to make a town law that any business that is in violation can be barred from doing business in town.

Mr. Renzi said there are provisions for substantial fines and imprisonment in the Building and Zoning Codes which would affect corporate offenders. He said the amount of difficulties with corporate offenders is virtually nil but individual offenders consume him every week.

Councilman Speckhard said fines are increasing significantly. He wants to make a distinction between what our present town judges would do and from what the town law says to do. If the Town Board passes the proposed legislation it is saying it is okay to send someone to jail for a first offense and he doesn't believe the Town Board should pass legislation that says that. He agrees that the judges need discretion and that something needs to be done very effectively to make sure people come to court and that fines be paid and that the legislation should state jail time can and should be related to people who don't show up in court and/or fail to pay their fines or do their community service. He expressed concern that, with this legislation as written, a judge 30,40,50 years down the line could send an individual to jail for 15 days for a minor offense.

Supervisor Barrett said the judges need an enforcement arm.

Councilman Paolucci spoke in favor of supporting the proposed legislation stating the

reason for the Town Code is to enhance the quality of life and to have a code that is worth anything it is necessary to have a penalty phase. He said the fines in the code have not been updated in 25 years and feels this is appropriate. He further stated it is necessary to standardize the jail components throughout the code and feels the penalties are appropriate. He has spoken with town employees and they all support the changes. He said the ability to put someone in jail is presently in the code in certain sections and is it is used appropriately.

Supervisor Barrett agreed with Councilman Paolucci.

Mr. Renzi said there is the right to appeal in every court.

Councilman Speckhard asked if legislation be written so that jail time is available as an enforcement but not a first time option.

Councilman Roth spoke in support of increasing the fines. He said the proposed language states if people do not appear for first offense and then automatically the provision for the imposition of jail time would become effective as part of that first offense. Councilman Roth said the current judges use discretion but expressed concern about 20 years from now.

Justice Hughes responded this could be making a condition precedent to a penalty and may not stand constitutional muster.

Mr. Renzi said if you put in place a condition precedent to the use of a possible sentence of jail what is really being done is negating the value that that component has to the court as an enforcement tool.

Town Attorney Trainor said the court has to have discretion to be able to carry out whatever the legislature has told them they want to accomplish but without mandating what they have to do. Most sentencing statutes are written where the judge is given a lot of latitude.

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 8:20 p.m.

**PUBLIC HEARING, 7:20 PM  
TO CONSIDER A LOCAL LAW REGARDING EXTENDING THE MORATORIUM  
ON DEVELOPMENT IN THE WESTERN PART OF THE  
TOWN OF CLIFTON PARK**

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on March 28, 2005.

Director of Planning, Jason Kemper, reported the Findings Statement will be adopted in

the next two weeks. The reason for extending the moratorium for an additional 35 days, from April 6, 2005 to May 9, 2005, is actually to adopt the selected pieces of the Findings Statement into the Town Code.

Supervisor Barrett said the major parts of the study have not changed.

The public hearing was opened for comments from the audience at 8:20 p.m.

George Sarris, Woodside Drive, stated the Board is passing a law that says if you're a developer and willing to pay for the development rights, land will be developed. He continued, the Board wants to control growth in the western part of town and yet puts in a capable avenue for any developer to step forward and develop the land anyway he wishes as long as he pays the upfront money.

Frank Berlin, Main St. Jonesville, spoke in favor of the moratorium.

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 8:32 p.m.

#### PUBLIC PRIVILEGE ON RESOLUTIONS

Resolution on tonight's agenda regarding hookup fees for new users in the Rexford Water District No. 2 was pulled in order to gather more information.

Resolution No. 72 of 2005, a resolution issuing a negative declaration pursuant to the State Environmental Quality Review Act for the Clifton Park-Halfmoon Public Library Planned Unit District.

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

WHEREAS, the proposed PUD is a Type I action under SEQRA and coordinated review is required, and

WHEREAS, coordinated review was conducted and all involved agencies concur with the Town of Clifton Park acting as Lead Agency for this application, and

WHEREAS, all environmental impacts of the proposed library have been evaluated and it is determined that there will not be a significant impact to the environment, and

WHEREAS, comments were received by all involved agencies; now, therefore, be it

RESOLVED, that the Town of Clifton Park Town Board issues a negative declaration under SEQRA for the Clifton Park-Halfmoon Public Library PUD.

## ROLL CALL VOTE

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

Noes: None

## DECLARED ADOPTED

Councilman Paolucci said SEQRA has been followed to the letter and the town can go forward.

Mr. Kemper agreed that everything has been covered.

Resolution No. 73 of 2005, a resolution adopting Local Law No. 2 of 2005, a Local Law establishing the Clifton Park-Halfmoon Public Library Planned Unit District and amending Local Law No. 10 of 1996, the Zoning Code of the Town of Clifton Park.

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

WHEREAS, an application for the PUD has been presented to the Town Board, and

WHEREAS, the Planning Board sent a letter to the Town Board recommending approval of the PUD, and

WHEREAS, comments from the March 7, 2005 Town Board Meeting and the March 21, 2005 public hearing have been considered; now, therefore, be it

RESOLVED, that Local Law No. 2 of 2005, is hereby adopted establishing the Clifton Park-Halfmoon Public Library PUD and amending Local Law No. 10 of 1996, the Zoning Code of the Town of Clifton Park; 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.

Supervisor Barrett reported significant plantings have been added for the opposite side of the street and any takings, although minimal, are on the library side of the road and there will be no additional takings on the west side of the road. Mr. Nicholson, Environmental Design Partnership and representing the library, agreed. The Supervisor said a change in zoning was not considered prior to the library vote in order not to influence the vote. Councilman Paolucci reviewed PUDs in general but noted it is not the Town Board's job to review site plan issues. He spoke in favor of the proposed PUD, noting the many benefits of the location. He asked the Planning Board to consider appropriate lighting for the area in view of residents' concerns, to consider sewer connections for residences in the area if possible, and landscaping and plantings to shield residences from car headlights leaving the library. Supervisor Barrett stressed the fact that there will be a full Planning

Board process. He said according to the plans sewer line will go done Moe Road and residents will have the opportunity to connect. Councilman Roth said he feels the first library vote was defeated because perhaps the Library Board didn't get the needed information out. He noted there was no mandate in either vote. Councilman Roth, responding to claims comparing the Town Board's response to residents against the library location to the proposed gas station on Ushers Road, said over 200 people showed up in opposition to the gas station project and there was no zoning being changed at that time. Councilman Roth as much buffering as possible should be done to reduce noise and lighting. He said traffic will increase but not tripled based on the size of the library and recommended using it during off peak traffic times. Councilman Roth stated he will support the PUD.

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

Supervisor Barrett said he will ask Highway Superintendent Kukuk that a speed limit study be conducted on that portion of Moe Road, with the possibility of a decrease in the speed limit.

Resolution No. 74 of 2005, a resolution awarding the contract for Fireworks, for the Town of Clifton Park's 4th of July Celebration.

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

WHEREAS, bids were solicited for the annual Fourth of July Fireworks display, and one bid was received, and

WHEREAS, due to their superior qualifications and previous experience Patricia Haffner, Parks and Recreation Director, has recommended that the bid from Alonzo Fireworks, 12 County Road 75, Mechanicville, NY be accepted and the Town Administrator recommends the same; now; therefore, be it

RESOLVED, that the bid for the Fourth of July Fireworks display be awarded to Alonzo Fireworks at a cost not to exceed \$12,500.00 as budgeted from A-7550-52 (Recreation Programs-July 4th Fest.); and be it further

RESOLVED, that the Supervisor is hereby authorized to sign an agreement reflecting the above terms, after the review by the Town Attorney.

#### ROLL CALL VOTE



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

Noes: None

DECLARED ADOPTED

Resolution No. 75 of 2005, a resolution appointing Steve Meyers to the Emergency Services Advisory Board.

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

WHEREAS, due to the resignation of Larry Gates an opening exists on the Emergency Services Advisory Board for a representative from the West Crescent Fire District, and

WHEREAS, the Board of Commissioners from the West Crescent Fire District have recommended that Steve Meyers be appointed as a representative to the Emergency Services Advisory Board, and

WHEREAS, the Town Board wishes to appoint Steve Meyers, 4 Saddlebrook Drive, Clifton Park, to the Emergency Services Advisory Board; now, therefore, be it

RESOLVED, that Steve Meyers, 4 Saddlebrook Drive, Clifton Park, is hereby appointed as a member of the Emergency Services Advisory Board to fill the unexpired term of Larry Gates, term to expire December 31, 2005.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 76 of 2005, a resolution approving the purchase of a vehicle for use by the Town Highway Department.

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

WHEREAS, the Town of Clifton Park Highway Superintendent has requested that authorization be given for the purchase of a 2005 Ford F-250 4x4 XL truck, for use by the Highway Department from NYS Contract, and

WHEREAS, a need for this equipment by the Town Highway Department has been identified; now, therefore, be it

RESOLVED, that authorization is hereby granted to purchase a 2005 Ford F-250 4x4 XL truck from State Contract PC60927 at a cost not to exceed \$26,213, to be paid from DA5130-00219 (Highway-Truck).

Councilman Roth asked that the Resolution be tabled for one week. He asked Highway Superintendent Kukuk to supply the Board with information relative to all the vehicles owned by the Highway Department as to condition, replacement time and vehicle status. Councilman Roth said this should also be done by other departments.

MOTION TO TABLE by Councilman Roth, seconded by Councilman Paolucci.

#### ROLL CALL VOTE

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

Noes: None

#### MOTION CARRIED

Highway Superintendent Kukuk said he is evaluating needs that are changing and has a list of trucks, their age, expected retirement and different uses and will provide them to the Board.

Resolution No. 77 of 2005, a resolution authorizing a stipend of \$5000 be given to Deputy Highway Superintendent Elaine Sausville.

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

WHEREAS, the responsibilities of Deputy Highway Superintendent Elaine Sausville increased significantly during 2004 due to the serious illness of Highway Superintendent Louis Gerard, and

WHEREAS, during the several months preceding the passing away of Superintendent Gerard, Deputy Highway Superintendent Sausville had sole responsibility for the management and operation of the Highway Department of the Town of Clifton Park, and

WHEREAS, from the time of Superintendent Gerard's untimely passing until the appointment of Richard Kukuk, to fulfill the unexpired term of Superintendent Gerard, Deputy Supervisor Elaine Sausville continued to assume the responsibility of the Highway Department of the Town of Clifton Park; now, therefore, be it

RESOLVED, that Deputy Highway Superintendent Elaine Sausville be given a stipend of \$5000 to compensate her for a job well done over the aforementioned period of time, payable incrementally for the remainder of the calendar year 2005 only, to be budgeted from A-5010-E27 (Highway Superintendent Salary), with a transfer to A-5010-E0108(Highway-Employee #).

The Supervisor said Mrs. Sausville did a great job in helping through Mr. Gerard's illness and the transition with Superintendent Kukuk has been very smooth. Councilman Roth said Mrs. Sausville is a valued employee who has gone over and above what she has been asked to do.

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

Resolution No. 78 of 2005, a resolution authorizing the Highway Superintendent to attend the 2005 Highway School in Ithaca N.Y.

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

WHEREAS, Richard Kukuk, Highway Superintendent, has requested that he be authorized to attend a Highway School in Ithaca, N.Y., June 6-8, 2005, at a cost not to exceed \$675, and

WHEREAS, Mr. Kukuk's attendance at the conference would provide a benefit to the Town; now, therefore, be it

RESOLVED, that Richard Kukuk is hereby authorized to attend the Highway School in Ithaca, N.Y. June 6-8, 2005, at a cost not to exceed \$675, to be paid from A05010-00001 (Highway-Training/Conferences).

#### ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 79 of 2005, a resolution scheduling a public hearing regarding improvements to the facilities of the Rexford Water District No. 2.

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

WHEREAS, the Town Board of the Town of Clifton Park has heretofore established the Rexford Water District No. 2, lying within the said Town, and

WHEREAS, the Town Board of the said Town of Clifton Park is desirous of increasing and improving the facilities of the Rexford Water District No. 2 by the reconstruction and improvement of certain water mains and appurtenances of the Rexford Water District and the acquisition of the necessary easement lands therefore, and

WHEREAS, the Town Board has caused a report of the aforesaid proposed additions and improvements to be prepared by John M. McDonald Engineering, P.C., competent engineers, duly licensed by the State of New York, and

WHEREAS, the said report presents the installation of the aforesaid improvement of facilities, and

WHEREAS, the maximum amount proposed to be expended for said improvement and/or acquisition of the necessary facilities, lands and rights of way is the principal sum of Seven Hundred Thousand and 00/100 Dollars (\$700,000) to be financed through bonding; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for April 18, 2005 at 7:10 pm in the Wood Memorial Room, One Town Hall Plaza, Clifton Park to consider plan and report regarding improvement of the facilities of the Rexford Water District No. 2 and to hear all persons interested in the subject matter thereof concerning the same and to take such action thereon as is required or authorized by law, and the Town Clerk is directed to publish appropriate notice of same.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 80 of 2005, final resolution establishing Town of Clifton Park Sewer District No. 1.

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

WHEREAS, the Town Board of the Town of Clifton Park, Saratoga County, New York (the "Town") previously authorized the formation of Town of Clifton Park Sewer District No. 1 (the "District") by resolution adopted by the Town Board on February 28, 2005 (the "Approving Resolution"), subject to permissive referendum, and

WHEREAS, Notice of Adoption of the Approving Resolution was posted and published by the Town Clerk in accordance with Article 12-A of the Town Law, 30 days have elapsed since the Approving Resolution was adopted and, as set forth in the Town Clerk's Certificate of No Petition for Referendum, no petition requesting a referendum regarding establishment of the District has been received; now, therefore, be it

RESOLVED, that Town of Clifton Park Sewer District No. 1 in the Town of Clifton Park, Saratoga County, New York, is hereby established in accordance with the Maps and Plans prepared by John M. McDonald Engineering, P.C. and the District shall be bounded and described as set forth on Exhibit A attached hereto, and be it further

RESOLVED, that no improvements to the District's facilities are anticipated at this time; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause a certified copy of this resolution to be recorded in the office of the Saratoga County Clerk and filed in the office of the State Department of Audit and Control in Albany, in accordance with the provisions of Town Law Section 195.

Supervisor Barrett said this transition has been seamless with no problems. He expressed appreciation to Environmental Specialist O'Brien and Town Administrator Shahen for their work.

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

Resolution No. 81 of 2005, a resolution authorizing the attendance of the Director of Planning at a G.I.S. Training Course.

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

WHEREAS, Jason Kemper, Director of Planning, attended the ArcGIS II Training Course held in Schenectady, N.Y. on March 14-16, 2005 at a cost of \$1,149, and

WHEREAS, the amount has been budgeted for 2005 in budget line item A-8020-1 (Planning- Conference and Training) and his attendance at the Seminar conferred a benefit to the Town residents and to the Planning Board; now, therefore, be it

RESOLVED, that payment is hereby authorized for the ArcGIS II Training Course held in Schenectady, New York on March 14-16, 2005 at a cost not to exceed \$1,149 to be paid from A-8020-1 (Planning- Conferences and Training).

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

Resolution No. 82 of 2005, a resolution awarding the bid for Contract No. 1, Pump Station Repair Services for the Town of Clifton Park Sewer District No. 1.

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

WHEREAS, on March 24, 2005, bids were received for the above referenced contract, and

WHEREAS, Water Resource Technology was the sole bidder for the maintenance and repair of the residential grinder pumps and maintenance and repair of eight sewer system pump stations, in the amount of \$59,650 for the total bid, and

WHEREAS, as per letter from McDonald Engineering, dated April 1, 2005, McDonald Engineering has reviewed the bid and has recommended to the Town Supervisor that the total bid in the amount of \$59,650 submitted by Water Resource Technology be accepted, and

WHEREAS, the CK Sanitary Sewer Committee met on March 31, 2005 to review the bid results and has recommended that the award of this contract be to Water Resource Technology; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Clifton Park Sewer District No. 1, hereby accepts and awards the above referenced bid to Water Resource Technology in the amount of \$59,650.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 83 of 2005, a resolution awarding the bid for Contract No. 2, Sewer Line Cleaning for Town of Clifton Park Sewer District No. 1.

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

WHEREAS, on March 24, 2005 bids were received for the above referenced contract,  
and

WHEREAS, the low bid for sewer line cleaning and television inspection of designated sewer lines was submitted by Severn Trent Services in the total bid amount of \$46,000,  
and

WHEREAS, as per letter from McDonald Engineering, dated April 1, 2005, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that the total bid in the amount of \$46,000 submitted by Severn Trent Services be accepted as the lowest most responsible bidder, and

WHEREAS, the CK Sanitary Sewer Committee met on March 31, 2005 to review the bid results and has recommended that the award of this contract be to Severn Trent Services;  
now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Town of Clifton Park Sewer District No. 1, hereby accepts and awards the above referenced bid to Severn Trent Services in the amount of \$46,000.

Supervisor Barrett said ten percent of the revenue of the payments coming in will be put aside for Capital Projects.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 84 of 2005, a resolution adopting Local Law No. 3 of 2005, a Local Law extending the Moratorium in the Western part of the Town for an additional thirty five days through May 9, 2005.

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

WHEREAS, the Town of Clifton Park has entered upon a review of the portion of the Town located generally west of Vischer Ferry Road, Rt. 146A, Main Street and Hatlee Road and such other and further property which is identified through the Generic Environmental Impact Study (GEIS), and

WHEREAS, the Town of Clifton Park Planning Board passed a resolution on August 12, 2003 requesting the Town Board to do a Generic Environmental Impact Study for the Western portion of Clifton Park, and

WHEREAS, on September 2, 2003 a resolution was passed hiring Clough, Harbour, & Associates LLP to conduct a GEIS in the western part of Town, and

WHEREAS, on September 15, 2003 a Public Hearing was conducted to solicit public comment on the proposed moratorium and local law, and

WHEREAS, on October 6, 2003 Local Law No. 7 of 2003 was adopted imposing a twelve month moratorium on development in the Western part of Town, and

WHEREAS, Local Law No. 7 of 2003 also authorized the Town Board to extend the moratorium for an additional six (6) months through April 6, 2005, and

WHEREAS, it is necessary to extend the moratorium for an additional thirty five (35) days through May 9, 2005 to allow the Town Board to implement the findings of the GEIS Study through legislation, and

WHEREAS, on April 4, 2005 a Public Hearing was conducted to solicit public comment on the proposed moratorium extension and local law; now, therefore, be it

RESOLVED, that Local Law No. 3 of 2005, a local law extending the moratorium on development in the Western part of Town is hereby adopted extending the moratorium for an additional thirty five (35) days from April 6, 2005 through May 9, 2005, and be it further

RESOLVED, that said moratorium extension shall be referred to the Saratoga County Planning Board for its review, 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 immediately upon its adoption.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Beverly Czub, Miller Road, speaking with regard to public hearing on penalties, said a community or society survives when the rules and regulations are followed.

Jim Ruhl, Wood Dale Drive, asked if any language has been prepared regarding the Ushers Road rezoning and, if so, would like to be notified when it becomes available.

Supervisor Barrett responded some ideas have been discussed and the public hearing should be forthcoming shortly.

MOTION by Councilman Paolucci, 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 9:30 p.m.

Patricia O'Donnell  
Town Clerk