

April 28, 2008

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

Also Present: Town Attorney McCarthy
Mark Heggen, Comptroller
Myla Kramer, Director of Parks, Recreation and Community Affairs
Richard Kukuk, Superintendent of Highways
Barbara McHugh, Director of Community Development
Michael Shahan, Town Administrator

ANNOUNCEMENTS AND COMMUNICATIONS

Councilman Roth expressed appreciation to all who sent cards, flowers and good wishes to him while hospitalized. He expressed concern and disappointment that the resolution appointing John Ryan to the Clifton Park Water Authority was not pulled as he requested, noting this has been done in the past, so he could interview him, especially since he is the Town Board Liaison to the Water Authority. He referred to his letter read by Mr. Bulger at the April 21, 2008 Town Board meeting, noting at no time did he insist on anyone being put into that position but was only asking for chance to be able to interview Mr. Ryan, as well as other interested candidates. Councilman Roth stated in the past candidates have been interviewed and he assumed this process would be followed. He reported he has recently spoken with Mr. Ryan but feels it doesn't serve any purpose to meet with him at this time. He said Mr. Ryan's problem with the Water Authority years back came about due to the amount of water he used and the amount of the bill he received. He explained the Water Authority uses an inclining rate according to the amount of water used. He reported this was put into effect by the Water Authority and approved by the Department of Environmental Conservation. He referred to a Water Authority Board Meeting held in August 1999 at which time a lengthy discussion was held with the outcome supporting an inclining rate for excessive water usage. Councilman Roth said he deserved the courtesy and respect, as the longest sitting Board member, of delaying the process of selecting a member for the Water Authority when there was no rush. He reported there are three Town Board meetings before the next Water Authority meeting scheduled for May 14th. He stated he asked Councilman Paolucci to pull the resolution to give him a chance to interview Mr. Ryan and anyone else interested in the position but Councilman Paolucci refused to do. Councilman Roth stated he attends almost every Water Authority meeting and the people do a tremendous job in dealing with the public by accommodating them in every possible way. He expressed concern that the volunteer Water Authority Board was subject to disparaging remarks 11 years ago by Mr. Ryan who will now sit on that Board. He said Mr. Ryan's resume is impressive and he is probably qualified to be a Board member of the Water Authority, however, he would like to have had an opportunity to interview him as well as other people, particularly since he is the liaison to the Water Authority. Councilman Roth further reported that Chairman of the Clifton Park Water Authority Gerstenberger was not aware of Mr. Ryan's remarks against with the Water Authority 11 years ago until April 22, 2008. He commented that no job description exists for a Board Member of the Water Authority but the Water Authority has adopted Board Members' duties and responsibilities.

Speaking with regard to the Route 146 Park, Councilman Roth reported the Open Space Committee was formed to look at open space, trails, and recreation and it appears they don't know anything about this recreational complex. He stated the Town Board is not obligated to any political board. He reported the Town Board was invited to the meeting regarding the Route 146

Park held by the residents. He attended the meeting, though he had to leave early for another meeting, and Supervisor Barrett attended as well. He said a representative of Councilman Paolucci also attended and read a statement from Councilman Paolucci that he had another meeting but wanted to ensure the residents that nothing has moved forward on this project and there are many things that have to be discussed. Councilman Roth reported he has researched two pieces of land for sale on Route 146 which are closer to the town complex, hotels and restaurants. The parcel on the north side of Route 146 and Tanner Road consisting of 22 acres appears to be flat and is listed for \$1.1 million. The 45 acre parcel across the road is listed for \$2.5 million. Councilman Roth reported all the documents he has for the park say recreational and passive and show soccer fields. In May 2006 a grant application was submitted to NYS Office of Parks, Recreation and Historic Preservation asking for \$350,000 for this park. He said he will not say there will not be soccer fields at the park. He said the residents in the Rexford area deserve more information than what they have received. Councilman Roth said he has been a part of Route 146 Park discussion from the beginning and said yes to expending the money in order to create a recreation complex.

Councilman Roth reported the issue of the Meneely Bell was brought to the Town Board in October and in November Ed Hughes of the Jonesville Cemetery Association wrote the Town Board asking that the bell be situated at the Cemetery. He stated originally he was in favor of placing the bell at the Town Hall as he felt this would be the most secure location. He apologized that the Town Board has not responded to Jonesville Cemetery Association either yes or no. Supervisor Barrett said he invited Mr. Hughes to last week's meeting as he had new information to share with the Board. He stated the Board will definitely make a decision in the near future. Several different sites have been looked at and the Jonesville Cemetery Association plan appears to be the most responsible and attractive and they are certainly the most interested.

Councilman Paolucci reported NYSDOT will be holding a Public Informational Meeting on May 6th in the Glenville Senior Center regarding the proposed Glenridge Road/Maple Ave roundabout.

Councilwoman Walowit reported an email has been received from Mr. Ziobrowski regarding offering Transfer Station Permits for Disabled American Veterans at the reduced rate of \$25 which is the same offered to Social Security Disabled. Councilman Roth said this discount is for those who have served our country and feels the Board should move forward regardless of any financial impact. Councilman Paolucci said the Board should understand the financial impact.

Councilman Hughes reviewed the recycling initiative on the Common that was "kicked off" on April 26th, and thanked all the volunteers involved in the day.

Councilman Paolucci gave a presentation on the importance of changing incandescent light bulbs to CFLs. Information in this regard, as well as an energy savings calculation procedure, is on cliftonpark.org. Councilman Paolucci said as residents enter their information, the total town savings will be calculated each day.

PUBLIC HEARING, 7:10 PM
TO CONSIDER A LOCAL LAW AMENDING LOCAL LAWS NO. 11 OF 1991 AND 2 OF
1998
SETTING A SIXTY-DAY MORATORIUM ON COMMUNICATION TOWERS OR
FACILITIES

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on April 24, 2008.

Supervisor Barrett summarized the proposed local law explaining no changes are being proposed at this time. Moratoria have been set in the past and the proposed moratorium will give time to review the Town Code. He noted the technology continues to change on a regular basis. Supervisor Barrett reported the 500 foot buffer came out of the last review which is a very positive addition to the Code. He stated any current applications would not be affected by the moratorium.

The public hearing was opened for comments from the audience at 8:25 p.m.

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Norman Goldman, London Square Drive, said in the past there were always some ideas of change when adopting a moratorium. He feels this moratorium is premature since there are no apparent changes at this time.

Supervisor Barrett stated, though the town has tried to be as proactive as possible, there isn't a lot the town can do as the Federal Communications Act is very broad and far-reaching.

Frank Berlin, Main Street, Jonesville, asked if there is a law about siting a tower close to recreational facilities. He stressed the importance of co-locating cell towers.

Supervisor Barrett responded the 500 foot buffer did come into play when the application was made for a cell tower in Jonesville.

Councilman Hughes said a review of the Code will give the opportunity to maximize protection of the public while also considering co-location and, while towns are under certain federal guidelines, the Town Board is doing everything in their power to ensure residents' interests are being protected.

William Barber, Blue Spruce Lane, said he has spoken with the FCC who said the radiation level isn't just for one tower or one antenna but civil bands, televisions, radios and all have to be considered. He said the safety concern he has is not so much with towers but the radiation from cell phones themselves.

Chuck Haney, South Hollow Drive, asked if there is a limit on the number of companies that go on a structure.

Town Attorney McCarthy responded most municipalities encourage co-locating on existing structures but, based upon size, there is a limit as to how much equipment a particular structure can handle and the Water Authority has looked at this.

Supervisor Barrett said the Board has in the past considered setting the moratorium the same evening as the Public Hearing and will consider a resolution in that regard tonight.

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 8:36 p.m.

REPORTS TO THE BOARD

Town Comptroller Heggen reviewed the March Financial Report, explaining March revenues are 2008 revenues. The Report to the State Comptroller will be filed electronically by May 1st. Auditors will be in the second week in June. Councilman Roth asked Mr. Heggen to determine when the arena audit will be done.

Town Administrator Shahan said an MS4 Audit from DEC is anticipated. He reported with development more storm water runoff is occurring. He reviewed the "rapid notify" phone message sent by the County to alert residents of the no burning regulation.

PUBLIC PRIVILEGE ON RESOLUTIONS

In response to a question from the floor, Supervisor Barrett said any elected official or Town Board member can put a resolution on the agenda.

Resolution No. 134 of 2008, a resolution authorizing the hiring of Summer Workers in the Buildings and Grounds Department.

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

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WHEREAS, Michael Handerhan, Buildings and Grounds Supervisor, has recommended that Christopher Palkovic, 605 Clifton Park Center Road, Clifton Park, and William Torres, 633 MacElroy Road, Ballston Lake, be hired to fill the positions; now, therefore, be it

RESOLVED, that authorization is given to hire Christopher Palkovic, 605 Clifton Park Center Road, Clifton Park, and William Torres, 633 MacElroy Road, Ballston Lake, as Summer Workers in the Buildings and Grounds Department, at \$8.00 per hour, effective immediately, to be paid from A-7110-E4000 (Buildings and Grounds-Employee).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 135 of 2008, a resolution hiring summer help for the Longkill I Park District.

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

WHEREAS, a need has been identified for summer help at the Longkill I Park District to do light maintenance, and

WHEREAS, Heather Mackesey, 12 South Hollow Drive, Ballston Lake, has been recommended to be hired for this position; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Longkill I Park District, hereby authorizes the hiring of Heather Mackesey to do light maintenance for the Longkill I Park District at \$7.50 per hour, not to exceed \$2,400 for the season, effective immediately, to be paid from SP57123-24 (Longkill I Park District-Maintenance).

It was noted "light maintenance work" is raking, cleaning up and nothing heavy duty where a truck would be needed.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 136 of 2008, a resolution authorizing an increase in the Board Designated Fund Balance for the Clifton Park Sewer District No. 1.

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

WHEREAS, the financial results for the Clifton Park Sewer District No. 1, resulted in revenues exceeding expenditures, and

WHEREAS, it is appropriate to increase the Board Designated Fund for Capital Improvements to offset future Capital Projects, and

WHEREAS, the Board Designated Fund Balance for Capital Projects is \$136,500, and

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WHEREAS, an increase in the Board Designated Fund Balance of 10% of revenues will be \$74,544; now, therefore, be it

RESOLVED, that the Comptroller is authorized to increase Board Designated Fund Balance for Clifton Park Sewer District No. 1, by \$74,544, to be designated for future Capital Projects.

Mr. Heggen explained this is to increase the Board designated fund balance for capital projects. Supervisor Barrett said he wants to set aside money every year for emergency purposes and capital improvements. He said the town has been able to operate the former CK Sanitary System effectively and efficiently by investing in people and equipment, thereby causing less calls to contractors. He noted service has improved and rates have not been raised since the system was taken over. He commended Michael O'Brien, Supervisor of the Sewer District, and his staff for their excellent work. Supervisor Barrett explained since the creation of the Clifton Park Sewer District No. 1 it was determined that 10 percent of the revenues would be set aside.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 137 of 2008, a resolution authorizing the Supervisor to sign an Agreement Amendment between the New York State Emergency Management Office (SEMO) and the Town of Clifton Park.

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

WHEREAS, Resolution No. 80 of 2008, authorized the Supervisor to sign a contract with the New York State Emergency Management Office (SEMO) accepting the 2007 Citizen Corp Grant Award of \$32,069, and

WHEREAS, the Town of Clifton Park was informed of the necessity to add Termination and Omission of Subcontractor Clauses to the 2007 contracts which were previously omitted; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign an Agreement Amendment between the New York State Emergency Management Office (SEMO) and the Town of Clifton Park, accepting the 2007 Citizen Corp Grant Award for \$32,069 for the performance period of July 2007 through June 2010.

Ms. McHugh explained the State inadvertently omitted two required clauses in the contract.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

4/28/2008

Resolution No. 138 of 2008, a resolution scheduling a public hearing to consider adoption of Local Law No. _____ of 2008, a local law amending Local Law No. 6 of 2007, Chapter 153, Parks, of the Town Code.

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

WHEREAS, by Local Law No. 6 of 2007, Chapter 153, Parks, was added to the Town Code and addressed the control of dogs at Collins Park, and

WHEREAS, the Town Board now wishes to address the control of dogs at Kinns Road Park and Veterans Park, requiring them to be on a leash, during certain hours, per Schedule "A", attached hereto; now, therefore, be it

RESOLVED, that a public hearing to consider adoption of Local Law No. _____ of 2008, a local law amending Local Law No. 6, of 2007, Chapter 153, Parks, of the Town Code, is hereby scheduled for May 12, 2008 at 7:10 pm, in the Wood Memorial Room, One Town Hall Plaza, Clifton Park; and be it further

RESOLVED, that the Town Clerk shall publish appropriate notice of same.

Councilman Roth reported a study was done for one year allowing dogs off leash in Kinns Road Park which worked for six months with only one incident, however, an incident occurred recently that is bringing this proposed legislation forward. This legislation will limit the hours dogs can be unleashed. He stated if the proposed legislation doesn't work then dogs at Kinns Road Park and Veterans Park will have to leashed. He noted the Preserves are not part of this legislation.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 139 of 2008, a resolution authorizing the Cystic Fibrosis Foundation to hold its 3rd Annual 5k run at the Jonesville Fire Station on Main Street in Jonesville.

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

WHEREAS, the Cystic Fibrosis Foundation has requested the use of the Town/County roadways, as specified in the attachment hereto, for the purpose of holding a 5k run, and

WHEREAS, the event has the approval of the Town's Highway Superintendent, and permission has been granted by Joseph Ritchey, Commissioner of Public Works, to use Main Street in Jonesville, which is a county road; now, therefore, be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the Cystic Fibrosis Foundation to use Town roadways as specified in the attachment hereto, May 4, 2008, at 12:30 pm, for the purpose of holding a 5k run, and be it further

RESOLVED, that this approval is expressly conditioned upon receipt prior to May 4, 2008, 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 be it further

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

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ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 140 of 2008, a resolution authorizing the Southern Saratoga YMCA to use Town roadways for the “Anyone Can Try” Triathlon.

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

WHEREAS, the Southern Saratoga YMCA has requested the use of the Town roadways, as specified in the attachment hereto, for the purpose of holding an “Anyone Can Try” Triathlon, and

WHEREAS, the event has the approval of the Town’s Highway Superintendent; now, therefore, be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the YMCA to use Town roadways, as specified in the attachment hereto, May 4, 2008, at 7:30 am, for the purpose of holding an “Anyone Can Try” Triathlon, and be it further

RESOLVED, that this approval is expressly conditioned upon receipt prior to May 4, 2008, 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 be it further

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 141 of 2008, a resolution honoring Josephine (Jo) L. Piracci for thirty-two years of service to the Clifton Park-Halfmoon Library and for her dedication to the community.

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

WHEREAS, Mrs. Piracci was first hired by the Shenendehowa Free Library Association as Children’s Services Reference Librarian in 1976 to work in the Library that was housed in a former schoolhouse on Cemetery Road, where patrons numbered 4,000 and the collection amounted to 7,000 volumes, and

WHEREAS, Mrs. Piracci worked with Children’s Programming until her promotion to Assistant Director in 1985 in charge of the Children’s Services Circulation Desk, and

WHEREAS, in 1980 Mrs. Piracci was an integral part of the Library’s first move to its first dedicated building at the corner of Wall Street and Clifton Country Road and ten years later oversaw her first construction project, an expansion project for the library, adding 14,000 square feet to accommodate the library’s growing needs, and

WHEREAS, Mrs. Piracci was promoted to Library Director in 1986, and

WHEREAS, Mrs. Piracci has represented the interests of the Library on the Joint Automation Governance Board of the Southern Adirondack and Mohawk Valley Library Systems since 1989, and

WHEREAS, in 1996, as the demand for library services grew, Mrs. Piracci encouraged the formation of the Friends of the Library to promote, enhance and support Library services, and

WHEREAS, in 2001-2002 Mrs. Piracci served on a special committee to renegotiate the contract providing automated library services to thousands of patrons and sixty member libraries of the Southern Adirondack and Mohawk Library Systems, and

WHEREAS, in 2002 Mrs. Piracci worked with the Library Board and community leaders to add the Town of Halfmoon to the library Legislative District, and

WHEREAS, in 2004, in recognition of her leadership and contribution to the communities she serves as Director, Mrs. Piracci was recognized by AARP as a “Woman of Achievement”, and

WHEREAS, at the time of her retirement Mrs. Piracci leaves a library that has grown to serve the two largest communities in Saratoga County, established her library as a foundation and major component of the Southern Adirondack Library System, built the resources to over 160,000 printed volumes, serving over 40,000 active patrons with an annual budget of over \$3 million dollars, and

WHEREAS, under Mrs. Piracci’s direction the Library has energetically moved forward into the technology and computer age and now routinely provides educational, cultural and entertainment services to our community and is a friendly meeting place for residents of all ages, and

WHEREAS, over a period of four years, Mrs. Piracci was an integral part of the move to locate and build a new community-centered library having overseen the Board’s desire to design an attractive energy efficient building, pioneering a LEED, (Leadership in Energy and Environmental Design) Certification process, resulting in a technologically innovative 55,000 square foot multi-faceted hub of community activity, and

WHEREAS, Mrs. Piracci, is retiring after thirty-two years of serving the library needs of the citizens of the Towns of Clifton Park and Halfmoon; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park pause in it’s deliberations to honor Mrs. Piracci for her thirty-two years of service to the Clifton Park-Halfmoon Library and the 40,000 patrons the Library serves, and to extend its best wishes for a happy and healthy retirement.

Councilman Roth said Jo Piracci is most deserving of this recognition.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

4/28/2008

Resolution No. 142 of 2008, a resolution hiring new Counselors for the Summer Recreation Full and Half Day Camps.

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

WHEREAS, it is necessary that additional staff be hired by the Department of Parks and Recreation to operate the Town of Clifton Park Summer Recreation Full and Half Day Camps, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that the individuals listed in Schedule "A", hereto, be hired for such purpose; now, therefore, be it

RESOLVED, that the individuals listed in Schedule "A", attached hereto, shall be hired as Counselors to staff the Town of Clifton Park's Summer Recreation Full and Half Day Camps, effective immediately to August 22, 2008.

Ms. Kramer asked that the salary of Andrew Landor be changed from \$7.15 to \$7.90/hour since he worked for the town from 2004 to 2006.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 143 of 2008, a resolution authorizing the hiring of a Program Coordinator and Assistant for the Tiny Hands Summer Club.

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

WHEREAS, a need exists for a Program Coordinator and an Assistant for the Tiny Hands Summer Club preschool program, being presented as part of the Summer Recreation Program, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that Kristen Reichard, 5 Durham Way, Clifton Park, be rehired to fill the position of Program Coordinator, and Lindsey Van Alstyne, 31 Sunrise Terrace, Clifton Park, be recommended to fill the Assistant position; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Kristen Reichard as the Program Coordinator to be paid a total of \$900 and Lindsey Van Alstyne be hired as the Assistant Program Coordinator to be paid a total of \$700 for the Tiny Hands Summer Club, effective immediately through August 15, 2007, from A7310-E4520 (Summer Recreation-Other Program Salary).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

4/28/2008

Resolution No. 144 of 2008, a resolution authorizing 2007 Budget Adjustments specified in Exhibit A.

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

WHEREAS, the Comptroller has recommended that certain budget adjustments contained in Exhibit A be made to address the needs of all funds as well as other miscellaneous expenditures; now, therefore, be it

RESOLVED, that the Budget Adjustments specified in Exhibit A be adopted per the Comptroller's recommendations.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 145 of 2008, a resolution proclaiming August 5, 2008 as "Shoot Out on the Common Night".

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

WHEREAS, the "25th Annual National Night Out" provides a unique opportunity for Clifton Park to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts, and

WHEREAS, the Town Citizen Corps Council and CERT members play a vital role in assisting the State Police and Sheriff's Department through joint crime, drug and violence prevention efforts in the Town of Clifton Park and is supporting "National Night Out 2008" locally, and

WHEREAS, it is essential that all citizens of Clifton Park be aware of the importance of crime prevention programs and the impact that their participation can have on reducing crime, drugs and violence in Clifton Park, and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program, and

WHEREAS, through our commitment to a healthy police-community partnership, fostered by interaction and sharing, the Town of Clifton Park's Citizen Corps Council will be organizing a Youth Foul Shooting Contest on The Clifton Common, at 6:00 PM on August 5, 2008, in support of National Night Out; now, therefore, be it

RESOLVED, that we the Clifton Park Town Board do hereby call upon all citizens to join us, the Citizen Corp Council and the National Association of Town Watch in supporting the "25th Annual National Night Out" on August 5, 2008; and be it further

RESOLVED, that the Clifton Park Town Board hereby proclaims August 5, 2008 as "Shoot Out on the Common Night".

Councilman Roth said he would like to see a Senior 70 plus Foul Shooting Contest.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes, Councilman Roth,

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Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 146 of 2008, a resolution appointing Ronald Croce to the newly created position of Automotive Maintenance Supervisor in the Highway Department.

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

WHEREAS, the position of Automotive Maintenance Supervisor was approved by the Saratoga County Department of Personnel, and

WHEREAS, after reviewing the qualifications of current employees in the Highway Department, Highway Superintendent Richard Kukuk has recommended that Ronald Croce, 106 Lasher Road, Charlton, NY, be promoted to fill this position; now, therefore, be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the promotion of Ronald Croce, to the position of Automotive Maintenance Supervisor, at Grade 8, Step 7 (\$53,296 per year), effective immediately, increase of \$10,477 for the remainder of 2008 to be paid with a transfer of \$2,096 from DA-05142-E1500 (Snow Removal-MEO Highway) to DA-5142-E0274 (Snow Removal-R. Croce) and \$8,381 from DA-05110-E1500 (Road Construction to DA-5110-E0274 Road Construction-R. Croce).

Superintendent of Highways Kukuk determined a third Supervisor was necessary due to the fact vacations are not allowed in the winter months so the two supervisors take vacation in the summer. He stated Elaine Sausville, Deputy Highway Superintendent, has taken on a number of duties, and some of those duties will be put into the 3rd supervisory position. He consulted with Saratoga County personnel and Civil Service Board for the job description and duties. Saratoga personnel asked Mr. Kukuk to come up with the value of the position. He determined the position will be a job equal to that of Assistant Highway Maintenance Supervisor which is an existing salary Grade 8. Mr. Croce will be supervising six employees directly, however, during snow removal it could be half or the entire workforce. He reported Mr. Croce is currently an Automotive Mechanic and Highway employee Dan Fowler, who has the title of MEO, is performing the functions of Automotive Mechanic and will be moved into that position. Superintendent Kukuk stated the head count will remain the same.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 147 of 2008, a resolution appointing a Secretary to the Planning Board.

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

WHEREAS, an opening exists for a Secretary to the Planning Board, and

WHEREAS, the Town Board wishes to appoint Janis Dean, 23 Pinewood Drive, Clifton Park, as Secretary to the Planning Board; now, therefore, be it

RESOLVED, that Janis Dean is hereby appointed as Secretary to the Planning Board, effective immediately, at \$500 a month, as budgeted from A-8020-E2450 6F (Planning Board-Planning Board Secretary).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 148 of 2008, a resolution adopting Local Law No. 3 of 2008, a local law directing an interim application process for Telecommunication equipment and amending Local Laws No. 11 of 1996 and No. 2 of 1998.

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

WHEREAS, since the enactment of the Telecommunications Act of 1996, there has been an evolving body of case law, both State and Federal interpretations of the Act, and it's relationship to Local Law Land Use planning decisions, and

WHEREAS, the technology, usage, and variety of devices utilizing wireless signals both for voice and data transmission continue to evolve, and

WHEREAS, changes have been recommended to the Town's current ordinance, and

WHEREAS, the Town wishes to update, revise or replace its Telecommunications Law to more comprehensively review applications for the design and siting of wireless communications facilities, in light of the Town's aesthetic, environmental, historic, and scenic resources, and at the same time to ensure the availability of effective wireless communication coverage for its residents and businesses under current and evolving technological standards; and

WHEREAS, the Town Board determines that sixty (60) days is a reasonable time for the Town to complete its aforementioned review, and for the Town to enact any required legislation resulting there from the date such local law enacting said interim application process is filed with the office of the Secretary of State, and

WHEREAS, pending applications for wireless telecommunications facilities shall continue to be reviewed under existing legislation and nothing in this resolution or contemplated local law is intended to impact the review procedures already under way but any new applications, received after the effective date of this resolution shall be evaluated under the Town's revised law regarding telecommunication towers and facilities; and

WHEREAS, a public hearing was held on April 28, 2008 at 7:10 pm, to obtain comment from the public regarding this matter; now, therefore, be it

RESOLVED, that while this Moratorium is not intended to be prohibitive or exclusionary in nature, during the moratorium period new applications for a Building Permit, Special Use Permit, Zoning Variance, Site Plan approvals, zoning amendment, or any other action required for new Telecommunications, Wireless Internet Transmission Facilities, or Tower installations shall not be accepted by the Building Department, the Planning Department, Zoning Board of Appeals, Planning Board or the Town Board, and be it further

RESOLVED, that Local Law No. 3 of 2008, a local law imposing a moratorium on the acceptance of new applications for approvals for Telecommunications Equipment, Facilities and Structures 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.

4/28/2008

ROLL CALL VOTE

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

Noes None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Ed Hughes, Jonesville Cemetery Association, acknowledged Cemetery Superintendent John Davie who has served over 20 years and Frank Berlin who serves on the Cemetery Finance Committee. Mr. Hughes explained no one on the Cemetery Association knew where the bell was located for the last 20 years. He reiterated the reasons why the bell should be located at the Cemetery, as well as steps that would be taken for protection of the bell. He noted the bell will be elevated 8 to 10 feet and lighted in the evening. Mr. Hughes said at least 20 letters have been received in support of the bell being located in the Jonesville Cemetery. He reported a local contractor will construct the bell tower at no cost regarding materials and labor, however, funds will need to be raised in order to repair the bell ringing mechanism at an approximate cost of \$5000. Mr. Hughes requested the Town Board act to locate the bell in the cemetery.

Supervisor Barrett said the Board will make a decision within the next couple of meetings.

Councilman Hughes stated placing the bell in the Cemetery has his full support.

Councilman Roth asked that a resolution placing the bell in the Jonesville Cemetery be on the agenda for the May 5, 2008 Town Board meeting.

Supervisor Barrett said the town will want to be involved and assist in the fundraising efforts.

Mr. Hughes said the frame that holds the bell also needs repair.

Frank Berlin reported May 13, 1883 is the 125th Anniversary of the bell's construction.

Kathleen Farina, Blue Jay Way, explained using CFLs will be putting heavy metals back into the landfill, specifically phosphorus and mercury which are classified as hazardous waste, and thinks this needs more study. Regarding recycling on the Common, she asked if the town will be getting the deposit from the recycled soda cans. Speaking with regard to the Route 146 Park, Ms. Farina stated she would like to see a balance for both recreational and passive use. She said the concept plan is available for review and it appears the town is being respectful of wetlands, and woods are being kept in the western section of the park. She asked if the soccer fields on the Common are being augmented or replaced at the Route 146 Park. Ms. Farina expressed concern with the increase in traffic soccer will bring to the Rexford area.

Councilman Paolucci stated he is aware of the hazardous waste component of CFLs and they may be disposed of at the Hazardous Waste Day in September. He said it is hoped a vendor can be found so CFLs can be brought to the Transfer Station.

Councilman Roth announced Hazardous Waste Day is scheduled for September 20, 2008.

Susan Schmulka, Nott Road, read Resolution No. 249 of 2007 and stated she and her neighbors feel soccer fields at the Route 146 Park is a done deal. She said she hears the Open Space Committee has little or no knowledge of the park plans. Ms. Schmulka said recent minutes of the Clifton Park Soccer Association state that the newly purchased land on Route 146 looks positive for new soccer fields. She questioned why taxpayer money is being used to purchase land to support a private organization without the consent of the people. She said the Board is not listening to the people and the people of Clifton Park are coming together to preserve and keep the true nature and habitat as the Town Board has pledged they would do. Ms. Schmulka said the Town Board must keep an open mind and be willing to listen and work with residents. She asked the Board to come together with the community in the western part of town, the Open

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Space Committee and anyone else that needs to be involved, and determine the best use suited for this site for the people and the community of western Clifton Park and resolve to revise Resolution No. 249 of 2007.

Norman Goldman, London Square, thanked Councilman Roth for his comments. He read a prepared statement expressing concern with not pulling the resolution appointing John Ryan to the Water Authority until Councilman Roth had an opportunity to meet with Mr. Ryan.

Kay MacLaury, Garnsey Road, said it is her understanding there are more fields planned for the new park than what are currently on the Clifton Common and the congestion will be greater. The soccer fields will affect the whole town by eliminating the open space character than exists. She referred to the Open Space survey that stated people want to retain the rural character. She said a recreational park with state of the art facilities and the resulting traffic and necessary infrastructure will seriously compromise the rural structure.

Frank Berlin, Main Street Jonesville, spoke against the county water plan and the eminent domain procedure. He is not in favor of the town being part of the plan.

Chris Grossman, Nott Road, said soccer fields could go on the 45 acres mentioned by Councilman Roth as the Town Board has noted only 25 acres are needed for 10 to 13 soccer fields.

Beverly Czub, Miller Road, spoke in support of the Town Board and their accomplishments.

Walt Switkowski, Droms Road, asked what the cost will be to build 10-12 soccer fields at the Route 146 site.

Jam Baisley, Barkwood Lane, expressed concern with the decorum at the April 21, 2008 Town Board meeting.

Mike Dudick, Rexford, Chairman of Zoning Board of Appeals, said he will support his sons playing soccer in Rexford or on the Common. He stated he does not support the county water plan. He spoke in support of Mr. Ryan's appointment.

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

Motion carried at 10:19 p.m.

Patricia O'Donnell
Town Clerk