

October 20, 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
Michael Shahan, Town Administrator
Mark Heggen, Comptroller
John Scavo, Director of Planning
Walter Smead, Assessor

MOTION BY Councilman Roth, seconded by Councilman Hughes, to approve the minutes of the October 6, 2008 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Councilman Roth said the Household Hazardous Waste Day will be significantly under budget when the state reimbursement is received.

Regarding the Windhover Farms application, Councilman Roth said he hopes to walk the Springel property on October 27th.

Councilman Hughes announced Clifton Park will be honoring active duty military members and recently returned veterans. He asked any town residents with family members currently serving overseas or have recently returned home from Iraq, Afghanistan and other areas abroad, to fill out the Home Town Heroes Honor Roll form. He explained the Honor Roll will be displayed in the lobby of town hall so residents will know who these brave men and women are. Councilman Hughes said participation is voluntary but is hopeful that members of the community will step forward with the information. Applications are available on line or in town hall and the honor roll will be officially dedicated at the November 10, 2008 Town Board meeting.

OLDE NOT FARM/REXFORD AREA LONG TERM SEWER PLAN PRESENTATION CON'T.

Supervisor Barrett reported the line will go west along Riverview Road and Meadow Road and connect into the Rivercrest Sewer District. He stated the current rates in Olde Nott Farm Sewer District will stay about the same and will allow the private plant currently serving the district to be "mothballed". He explained the Excess Capacity provision will allow the town to invest money upfront which will be returned over time from businesses and residents that would want to hook up in the future.

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Jack McDonald, John M. McDonald Engineering, stated people after the meeting last week showed interest in getting sewers. He suggested a survey be done to see the level of interest from every house and that will help define the boundary of the future extension to Rivercrest.

Supervisor Barrett stated he would like to see as many people as possible hook in as this will lower the cost.

Mr. McDonald explained the cost currently represented is basically the known areas – Olde Nott Farm Sewer District, Meadow Lane and the Glencliffe School and as more people hook in it will help drive the cost down for everyone.

Councilman Paolucci asked how the resident of the Hamlet of Rexford (Area C on the plans) will be able to connect noting the area is far away from the line, and it is feasible to price in 70 units while looking at Excess Capacity.

Mr. McDonald said it makes sense to make provisions for them as they have no other alternative. He reviewed the conceptual layout for the area. Councilman Paolucci noted all those costs would stay in the area in order to get it to the Excess Capacity. Mr. McDonald stated due to bedrock in Area C this will be very expensive and hopefully grants will be received. In response to Councilman Paolucci, Mr. McDonald said other than building their own separate treatment plant this is the only option and the best long term solution. He reviewed DEC regulations for private treatment plants.

Councilman Paolucci expressed concern that just for the Excess Capacity residents will be paying \$729 and \$1267 plus the cost to serve the units. He questioned whether residents in Area C will be willing to hook in. He noted Area C is 32 percent of the assessment which is a considerable portion.

Mr. McDonald stated the pipe must be large enough to accommodate Area C as eventually they will hook in. He said it is a bad situation with small lots and shallow to bedrock and septic systems aren't working. He stated the residents of Area C will not pay anything unless they hook in.

Town Attorney McCarthy explained every resolution to be passed is subject to a permissive referendum if it implicates Excess Capacity money under Section 192A.

Supervisor Barrett, noting the bedrock in Area C and distance to the intersection of Route 146, thinks grant money may be available. He stated if the town doesn't put in an investment for the Excess Capacity, Area C will not have the option. He said the town will research grant money for the area.

Councilwoman Walowit asked how Nott Road is serviced. Mr. McDonald responded currently there are a few homes that are connected to the line that comes from Olde Nott Farm and no one else has asked to be connected in. Supervisor Barrett said he has been contacted by a couple of residents on Nott Road. Mr. McDonald said it would be possible and Nott Road could be a separate area.

Mr. McDonald reported Facilities Supervisor O'Brien has TV'd the lines in the Rivercrest area and has identified some problems.

REPORT TO THE BOARD

Ken Claflin, Cusack & Company, reported on the town audit stating the audit was done in accordance with NYS Comptroller's requirements. He stated a clean audit and an unqualified opinion has been issued and no material adjustments were made. Mr. Claflin said there are no significant deficiencies or material weaknesses. He noted GASBY 34 will eventually be required and the town should start preparing. He reported departmental audits should be done internally by Mr. Heggen himself. Mr. Heggen noted the town surplus at the end of 2007 was \$10 million some of which has been used in 2008.

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PUBLIC HEARING, 7:10 PM
TO CONSIDER AN HISTORIC CONSERVATION EASEMENT APPLICATION
18 FERRY DRIVE

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on October 10, 2008

Mark Kazmierczak, Chairman of the Historic Preservation Commission referred to a memo to the Town Board faxed to the Town Clerk on October 20, 2008 from J. Stanley and Barbara Yake stating "it would be inappropriate for the town to consider a tax break for an historic property that has not been kept very decent to the passing world that sees it." Mr. Kazmierczak said this property was looked at many months ago and at that time was in order. It was noted the surrounding properties did not receive notice of the public hearing until today. He asked that this application be held until the Commission can review the area and he will report back to the Town Board.

Councilman Roth asked the Board to hold off on voting on this application until a report is received from the Historic Conservation Commission.

Councilman Hughes commented anyone coming home from work would not have received the notice of public hearing until 5:00 or 6:00 p.m.

The public hearing was opened for comments from the audience at 7:55 p.m.

No one wished to be heard.

The Town Clerk reported the applicant only sent the notice of public hearing to three properties. Councilman Paolucci asked that the 500 foot properties be verified. Director of Planning Scavo will determine the properties. Councilman Paolucci suggested the applicant renote surrounding properties in time for the Board to receive comment.

It was determined the public hearing be kept open until November 3, 2008 Town Board meeting.

REPORTS TO THE BOARD con't

Town Comptroller Heggen reviewed the September financial report, noting revenues and expenditures in the general fund are tracking with budget. He reported Councilman Roth, Mr. Shahan and he participated in an exit interview with representatives of the Office of the State Comptroller, explaining they were doing a risk assessment which is a lower level than an audit. He said they do not issue a report but go over the findings that were noted. Mr. Heggen stated their recommendations will be put to use. He stated it was a very productive time while they were here and the state staff was very helpful.

Town Administrator Shahan reported the budget public hearing is scheduled for 7:00 p.m. on November 6th. He said he has made three minor changes to the Preliminary Budget. He thanked the following staff for their help in making and putting the fence around the bell at Jonesville Cemetery: Highway - Dan Lynch, Bill Flavin, Buildings & Grounds -Dan Welch, Pat Gibbons and Building & Development- Mark Kazmierczak who did all the drawings.

Referring to a major sewer project at Crown Point, Supervisor Barrett has asked Mike O'Brien and Mr. McDonald to be at the November 3rd Town Board meeting. It appears the cost could be up to a \$500,000. He said the town does have the funds for this project and this will not affect rates. A letter is being sent to Crown Point residents.

Mr. Shahan said he is sending information to the Board from Messrs. Scavo, Myers and McDonald explaining the town's costs for stormwater management.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

10/20/2008

Resolution No. 286 of 2008, a resolution expressing the intent of the Town of Clifton Park Town Board to encourage parents to limit the times that children will be trick or treating on Halloween to between the hours of 4:00 P.M. and 8:00 P.M.

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

WHEREAS, the Clifton Park Town Board wishes to encourage parents to limit the hours that their children will trick or treat for safety reasons; now, therefore, be it

RESOLVED, that the Town Board encourages families residing within the Town of Clifton Park to limit trick or treating to between the hours of 4:00 P.M. and 8:00 P.M. on Halloween.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 287 of 2008, a resolution scheduling a public hearing to consider adoption of Local Law No. __ of 2008, a local law amending Chapter 125, Conservation Easements of the Town Code, as amended.

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

WHEREAS, the Town Board has received input supportive of amending Chapter 125 of the Town Code, and

WHEREAS, the Town Board wishes to obtain comments from the public in this regard; now, therefore, be it

RESOLVED, that a public hearing to consider adoption of Local Law No. ____ of 2008, a local law amending Chapter 125 Conservation Easements, as amended, is hereby scheduled for November 3, 2008 at 7:10 P.M. in the Wood Memorial Room at One Town Hall Plaza, Clifton Park; and be it further

RESOLVED, that the Town Clerk publish notice of same.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 288 of 2008, a resolution scheduling a public hearing to consider adoption of Local Law No. _____ of 2008, a local law amending Section 208-78, Historic Preservation of the Town Code, as amended.

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

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WHEREAS, the Town Board has received input supportive of amending Section 208-78 of the Town Code, and

WHEREAS, the Town Board wishes to obtain comments from the public in this regard; now, therefore, be it

RESOLVED, that a public hearing to consider adoption of Local Law No. ____ of 2008, a local law amending Section 208-78, Historic Preservation of the Town Code, as amended, is hereby scheduled for November 3, 2008 at 7:20 P.M. in the Wood Memorial Room, at One Town Hall Plaza, Clifton Park; and be it further

RESOLVED, that the Town Clerk publish notice of same.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 289 of 2008, a resolution authorizing the Supervisor to sign an Intermunicipal Agreement with the Town of Glenville, on behalf of the Town Board, for itself and as Commissioners of the Rivercrest and Olde Nott Farm Sewer Districts.

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

WHEREAS, the Town is authorized by General Municipal Law Section 119 to enter into Intermunicipal Agreements with other municipalities for the provision of Municipal Services, and

WHEREAS, the Town has joined with the Town of Glenville and the Niskayuna School District in a successful application for a Shared Municipal Services Grant through the New York State Department of State in Support of a joint Municipal Sewer Project to benefit properties within and adjacent to the Rivercrest Sewer District, the Olde Nott Farm Sewer District, as well as the Glenville Elementary School, which is operated by the Niskayuna School District, and

WHEREAS, the proposed Intermunicipal Agreement requires an investment of \$136,000 by the Town of Clifton Park for excess facilities within the Alplaus Sewer District, within the Town of Glenville, necessary to accommodate increased flows from the areas depicted on exhibit A in the Agreement, as well as an expenditure of \$25,000 to install a flow meter at the Clifton Park-Glenville Town line in order to accurately measure sewage flows through the newly expanded interconnection, and

WHEREAS McDonald Engineering estimates that \$58,000 of such expenditures will benefit current Olde Nott Farm Sewer District users; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes Supervisor Barrett to execute the attached Intermunicipal Agreement on behalf of the Town Board, for itself and as Commissioners of the Olde Nott Farm and Rivercrest Sewer Districts, cost to be budgeted from A-1440-135 (Engineering); and be it further

RESOLVED, that the Board appropriates \$161,000 for such purpose, with \$58,000 to be repaid by the Olde Nott Farm Sewer District, the remaining \$103,000 to be invested for excess facilities pursuant to Town Law § 192(A); and be it further

RESOLVED, that this resolution is subject to permissive referendum pursuant to Town Law § 192 (A).

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Supervisor Barrett said \$58,000 will be repaid by the Olde Nott Farm Sewer District, thereby reducing the amount the town would have to invest for the Excess Capacity. He reported it is hoped an additional grant will be received from Assemblyman Reilly's office.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 290 of 2008, a resolution authorizing John M. McDonald Engineering, P.C. to proceed with the map, plan and report for the proposed extension of the Rivercrest Sewer District No. 1, and to appropriate funds for the preparation of the report.

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

WHEREAS, the Town of Clifton Park has authorized an Inter-municipal Agreement with the Town of Glenville for increased sewer service in the area of Rivercrest and Old Nott Farm Sewer Districts, and

WHEREAS, the Niskayuna School District has requested that the Glenville Elementary School be allowed to join the Rivercrest Sewer District No. 1, and

WHEREAS, the Town Board wishes to authorize the preparation of a map, plan and report for a proposed extension to the Rivercrest Sewer District and for expanded sewer services and facilities within the Olde Nott Farm Sewer District, including calculations necessary for excess facilities pursuant to Town Law, Section 192 (A); now, therefore, be it

RESOLVED, that the Town Board hereby authorizes John M. McDonald Engineering, P.C. to prepare a map, plan and report for the proposed extension of the Rivercrest Sewer District No.1, cost to be budgeted from A-1440-135 (Engineering), and be it further

RESOLVED, that the Engineering Fees expended for the map, plan and report for the proposed extension of the Rivercrest Sewer District No. 1 be repaid to A-1440-135 (Engineering), by the newly created District, and be it further

RESOLVED, that this resolution is subject to permissive referendum pursuant to Town Law § 192 (A).

Supervisor Barrett said the town will look for additional grant monies for this project.

Councilman Paolucci said he is not prepared to vote yes on this resolution as he has concerns about putting in units that may not ever get paid back, which means the town has basically contributed for Excess Capacity for a special district. He is waiting for answers from the Association of Towns. Supervisor Barrett said it is important to know how badly the residents of the Hamlet of Rexford (Area C on map) want sewers. Councilman Roth said he has no problem with putting this resolution on hold. He spoke favorably of the Excess Capacity so residents in the area will have the option in the future. Supervisor Barrett said the cost of new septic systems and leach fields for homeowners in Area C could be upwards of \$15,000 to \$20,000. Councilman Paolucci explained his concern is with a permissive referendum being voted down and this is 32 percent of the assessment. Town Attorney McCarthy referred to the agreement of the Town of Glenville and said the map could be reconfigured to downsize the project and expand Rivercrest Sewer District to include the school.

MOTION TO TABLE by Councilman Roth, seconded by Councilman Paolucci, until the November 3, 2008 Town Board meeting.

ROLL CALL VOTE ON MOTION TO TABLE

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

Noes: Supervisor Barrett

MOTION CARRIED

Resolution No. 291 of 2008, a resolution to consider and adopt a resolution regarding a local law amending Local Law No. 2 of 1967, providing for the Creation of a Planned Unit Development District to be known as Maxwell Drive PUD, as amended, constitutes an Unlisted Action under SEQRA.

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

WHEREAS, the project is an Unlisted Action for the purposes of SEQRA, and

WHEREAS, the Town Board has conducted Public Hearings on a proposed Maxwell Drive PUD Amendment on March 17, 2008 and on September 15, 2008, and

WHEREAS, the applicant has prepared and submitted a Short Environmental Assessment Form for the proposed Maxwell Drive PUD, as amended, and

WHEREAS, the Town Board has reviewed the Environmental Assessment Form and considered each and every impact in accordance with SEQRA; now, therefore, be it

RESOLVED, that the adoption of this local law will not have a negative impact on the environment, and be it further,

RESOLVED, that the Town Board hereby issues a Negative Declaration with regard to the proposal; and be it further

RESOLVED, that this resolution shall take effect immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 292 of 2008, a resolution adopting Local Law No. 7 of 2008, a Local Law Amending Local Law No. 2 of 1967, as amended by Local Law No. 10 of 1996, of the Town Code, entitled "Local Law Relating to Zoning for the Town of Clifton Park, providing for the Creation of a Planned Unit Development District to be known as Maxwell Drive PUD.

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

WHEREAS, an application has been presented to the Town Board for a change in the Zoning Code of the Town of Clifton Park to enable the construction of multi-family residential units on Maxwell Drive, and

WHEREAS, on August 20, 2007, the Planning Board provided a qualified positive recommendation to the Town Board supporting the overall concept of quality family housing at this site, and

WHEREAS, on March 17, 2008, a public hearing was conducted and all were given the opportunity to speak on the proposed local law, and

WHEREAS, on September 15, 2008, a second public hearing was conducted to consider additional proposed changes to the local law and all were given the opportunity to speak on the additional changes; now, therefore, be it

RESOLVED, that Local Law No. 7 of 2008, a Local Law Amending Local Law No. 2 of 1967, as amended by Local Law No. 10 of 1996 of the Town Code, entitled “Local Law Relating to Zoning for the Town of Clifton Park providing for the creation of Maxwell Road Planned Unit Development District” is hereby adopted, per Exhibit “A”; and be it further

RESOLVED, that the Town Clerk file said notice with the New York State Department of State as required by law.

Councilman Roth said there has been a lot of public input on this proposal and he can't find anything that states this area is “forever wild”. He reviewed the area of Maxwell Road from Route 146 to Plank Road, as well as along Plank Road, noting the various retail businesses, corporate offices, a nursing home and town homes. Councilman Roth said the proposed project of town homes will be transitional and doesn't think the project will reduce property values. He stated he would not consider retail or commercial at that site. He noted anything located in that area will increase traffic. He said there appears to be 39 units on the map while the legislation notes 38. He recommended eliminating the unit in the upper section near Plank Road. It was noted by Councilman Paolucci that the map has been updated since March 2008 and the correct number is 38. Councilman Roth noted heavy vegetation in the area and asked that as much as possible be saved. He spoke in favor of moving this legislation forward to the Planning Board where the necessary changes can be made to make this a good project for the future residents. He recommended a homeowners' association be formed.

Councilwoman Walowit said her decision has not been made lightly. She reported she has walked the property, has confirmed more than once the sewer capacity is adequate. She explained her decision was partly made after hearing the presentation on the Exit 9 Corridor regarding walking communities and in speaking with residents. Councilwoman Walowit also spoke with Tallow Wood residents who walk to the surrounding stores and medical office. She reported 20 percent of the town is 54 years of age and older. She thanked the applicant for listening and making the changes requested.

Councilman Paolucci stated he thinks this project will fit in as a step down zone, is consistent with the Comprehensive Plan and creates a walkable community. He explained the project encompasses two differently zoned parcels – residential and commercial, and doesn't believe, if the zoning was left as is, it would be right to squeeze commercial between two residential zones. He agreed this is an environmentally sensitive area and the applicant has agreed to widen the buffer zones and has made an effort to clean up the area. Councilman Paolucci commented the 20 percent over 54 years of age is expected to double over the next 20 years. He agreed the reference to “seniors” should be changed to “active adults” and this development will be attractive to that market segment. He thanked the residents of Via da Vinci, noting he doesn't think as good a project would have been submitted if the Board didn't have their feedback.

Councilman Hughes stated he has struggled with this application and has decided the project will have his support. He said he has been swayed by the fact there is a growing senior population in Clifton Park and it is important to him that families not be split up. Councilman Hughes said it is not the perfect project, and he has some concerns, but hopes those concerns will be articulated to the Planning Board and in the end there will be a better project.

Supervisor Barrett stated this proposal is far and away much better than any of the previous proposals submitted but he still has concerns and reservations about the project

The Town Board agreed that the reference to “seniors” in the legislation be changed to “active adult”.

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ROLL CALL VOTE

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

Noes: Supervisor Barrett

DECLARED ADOPTED

Resolution No. 293 of 2008, a resolution authorizing the Supervisor to sign a Lease Agreement with De Lage Landen Financial Services, Inc., through Electronic Business Products, for a Color Copier for the Assessor's Office.

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

WHEREAS, Walter Smead, Assessor, has requested that a new color copier be leased for use by the Assessor's Office, and

WHEREAS, the proposed cost for leasing the copier has been budgeted, per the attached schedule, and

WHEREAS, the Board finds that the use of an installment purchase contract to finance the color copier is a cost-effective method of acquisition of such equipment and is consistent with General Municipal Law Section 109 (B); now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to enter into a Lease Agreement with De Lage Landen Financial Services, Inc. ,through Electronic Business Products, for a Lanier, LD435C, Color Copier, off NYS Contract PC 59457, for thirty-six (36) months, at a cost not to exceed \$229 per month, which includes interest at 2.82%, plus \$.0082 for black and white copies and \$.075 for color copies, to be paid from A-1355-003 (Assessor-Copier)

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 294 of 2008, a resolution appointing Thomas DeLeonardis as an Associate Member of the Environmental Conservation Commission.

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

WHEREAS, an opening exists for an associate member for the Environmental Conservation Commission, and

WHEREAS, Thomas DeLeonardis, 6 Hidden Crest, Clifton Park, has been recommended to fill the position; now, therefore, be it

RESOLVED, that Thomas DeLeonardis, 6 Hidden Crest, Clifton Park, is hereby appointed as an associate member of the Environmental Conservation Commission, term to expire December 31, 2009.

10/20/2008

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 295 of 2008, a resolution adopting Rules and Regulation for the use of the Mary Jane Row Park and the Kinns Road Park.

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

WHEREAS, on September 15, 2008, Local Law No. 6 of 2008, amending Chapter 92 Dogs, was adopted, and

WHEREAS, Local Law No. 6 of 2008 excepted Kinns Road Park and Mary Jane Row Park from the Town Wide Leash Law, and

WHEREAS, Local Law No. 6 of 2008 authorized Permit Fees for Kinns Road Park, and updated Permit Fees for Mary Jane Row Park; now, therefore, be it

RESOLVED, that the attached Rules and Regulations are hereby adopted for Kinns Road Park and updated for Mary Jane Row Park, and be it further

RESOLVED, that the Town Clerk is authorized to distribute Permits, along with Identification Tags for Dog Collars and for users vehicles; and be it further

RESOLVED, that the Town Clerk is authorized to issue 2008-2009 permits to existing holders of Permits for Mary Jane Row Park, without additional charge.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Norman Goldman, London Square Drive, asked how far an individual will have to walk from parking area to the Riverfront Park. He reiterated his request that the town use surplus money to increase the availability of Section 8 housing. He asked how much the town paid for the Route 146 Park. He asked if previous Town Board meetings will be streamed on the internet. Mr. Goldman expressed concern with the quality of the televised October 6, 2008 Town Board meeting. He reviewed various concerns he has expressed in the past; reduction of carbon footprint, and bulk pickup at apartments. He stated the Sign Law applies to all signs, even private property.

Youssef Ballout, Torrero Drive, speaking with regard to the Town of Colonie's proposal to log the Stoney Creek Reservoir, urged the Town Board to speak out against it. He asked the town to begin immediate negotiations and discussion with the Town of Colonie to prevent the proposed action of harvesting mature trees. He stated oversized signs on private property are illegal. Mr. Shahan said Mr. Myers has stated signs are legal in commercial area.

Todd Kerner, Spruce Street, reviewed sign size for residential and commercial areas and expressed concern with oversized political signs.

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Margaret Catellier, Royal Oak Drive, referring the Freedom of Speech, asked if she can have an oversized sign with any statement.

Town Attorney McCarthy stated the First Amendment takes account of the differences between commercial speech and political speech.

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

Motion carried at 9:24 p.m.

Patricia O'Donnell
Town Clerk