

June 5, 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 Paolucci
 Councilman Speckhard
 Councilman Roth
 Councilwoman Walowit
 Supervisor Barrett
 Town Clerk O'Donnell

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

MOTION by Councilman Paolucci, seconded by Councilwoman Walowit, to approve the minutes of the May 8 and 15, 2006 meetings as presented.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Roth

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Councilman Paolucci advised the Board he will be leaving the meeting by 8:00 p.m.

Councilwoman Walowit announced the opening of the Town's Adventure Challenge Course Grand Re-Opening on June 16th at Collins Park.

REPORT TO THE BOARD

Director of Planning Kemper gave an update on proposed amendments to the Comprehensive Plan. He reviewed the membership of the Comprehensive Plan Committee and the process leading up to anticipated adoption in October. He reported the ECC's request that environmental areas of the plan be strengthened has been done. Mr. Kemper acknowledged Open Space Coordinator Viggiani's work on the plan, noting with his departure she will take over the review process. Open space and riverfront development have been updated in the Plan, as well purchase and transfer of development rights, amenity zoning and farmland protection. Stormwater regulations will be included in the plan. He reported the draft of the plan will be on line as well as in the Town Clerk's office with all comments to come to the Planning Department.

Councilman Speckhard said there is nothing new in the Comprehensive Plan and it doesn't set forth law but has a strong legal framework.

Councilman Roth arrived at 7:18 p.m.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 187 of 2006, a resolution authorizing compensation for sewer backup damage from Clifton Park Sewer District No. 1.

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

WHEREAS, Constance and Twitty Stiles sustained \$10,413.72 of damage to their home and furnishings at 54 Hemlock Drive because of a Clifton Park Sewer System backup in February, 2005, and

WHEREAS, the Stiles have requested the Clifton Park Sewer District to reimburse them for \$5,413.72 of the damages which has not been covered by their own insurance, and

WHEREAS, the Town's insurance company has denied coverage of this claim, and the Environmental Specialist has verified the cost of and payment for the necessary repairs, and

WHEREAS, the Clifton Park Sewer Advisory Committee has approved the Stiles' request for reimbursement; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Clifton Park Sewer District No. 1, hereby authorizes the Supervisor to pay \$5,413.72 from G7-8111-24 (Clifton Park Sewer District No. 1) funds, to Constance and Twitty Stiles, 54 Hemlock Drive, Clifton Park, to reimburse them for the balance of the repair costs related to the sewer system backup not covered by their insurance company.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 188 of 2006, a resolution approving application for permission of the New York State Comptroller regarding formation of Extension No. 1 to Rexford Water District No. 2 and construction of water system improvements in the Extension.

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

WHEREAS, the Town Board of the Town of Clifton Park, New York (the "Town") has authorized the establishment of Extension No. 1 (the "Extension") to Rexford Water District No. 2 and the acquisition and construction of water system improvements in the Extension, subject to receipt of permission of the New York State Comptroller in accordance with Town Law Section 209-f and Part 85 of the New York State Comptroller's Regulations, and

WHEREAS, at the direction of the Town Board, the Town Supervisor has prepared an application for permission of the State Comptroller (the "Application") a copy of which is attached to this resolution; now, therefore be it resolved by the Town Board of the Town of Clifton Park as follows:

1. The Town Board believes the contents of the Application to be accurate.
2. The Town Board has previously determined that the formation of the Extension and the acquisition, construction and installation of the proposed improvements thereto are in the public interest and will not

constitute an undue burden on the property which will bear the cost thereof.

3. The real property to be assessed the cost of the proposed improvements will be benefited by the proposed improvements and no benefited property has been excluded.

This resolution is adopted in accordance with Section 85.3 of the New York State Comptroller's Regulations.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 189 of 2006, a resolution authorizing the Capital Bicycle Racing Club to utilize Riverview Road.

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

WHEREAS, the Capital Bicycle Racing Club has requested the use of approximately 2.5 miles of Riverview Road for the purpose of holding a series of bicycle time trial races, and

WHEREAS, the event has run smoothly in the past and has the approval of the Town's Highway Superintendent; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park hereby authorizes the Capital Bicycle Racing Club to utilize 2.5 miles of Riverview Road from the Halfmoon Town line to one mile west of the junction with Van Vranken Road, just before the hamlet of Vischer Ferry, from 6:30 p.m. to 8:30 p.m. on June 28, and be it further

RESOLVED, that this approval is expressly conditioned upon receipt prior to June 28, 2006, in the office of the Town Clerk, of an insurance certificate in the amount of \$1,000,000 naming the Town of Clifton Park as an additional insured; and it is further

RESOLVED, that this approval is expressly conditioned upon the road not being closed but club members are permitted to temporarily stop traffic at each end of the course in the event both a vehicle and cyclist arrive at the same time.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 190 of 2006, a resolution authorizing the hiring of additional alternate lifeguards to be added to the reserve lifeguard list.

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

WHEREAS, the Director of Parks, Recreation and Community Affairs has recommended that the additional lifeguards listed in Schedule "A", be hired to be added to the reserve lifeguard list; now, therefore, be it

RESOLVED, that the Director of Parks, Recreation and Community Affairs is authorized to hire the lifeguards listed in Schedule "A", on an as needed basis, at \$7.00 per hour, to be paid from A-7150-E4690 (Barney Road Pool), SP5-7151-E4690 (Country Knolls Pool) and A-7152-E4690 (Locust Lane Pool).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 191 of 2006, a resolution honoring Christian W. Bidwell for attaining the rank of Eagle Scout.

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

WHEREAS, Christian W. Bidwell, 120 Southbury Road, 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 Christian's achievements, including his Eagle Scout Service Project which consisted of constructing a memorial patio at the Locust Lane Club House in memory of Marshal Hall, a Scout who died of cancer in 1983 shortly after attaining the rank of Eagle Scout, and

WHEREAS, this project will be a benefit to the community by providing a safe place for children to wait when being picked up by parents at the pool; now, therefore, be it

RESOLVED, that Christian W. Bidwell, 120 Southbury Road, 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. 192 of 2006, a resolution honoring Ethan Tice Stanley for attaining the rank of Eagle Scout.

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

WHEREAS, Ethan Tice Stanley, 6 Windsor Drive, Clifton Park, of Boy Scout Troop 48, has attained the rank of Eagle Scout, and

WHEREAS, the Town of Clifton Park Town Board wishes to acknowledge and honor Ethan's achievements, including his Eagle Scout Service Project which consisted of assembling two types of "worry" dolls to be used at Albany Medical Center for children's pain therapy, and

WHEREAS, Ethan enlisted friends at school and at church to help with his project; now, therefore, be it

RESOLVED, that Ethan Tice Stanley, of Troop 48, 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. 193 of 2006, a resolution authorizing the hiring of summer workers for the Buildings and Grounds Department.

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

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

WHEREAS, Michael Handerhan, Buildings and Grounds Supervisor, has recommended that Kyle Kotarski, 12 Castlegate, Ballston Lake, and Joshua Higgins, 165 Anthony Road, Clifton Park, be hired to fill these positions; now, therefore, be it

RESOLVED, that authorization is given to hire Kyle Kotarski, 12 Castlegate, Ballston Lake, and Joshua Higgins, 165 Anthony Road, Clifton Park, as part of the summer Buildings and Grounds staff for the Town of Clifton Park, effective immediately, at \$7.50 per hour, to be paid from A7110-E4000 (Buildings & Grounds-Seasonal Laborer).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 194 of 2006, a resolution authorizing the hiring of a part- time Security Officer.

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

WHEREAS, a need exists for a part- time security officer, and

WHEREAS, Jeremiah Faulkner, 23 Lexington Drive, Clifton Park, has been recommended to fill this position; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Jeremiah Faulkner, 23 Lexington Drive, Clifton Park, as a part-time Security Officer at Grade 3, Step 1, \$13.12 per hour, effective immediately to be budgeted from A-3120-E2200 (Security Staff Salary).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 195 of 2006, a resolution authorizing the hiring of Adventure Challenge Staff per Schedule A.

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

WHEREAS, it is necessary that Adventure Challenge Staff be hired to conduct the 2006 Project Adventure Program within the Department of Parks, Recreation and Community Affairs; now, therefore, be it

RESOLVED, that the individuals on the annexed Schedule A are appointed to said positions at the salary amounts listed, retroactive from May 1, 2006 through October 31, 2006, to be paid from A-7621-E2360 (Project Adventure Staff) and A7621-E2350 (Project Adventure Coordinator).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 196 of 2006, a resolution authorizing the Open Space Coordinator to attend the 2006 Northeast Land Trust Conference on June 9, 2006 in Saratoga Springs, NY.

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

WHEREAS, Jennifer Viggiani, Open Space Coordinator, has requested permission to attend the 2006 Northeast Land Trust Conference in Saratoga Springs on June 9, 2006 at a cost not to exceed \$200, and

WHEREAS, the amount has been budgeted for 2006 in budget line item A-8020-1 (Planning - Conferences and Training), and her attendance at the Conference would confer a benefit to the Town residents, the Town Board, and to the Open Space Program; now, therefore, be it

RESOLVED, that Jennifer Viggiani is hereby authorized to attend the Northeast Land Trust Conference to be held in Saratoga Springs on June 9, 2006, at a cost not to exceed \$200, 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. 197 of 2006, a resolution appointing a new member to the Historic Preservation Commission and also appointing a temporary Chairman.

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

WHEREAS, an opening exists on the Historic Preservation Commission, and

WHEREAS, Peter Fowler, 320 Riverview Road, Rexford, has been recommended to become a member of the Commission; now, therefore, be it

RESOLVED, that Peter Fowler, 320 Riverview Road, Rexford, is hereby appointed as a member of the Historic Preservation Commission for a three year term, term to expire December 31, 2008; and be it further

RESOLVED, that Mark Kazmierczak, 394 Vischer Ferry Road, a current member of the Historic Preservation Commission, is hereby appointed as temporary Chairman of the Commission for a one year term.

Councilman Roth explained currently, due to term limitations, there are only eight members on the Committee but with the proposed legislation, membership requirements will be amended. The term of the individual acting as Chair since January has expired and reappointments will be made when, hopefully, the proposed legislation is adopted. Mr. Kazmierczak will be the temporary Chair. Councilman Roth stated there is nothing in the proposed legislation regarding Historic Districts. He reported a three-person committee is looking into Historic Districts and when language is put together, residents who expressed concerns in the past, will be contacted in order to have a consensus of opinion before anything is presented.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 198 of 2006, a resolution authorizing the hiring of a Director for the Comic Book Project and approving a volunteer to assist with the project.

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

WHEREAS, a need exists for a Director of the Comic Book Project being presented as part of the Summer Recreation Program, and

WHEREAS, Myla Kramer, Parks, Recreation and Community Affairs Director, has recommended that Shannon Haegle, 20 Esopus Drive, Clifton Park, be hired for the position; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Shannon Haegle, 20 Esopus Drive, Clifton Park, as Director of the Comic Book Project, effective immediately through July 28, 2006, to be paid a total of \$500 for the project from A7310—E4520 (Summer Rec.- Other Program Salary); and be it further

RESOLVED, that authorization is given for Aaron Treiber, 1 Royal Oak Drive, Clifton Park, to volunteer as an aide for the Comic Book Project from July 24 - 28, 2006.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 199 of 2006, a resolution authorizing the hiring of a Senior Attendant and Attendants for the Clifton Park Action Park.

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

WHEREAS, an opening exists for a Senior Attendant and Attendants for the Clifton Park Action Park, and

WHEREAS, Myla Kramer, Director of the Office of Parks, Recreation and Community Affairs, has recommended that the persons listed on Schedule "A" be hired to fill the positions; now, therefore, be it

RESOLVED, that authorization is given to hire a Senior Attendant and Attendants for the Clifton Park Action Park, per Schedule A, effective immediately through November 30, 2006, to be paid from A-7200-E4000 (Action Park-Staffing).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 200 of 2006, a resolution changing the positions of two Lifeguards at the Locust Lane Pool.

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

WHEREAS, Resolution No. 118 of 2006 appointed Matt Neuber, 20 Nottingham Way, Clifton Park, to the position of Head Lifeguard and Ryan Dunham, 36 Southbury Road, Clifton Park, as a Lifeguard at the Locust Lane Pool, and

WHEREAS, due to other commitments Matt Neuber is not able to assume the position of Head Lifeguard, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that Ryan Dunham, 36 Southbury Road, Clifton Park, replace Matt Neuber as Head Lifeguard, at \$8.25 per hour and that Matt Neuber replace Ryan Dunham as a Lifeguard, at \$8.25 per hour, both at the Locust Lane Pool; now, therefore, be it

RESOLVED, that authorization is given to Myla Kramer to change the position of Ryan Dunham from Lifeguard to Head Lifeguard and to change the position of Matt Neuber from Head Lifeguard to Lifeguard, effective immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 201 of 2006, a resolution authorizing Clough, Harbour and Associates to proceed with the design and bidding phase of the proposed Longkill I Park District Pavilion and Skate Rink.

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

WHEREAS, the Longkill I Park District wishes to construct a Pavilion and Skate Rink in the Park District, and

WHEREAS, Clough, Harbour and Associates has prepared and submitted a proposal for the design and bidding phase for said project at a cost not to exceed \$69,500; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Longkill I Park District, authorizes Clough, Harbour and Associates to proceed with the design and bidding phase for the project, per the attached proposal, at a cost not to exceed \$69,500, \$59,500 to be paid from SP5-909 (Longkill I Undesignated Funds) and \$10,000 to be paid from SP5-7123-135 (Longkill I Engineering).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 202 of 2006, a resolution establishing the summer schedule for Town Board Meetings.

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

WHEREAS, the Town Board wishes to set the summer meeting schedule at two meetings per month consistent with past practice; now, therefore, be it

RESOLVED, that the Town Board hereby establishes the following summer schedule for July and August 2006:

Monday	July 3, 2006
Monday	July 17, 2006
Monday	August 7, 2006
Monday	August 21, 2006

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 203 of 2006, a resolution authorizing the renewal of the contract with Fountains Spatial Inc. to host the Clifton Park Online GIS Application (IMAP).

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

WHEREAS, on June 1, 2006 a quote was received for the hosting of the town hall version and public version of IMAP in the amount of \$6,000, and

WHEREAS, the hosting will be for a one year period, and

WHEREAS, the IMAP application provides a benefit to Town Employees and the residents of Clifton Park; now, therefore, be it

RESOLVED, that the Town Board authorizes Fountains Spatial Inc. to host the IMAP application for a one year period, at a cost of \$6,000 as budgeted in A-1620-4 (Town Hall – Computer).

Director of Planning Kemper reported Applied GIS was bought out by Fountains Spatial, Inc. and everything remains the same.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 204 of 2006, a resolution scheduling a third public hearing to consider adoption of Local Law No. _____ of 2006, a local law amending Article XIII, Section 208-78, Historic Preservation of the Zoning Code as adopted by Local Law No. 10 of 1996.

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 the comments of the Town's citizens regarding the proposed local law, and

WHEREAS, on May 9, 2005 at 7:10 pm a second public hearing was conducted to solicit additional comments from Town citizens, 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 June 12, 2006 at 7:10 PM in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, to consider the adoption of Local Law No. _____ of 2006, a local law amending Article XIII, Historic Preservation, of the Zoning Code as adopted by Local Law No. 10 of 1996 and the Town Clerk is directed to publish notice of the same.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 205 of 2006, a resolution authorizing the Town Supervisor to sign an agreement with the New York State Police for supplemental services.

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

WHEREAS, the Town of Clifton Park has found it to be cost effective and efficient to obtain law enforcement services within the Town through the New York State Police, and

WHEREAS, the Town of Clifton Park and the New York State Police wish to continue their relationship; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign a contract with the New York State Police whereby the State Police shall provide law enforcement services within the Town of Clifton Park from March 1, 2006 through February 28, 2009; and be further

RESOLVED, that the cost of such services, as budgeted, shall increase each year with the Consumer Price Index and any collective bargaining agreements.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Councilman Paolucci was excused at 7:50 p.m.

PUBLIC PRIVILEGE

Ben Dreidel, Greenridge Drive, spoke with regard to oil production and actions that can be taken now.

Gene Brousseau, Caceras Court, reported drainage problems on the cul d'sac, curbs disappearing and water backing up in his driveway after the court was blacktopped. He stated the road needs to be repaved to improve drainage.

MOTION by Councilwoman Walowit, seconded by Councilman Roth, to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of Town business.

Motion carried at 8:03 p.m.

Patricia O'Donnell
Town Clerk