

**Clifton Park Town Board Meeting Minutes
May 2, 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
Michael O'Brien, Environmental Specialist
Michael Shahan, Town Administrator
Louis Renzi, Deputy Town Attorney

MOTION by Councilman Paolucci, seconded by Councilwoman Walowit, to approve the minutes of the April 11 and 18, 2005 meetings as presented.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Roth

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Councilman Paolucci reminded the community of the town meeting regarding the White House Conference on Aging scheduled for June 12, 2005 at Clifton Park Center. He said the survey has been mailed to residences and is also on the website.

Supervisor Barrett reported he will be meeting with the major sports groups in town, noting it is important for Town Board members to hear concerns and long and short term planning. He said expanded facility use will be part of the discussions.

Councilman Roth, delayed due to an ambulance call, arrived at 7:10 p.m.

Resolution No. 108 of 2005, a resolution designating the week of May 15-21, 2005 as Emergency Medical Services Week.

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

WHEREAS, emergency medical services is a vital public service, and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week, and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury, and

WHEREAS, the emergency medical services system consist of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others, and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills, and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park, in recognition of this event, hereby proclaims the week of May 15-21, 2005, as Emergency Medical Services Week and encourages the community to observe this week with appropriate programs, ceremonies and activities.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 109 of 2005, a resolution authorizing the Town Receiver of Taxes & Assessments to attend the Tax Collector's Seminar.

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

WHEREAS, Lorraine Varley, Receiver of Taxes & Assessments, has requested permission to attend the New York State Association of Town's Tax Collector's Seminar to be held in Rochester, New York, June 12-15, 2005 at a cost of \$675, and

WHEREAS, the amount has been budgeted for 2005 in budget line item A-1330-1 (Tax Collector Travel & Conferences) and her attendance at the Seminar would provide a benefit to the Town citizens; now, therefore, be it

RESOLVED, that Lorraine Varley is hereby authorized to attend the Tax Collector's Seminar in Rochester, New York, from June 12-15, 2005, at a cost not to exceed \$675 to be appropriately vouchered, to be paid from budget line item A-1330-1 (Tax Collector Travel & Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 110 of 2005, a resolution adopting Local Law No. 4 of 2005, a local law amending various Chapters of the Town Code as they relate to Penalties for Violations of the Town Code.

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

WHEREAS, the Town Board wishes to amend various Chapters of the Town Code relating to Penalties for Violations of the Town Code, and

WHEREAS, on April 4, 2005 at 7:10 p.m. a public hearing was held to solicit the comments of the Town's citizens regarding the proposed local law; now, therefore, be it

RESOLVED, that Local Law No. 4 of 2005, a local law amending various Chapters of the Town Code regarding Penalties for Violations of the Town Code is hereby adopted 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.

Supervisor Barrett stated both Town Justices support the changes. The proposed changes will make these sections of the code consistent with the rest of the code. Councilman Speckhard said he supports the main purpose of this legislation that increases the ability and discretion of the Justices in dealing with individual cases, however, he can't vote for it as there are parts of the law which attach jail penalties to very minor trivial activities. He said he is sure the current Justices would never use incarceration for the minor activities but doesn't know what could happen in the future. Supervisor Barrett said he has supported the revisions from the beginning but Judge Hughes' comments at the public hearing cemented his support. Councilman Roth said, to be consistent, it is important to give the judges the flexibility they need even though there are some levels of offenses.

ROLL CALL VOTE

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

Noes: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 111 of 2005, a resolution honoring Michael George for attaining the rank of Eagle Scout.

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

WHEREAS, Michael D. George, 18 Twinbrook Court, Clifton Park, of Boy Scout Troop 6, has attained the rank of Eagle Scout, and

WHEREAS, the Town of Clifton Park Town Board wishes to acknowledge and honor Michael's achievements, including his Eagle Scout Service Project which consisted of Michael being responsible for designing, obtaining supplies and for the construction of four, eight foot picnic tables to be located at the Shenendehowa Crew Boat House in Alplaus; now, therefore, be it

RESOLVED, that Michael D. George, 18 Twinbrook Court, Clifton Park, of Boy Scout Troop 6, is hereby recognized and honored for having attained the rank of Eagle Scout.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 112 of 2005, a resolution honoring Christopher Gonyo for attaining the rank of Eagle Scout.

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

WHEREAS, Christopher Gonyo, 35 Juniper Drive, Clifton Park, of Boy Scout Troop 30, has attained the rank of Eagle Scout, and

WHEREAS, the Town of Clifton Park Town Board wishes to acknowledge and honor Christopher's achievements, especially his Eagle Scout Service Project which was to build an addition to the boathouse used by the Shenendehowa Crew Teams, a project which Chris conceived, planned, obtained donations for and helped with the construction of, along with many volunteers from his High School, local Boy Scout Troops and members of the community; now, therefore, be it

RESOLVED, that Christopher Gonyo, 35 Juniper Drive, Clifton Park, of Boy Scout Troop 30, is hereby recognized and honored for having attained the rank of Eagle Scout.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 113 of 2005, a resolution honoring Kevin Gonyo for attaining the rank of Eagle Scout.

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

WHEREAS, Kevin Gonyo, 35 Juniper Drive, Clifton Park, of Boy Scout Troop 30 has attained the rank of Eagle Scout, and

WHEREAS, the Town of Clifton Park Town Board wishes to acknowledge and honor Kevin's achievements, including his Eagle Scout Service Project of coordinating the construction of the park located on the corner of Moe Road and Clifton Park Center Road and also coordinating many hours of volunteer service from members of his High School, local Boy Scout Troops and the community; now, therefore, be it

RESOLVED, that Kevin Gonyo, 35 Juniper Drive, Clifton Park, of Boy Scout Troop 30, is hereby recognized and honored for having attained the rank of Eagle Scout.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 114 of 2005, a resolution in connection with a block party to be held in the Northcrest Development.

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

WHEREAS, the residents of the Northcrest Development wish to conduct a block party within the subdivision on May 14, 2005, from 3:00 pm to 7:00 pm (rain date May 21, 2005) and have requested permission to use a portion of Crestwood Drive from Southcrest Drive to #19 Crestwood Drive for their party activities; now, therefore, be it

RESOLVED, that the residents with the approval and advice of the Town Highway Superintendent, have permission to use a portion of Crestwood Drive from Southcrest Drive to #19 Crestwood Drive on May 14, 2005 (rain date May 21st) from 3:00 pm to 7:00 pm for their party activities, but must not block off the street and make sure emergency vehicles can gain access to the street if needed, and be it further

RESOLVED, that the residents shall be responsible for all clean-up activities on Town property or on the street right-of-way resulting from the social activity; and be it further

RESOLVED, that a copy of this resolution be sent to the applicable Fire Department, the Ambulance Corps., the Sheriff's Department and the State Police.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 115 of 2005, a resolution authorizing the hiring of summer workers for the Buildings and Grounds Department as per Schedule A.

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

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

WHEREAS, Michael Handerhan, Buildings and Grounds Supervisor, has recommended that the individuals listed in Schedule A be hired to fill these positions, 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 summer Buildings and Grounds staff for the Town of Clifton Park for the summer of 2005, effective immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 116 of 2005, a resolution hiring summer help for the Stoney Creek II Park District.

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

WHEREAS, a need has been identified for summer help at the Stoney Creek II Park District to do weeding and light landscaping chores, and

WHEREAS, Luis Hernandez, 5 Oakhurst, Clifton Park and Shawn Creviston, 18 Gloucester, Clifton Park, have been recommended to be hired for these positions; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Stoney Creek II Park District hereby authorizes the summer hiring of Luis Hernandez, 5 Oakhurst, Clifton Park and Shawn Creviston, 18 Gloucester, Clifton Park for the Stoney Creek II Park District at \$7.50 per hour, not to exceed \$500.00 total for both hires, for the summer, effective immediately, to be paid from SPO 7120-24 (Stoney Creek II Park District Maintenance).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 117 of 2005 a resolution setting a second public hearing to consider adoption of Local Law No. _____ of 2005, a local law amending Article XIII, Section 208-78, Historic Preservation and amending Local Law No. 10 of 1996, the Zoning Code of the Town of Clifton Park.

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

WHEREAS, the members of the Historic Preservation Commission have recommended that the Town Board consider amending Section 208-78, Historic Preservation, of the Zoning Code, and

WHEREAS, on December 20, 2004 at 7:10 pm a public hearing was held to solicit comments from the public, and

WHEREAS, the Town Board wishes to solicit additional comments from the Town's citizens regarding the proposed local law; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for May 16, 2005 at 7:10 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 Article XIII, Historic Preservation, and Local Law No. 10 of 1996, the Zoning Code of the Town of Clifton Park, and the Town Clerk is directed to publish notice of the same.

Supervisor Barrett said this is the same legislation as presented on December 20, 2005.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 118 of 2005, a resolution authorizing the payment of \$695.78 to Chris Straney, 34 Par Del Rio, Clifton Park, to cover expenses as a result of CK Sanitary cleaning activities along Par Del Rio.

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

WHEREAS, during the cleaning process water was ejected with force into the Straney residence causing damage to the bathroom walls and carpeting and necessitating the need for overall cleanup of the bathroom, and

WHEREAS, this unique situation was caused by Town activities and not by any unforeseen overflow, backup or failure of the Sewer System; now, therefore, be it

RESOLVED, that authorization is given to the Comptroller to reimburse Chris Straney in the amount of \$695.78 to cover the cost of damages that occurred as a result of cleaning the sewer line on Par Del Rio, per exhibit "A", to be paid from G7-8111-024 (Clifton Park Sewer Dist. #1-Sewer Contractual-General Maintenance).

Supervisor Barrett said in the future, when possible, residents will be notified when cleaning is scheduled.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 119 of 2005 a resolution scheduling a second 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 Paolucci, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, the Town Board is considering amending Article II, Section 7, Definitions, Article IX, Light Industrial District, Section 64, Permanent & Prohibited Uses and Section 111, Penalties, of the Town Code regarding Chapter 208, Zoning, and

WHEREAS, a public hearing was held on February 28, 2005 to solicit the comments of the Town's citizens regarding the proposed changes, and

WHEREAS, the Town Board wishes to conduct a second public hearing to solicit comments from the Town citizens; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for May 9, 2005, at 7:10 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 Article II, Section 7, Definitions, Article IX, Light Industrial District, Section 64, Permanent & Prohibited Uses and Section 111, Penalties, of the Town Code regarding Chapter 208, Zoning, and the Town Clerk is directed to publish notice of the same.

Councilman Paolucci said this will clarify language, candle it with the Comprehensive Plan and incorporate recommendations from the first public hearing. Consideration is being given to changing zoning on the state parcels. It was noted that the area west of I 87 is a step down to residential neighborhoods.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Vince Obremski, Appleton Road, said the speed limit on Grooms Road needs to be enforced. He asked the Town Board to consider a water line on Appleton Road.

MOTION by Councilman Paolucci, seconded by Councilwoman Walowit to go into Executive Session to discuss a personnel matter. Motion unanimously carried at 7:54 p.m.

In attendance: Supervisor Barrett, Councilman Paolucci, Councilman Speckhard, Councilman Roth, Councilwoman Walowit, Town Attorney Trainor, Town Administrator Shahen, Town Clerk O'Donnell

No action was taken

MOTION by Councilman Paolucci, seconded by Councilwoman Walowit, to return to the regular meeting. Motion unanimously carried at 8:07 p.m.

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 8:09 p.m.

Patricia O'Donnell
Town Clerk