

**Clifton Park Town Board Meeting Minutes
February 6, 2006**

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 Speckhard
Councilman Roth
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Absent: Councilman Paolucci

Also Present: Town Attorney Trainor
Myla Kramer, Director of Parks, Recreation and Community Affairs
Richard Kukuk, Superintendent of Highways
Barbara McHugh, Director of Community Development
Michael O'Brien, Environmental Specialist
Michael Shahan, Town Administrator
Walter Smead, Assessor

MOTION by Councilman Roth, seconded by Councilwoman Walowit, to approve the minutes of the January 9 and 17, 2006 meetings as presented.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Councilman Roth reviewed events planned for the town's Winter Fest scheduled for February 11, 2006.

Councilman Roth said he has had inquiries regarding the status of the Dwaaskill Nature

Preserve and the newly purchased property on Route 146 in Rexford. Supervisor Barrett reported title insurance research and surveys have been completed for the Dwaaskill property and the town is waiting to close on the site. He explained the Route 146 property will be reviewed by the newly formed Open Space/Trails/Riverfront Committee to offer recommendations for activities on the site.

PRESENTATION TO THE TOWN

Ken Clements, President of the CAPTAIN Board and Joan Ostrow, Executive Director of CAPTAIN presented the Town Board with a plaque expressing appreciation to the town and its citizens for their continued fiscal and volunteer support of the organization. It was noted CAPTAIN is in its 29th year.

MOTION BY Councilman Speckhard, seconded by Councilwoman Walowit, to remove Resolution No. 19 of 2006 from the table.

ROLL CALL VOTE ON MOTION

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

Noes: None

Absent: Councilman Paolucci

MOTION CARRIED

Resolution No. 19 of 2006, a resolution authorizing the Highway Department to purchase a new 2006 Ford Expedition, for use by the Highway Department, from NYS Contract.

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

WHEREAS, Richard Kukuk, Superintendent of Highways, has identified a need for an additional vehicle for use by the Highway Department, and

WHEREAS, Richard Kukuk has requested authorization to purchase a 2006 Ford Expedition, as described in the attached "A" from NYS Contract in the amount of \$28,561.30; now, therefore, be it

RESOLVED, that Richard Kukuk, Highway Superintendent, is hereby authorized to purchase a 2006 Ford Expedition, as described in the attached "A", from Wicker Ford, Inc. Ticonderoga, New York, per NYS Contract No. PC60924, Award No. 18489, at a cost of \$28,561.30, to be paid from 2006 Highway Budget, DA-5130-0219

(Truck/Machinery/Equipment).

Councilman Roth said the resolution was tabled in order to receive more information and was never disapproved. Superintendent of Highway Kukuk reviewed the comparison between the proposed vehicle and the purchase of a used vehicle. He reported in speaking with the Procurement Group at OGS he was told the procedure for the purchase of a used vehicle would be very time consuming and cumbersome as it would involve issuing specifications and advertising for sealed bids and since state bid is available it would be very hard to find a similar value. He explained the purchase of a new vehicle through State Contract is significantly discounted and comes with factory and enhanced warranty. Mr. Kukuk said he hauls equipment and the proposed vehicle is the right size, as well as right power to be used as a work truck.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

PUBLIC PRIVILEGE ON RESOLUTIONS

Question from the floor regarding the purchases of the Highway and Clifton Park Sewer District No. 1 vehicles.

Resolution No. 30 of 2006, a resolution setting a Public Hearing to consider adoption of Local Law No. ____ of 2006, a local law amending Chapter 182, Taxation, of the Town Code authorizing a real property tax exemption for qualified volunteer firefighters and volunteer ambulance workers.

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

WHEREAS, the Town Board recognizes the role of the volunteer firefighters and ambulance workers in securing the safety and well being of our communities, and

WHEREAS, the New York State Legislature has amended the Real Property Tax Law in

Section 466-g to authorize Counties and Towns to permit enrolled volunteer firefighters and ambulance workers to be eligible for a real property tax exemption, and

WHEREAS, the Town Board wishes to follow the criteria established by the Saratoga County Board of Supervisors; now, therefore, be it

RESOLVED, that a Public Hearing is hereby scheduled for February 13, 2006 at 7:10 PM in the Wood Memorial Room of Town Hall, One Town Hall Plaza, Clifton Park, New York to consider the adoption of Local Law No. ____ of 2006, a local law amending Chapter 182, Taxation, of the Town Code, and the Clerk is directed to publish appropriate notice of the same.

Supervisor Barrett said it is important to have this tax incentive to retain and recruit members, noting it is a huge commitment and involves initial and ongoing training. Councilman Roth said this is a beginning but what is being offered needs to be increased by the Legislature. He said many volunteers are not homeowners and they need to be accounted for as well. Town Assessor Smead said he has only received 3 applications so it is important to get the word out as the application needs to be filed by March 1, 2005. It was noted this does not apply to school taxes. It was decided information and applications will be dropped at the various fire and ambulance stations.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 31 of 2006, a resolution adopting the 2006 Summer Recreation Matrix.

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

WHEREAS, the 2006 Summer Recreation Matrix has been revised to reflect changes in the salary and hourly rates for Day Camp and Swim Program Employees, and

WHEREAS, the Town Board of the Town of Clifton Park wishes to adopt these revisions; now, therefore, be it

RESOLVED, that the 2006 Summer Recreation Matrix, as revised, is hereby adopted by the Town Board of the Town of Clifton Park per Schedule A.

Director of Parks, Recreation and Community Affairs Kramer explained this includes a \$1.00 increase for the Water Safety Instructors in the hopes it will retain instructors and encourage more to apply. Supervisor Barrett noted Water Safety Instructors pay \$200 plus for certification. Also included is a 25 cent increase per step for counselors.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 32 of 2006, a resolution authorizing the expenditure of \$7,700 for four half-day training sessions for Town Hall staff.

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

WHEREAS, the Town Board wishes to provide staff training to cover “Lessons in Leadership” and “Customer Service”, and

WHEREAS, participation at the training sessions by staff members would confer a benefit to the residents of the Town of Clifton Park; now, therefore, be it

RESOLVED, that the expenditure of \$7,700 is hereby authorized for four half-day training sessions to be conducted on March 21, 22 & 28, 29, by CBG Training and Development to be held at the Public Safety Building, to be paid from the Contingency Fund, with a transfer to A-1620-1 (Town Hall –Conferences).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 33 of 2006, a resolution allocating funds from the 2005 Budget for the purchase of a new vehicle for the Clifton Park Sewer District No. 1.

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

WHEREAS, a need exists for a new vehicle for use by the Clifton Park Sewer District No. 1, and

WHEREAS, Michael O'Brien, Facility Supervisor for the Clifton Park Sewer District No. 1, has recommended that a 2006 Chevrolet Silverado be purchased from State Contract PC60924, Award No. 18489; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Clifton Park Sewer District No. 1, hereby authorizes the allocation of \$30,980.80 from the 2005 Clifton Park Sewer District No. 1 Budget, for the purchase of a 2006 Chevrolet Silverado 2500HD, from Hoselton Chevrolet, Inc. of Rochester, NY, from State Contract PC60924, Award No. 18489.

Town Administrator Shahan explained this includes a plow at \$3999 and other options which are necessary in keeping the lift stations clear and to meet everyday duties. Due to hauling a generator, a heavy duty diesel engine and transmission is required. Councilman Roth explained currently Mr. O'Brien needs to contact the Highway Department when a lift station needs to be plowed out. Mr. O'Brien explained the truck will be a multi-purpose vehicle, also acting as a tanker carrying 65 gallons of diesel fuel.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 34 of 2006, a resolution correcting a line item in the 2006 Olde Nott Farm Sewer District No. 1 Budget.

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

WHEREAS, in order to correct the 2006 Budget it is necessary to transfer funds from G18111-00200 (Olde Nott Farm-Equipment) to G18111-00024 (Olde Nott Farm-Maintenance); now, therefore, be it

RESOLVED, that authorization is given to transfer \$41,000 from G18111-00200 (Olde

Nott Farm-Equipment) to G18111-00024 (Olde Nott Farm-Maintenance).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 35 of 2006, a resolution authorizing Kelly Miller to attend a Real Estate course in Albany, NY, February 9, 10 & 16, 17, 2006.

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

WHEREAS, Walter Smead, Sole Assessor, has requested that approval be granted for Assessment Clerk Kelly Miller, to attend an Introduction to Real Estate Appraisal course in Albany, NY, February 9, 10 & 16, 17, 2006, and

WHEREAS, attendance at this course will confer a benefit upon and be in the best interest of the Town of Clifton Park; now, therefore, be it

RESOLVED, that Kelly Miller is hereby authorized to attend a Real Estate course, February 9, 10 & 16, 17, 2006, at the Manfred Real Estate Learning Center, Inc. in Albany, NY, at a cost not to exceed \$368.20, to be paid from A-1355-001, (Assessor - Training & conference).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 36 of 2006, a resolution authorizing the Comptroller and Assistant Comptroller to attend the New York State Government Finance Officers Association Special Training Seminar and Annual Conference.

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

WHEREAS, Comptroller Mark Heggen has requested authorization to attend the NYS-GFOA Special Training Seminar and Conference, along with Assistant Comptroller Denise Burrall, to be held in Albany, NY from April 6-7, 2006, and

WHEREAS, attendance at this conference by the Comptroller and 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 Comptroller, Mark Heggen and Assistant Comptroller Denise Burrall are hereby authorized to attend the NYS-GFOA Special Training Seminar and Conference, April 6-7, 2006 in Albany, NY at a cost not to exceed \$140 per person, to be paid from A-1315-1 (Comptroller-travel and conference) as budgeted.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 37 of 2006, a resolution authorizing the Director of Parks, Recreation and Community Affairs to attend the New York State Recreation and Parks Society Annual Conference and Business Expo.

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

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has requested authorization to attend the New York State Recreation and Parks Society 66th Annual Conference and Business Expo, to be held in Kerhonkson, NY, and

WHEREAS, the Director's attendance at this conference will confer a benefit upon and be in the best interest of the Town of Clifton Park; now, therefore, be it

RESOLVED, that the Director of Parks, Recreation and Community Affairs is hereby authorized to attend the New York State Recreation and Parks Society Annual Conference and Business Expo, April 2-5, 2006, in Kerhonkson, NY, at a cost not to exceed \$568 for registration and hotel, to be paid from A-7021-001-Parks and Recreation (Training & conference).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 38 of 2006, 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 4, 2006 at a Civic Association, adults only, event 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 4, 2006, from 8 -11 pm, at a Civic Association event, being held at the Locust Lane Clubhouse, contingent upon the execution of an indemnification and a hold harmless agreement in favor of the Town and the provision of a certificate of liability insurance naming the Town as an additional insured and in a coverage amount acceptable to the Town.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 39 of 2006, a resolution referring the 21st Century Park Senior Townhouse Planned Unit Development District Application to the Planning Board for

review and comment.

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

WHEREAS, application has been made to the Town Board for the proposed 21st Century Park Senior Townhouse Planned Unit Development District, and

WHEREAS, Section 208-72 of the Town Code provides for a review of PUD applications by the Planning Board at the Town Board's discretion; now, therefore, be it

RESOLVED, that the 21st Century Park Senior Townhouse Planned Unit Development District application 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.

Supervisor Barrett explained this is an age restricted application for town house and condo development on Route 146 and feels the project has merit. Councilman Roth said the town's Senior Housing Committee has looked at this project in a favorable light and feels it would be beneficial to the community, however, the committee would like the Planning Board to take the following into consideration: 1) would prefer the project be hooked into the sewer system rather than grinder pumps, and 2) concern about taking a left hand turn onto Route 146 and asked the Planning Board to recommend a traffic study and look at other alternatives. Councilman Roth stated he does wish the housing was more affordable. Councilwoman Walowit expressed concern there is only one roadway planned into the site. Councilman Speckhard noted this PUD location is in the Corporate Commerce zone and would like the Planning Board to look at the present and future impacts of the Corporate Commerce zone if this project is approved.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 40 of 2006, a resolution authorizing the Town Supervisor, through his designee, Barbara McHugh, to submit an application for a Shared Municipal Services Incentive 2005-2006 Grant.

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

WHEREAS, the Town of Clifton Park and the Town of Clifton Park Highway Department together with co-applicant, the Town of Halfmoon on behalf of the Town of Halfmoon Highway Department, proposes to acquire a large Vacuum/Jetter truck unit, to provide regular maintenance to both Towns' growing Storm and Waste Management Systems, and

WHEREAS, the Towns will share the equipment equitably as per terms of an inter-municipal agreement specific to the Vacuum/Jetter truck, and

WHEREAS, the Towns are requesting \$100,000 each from the SMSI Grant program, for a combined total of \$200,000, with the remaining equipment and fee costs of \$97,642 to be shared 65%-35% between the Towns of Clifton Park and Halfmoon, as corresponds to their populations and Town Highway miles respectively, and

WHEREAS, the shared costs reflect anticipated shared use relationship between the Towns, and

WHEREAS, the Town of Clifton Park Highway Department, as the primary user, has agreed to house, secure and administer the terms, to be agreed upon, in the proposed Shared Use Municipal Agreement for maintenance, fuel and other associated requirements; now, therefore, be it

RESOLVED, that the Supervisor, through his designee, Barbara McHugh, is hereby authorized to submit an application to the Shared Municipal Services Incentive (SMSI) Grant 2005-2006 Program for \$100,000 along with the Town of Halfmoon's request for \$100,000, and be it further

RESOLVED, that the remaining equipment and fee costs of \$97,642 of which 65% or a maximum of \$63,467 that the Town of Clifton Park will be responsible for, will be appropriated upon receipt of the grant; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to execute all financial and/or administrative processes relating to the grant program.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 41 of 2006, a resolution authorizing the Supervisor to sign a letter of support for the Mohawk Towpath Trail Design Project 2006 Grant.

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

WHEREAS, the Director of Parks, Recreation and Community Affairs has requested a letter of support from the Town for the Mohawk Towpath Trail Design Project 2006 per the attached Memo from Myla Kramer, and

WHEREAS, the Town Supervisor's proposed letter of support is also attached hereto; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign and send a letter reflecting the Town's support for the Mohawk Towpath Trail Design Project 2006.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 42 of 2006, a resolution appointing Michael J. O'Toole, Jr. as a member of the Environmental Conservation Commission and Clarence Bassett as an Associate Member of the Environmental Conservation Commission.

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

WHEREAS, Clarence Bassett, a member of ECC has requested, that due to availability, he be appointed as an Associate Member of ECC, and

WHEREAS, Michael J. O'Toole, Jr., an associate member of ECC, has been recommended to become a member of ECC; now, therefore, be it

RESOLVED, that Michael J. O'Toole, Jr., is hereby appointed as a member of the Town of Clifton Park ECC, to fill the unexpired term of Clarence Bassett, term to expire December 31, 2006; and be it further

RESOLVED, that Clarence Bassett be appointed as an Associate Member of ECC, to fill the unexpired term of Michael J. O'Toole, Jr., term to expire December 31, 2007.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Councilman Roth said he would like to add a resolution to the agenda regarding increasing the prize amounts for a single Bingo game and total prize amount for the evening. This has been requested by the Clifton Park Elks. He reviewed the charity donations of the Elks. It was noted Councilman Roth and Supervisor Barrett are both members of the organization. The Elks said their Bingo games have been hurt by the opening of the Racino in Saratoga Springs. Councilman Speckhard said, if there is no objection to raising the prize limits at the public hearing, he would recommend adopting the legislation on the same evening.

Resolution No. 43 of 2006, a resolution scheduling a Public Hearing to consider Local Law No. ____ of 2006, a local law amending Chapter 70 of the Town Code regarding Bingo.

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

WHEREAS, per the attached letter, Clifton Parks Elks Lodge 2466 has requested the Town Board to consider amending Chapter 70 of the Town Code to keep pace with changes made at the State level regarding acceptable amounts of Bingo prizes, and

WHEREAS, a Public Hearing is required in order to amend the Town Code; now, therefore, be it

RESOLVED, that a Public Hearing is hereby scheduled for February 13, 2006 at 7:20 PM, in the Wood Memorial Room of Town Hall, One Town Hall Plaza, Clifton Park, NY to consider the adoption of Local Law No. ____ of 2006, a local law amending Chapter 70 of the Town Code regarding Bingo, and the Town Clerk is directed to publish appropriate notice of the same.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

PUBLIC PRIVILEGE

Norman Goldman, London Square Drive, speaking with regard to the 21st Century Park Sr. Housing PUD, asked that it not be referred to as “affordable”. In response to Mr. Goldman’s question, Councilman Roth said Mr. Ed Kramer, Dr. Kirk Gleason, Mr. Robert O’Connell and Dr. Vera Prosper attended the White House Conference on the Aging. Mr. Goldman asked if anyone has looked through the comments submitted, many of which asked for affordable senior housing. Mr. Goldman expressed concern with the traffic in the Routes 146 and 9 area. He questioned the cost of the proposed skateboard park and whether it will be self-supporting.

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 8:45 p.m.

Patricia O’Donnell
Town Clerk