

Clifton Park Town Board Meeting Minutes

November 13, 2001

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
Louis Gerard, Superintendent of Highways
Barbara McHugh, Director of Community Development
Michael Shahan, Town Administrator

REPORTS

Report for October from the Planning Department was filed with the Town Clerk.

Councilman Paolucci arrived at 7:15 p.m.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 310 of 2001, a resolution appointing James Quinn to the Environmental Conservation Commission.

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

WHEREAS, vacancies exist on the Environmental Conservation Commission, and

WHEREAS, the ECC has reviewed the qualifications of James A. Quinn, P.E., Pine Tree Place, Clifton Park and recommends that he be appointed as an ECC member; now, therefore, be it

RESOLVED, that James A. Quinn, P.E. of Pine Tree Place, Clifton Park is hereby appointed as a member of the ECC to fill the unexpired term of Vance Bryant through

December 31, 2001.

Supervisor Barrett expressed appreciation to Vance Bryant for his service on the ECC.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 311 of 2001, a resolution authorizing Kathy Boni to attend classes at Microknowledge for Access 2000 Level 1 December 26 and 27, 2001.

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

WHEREAS, Microknowledge is conducting a class for Access 2000 Level 1 on December 26 and 27, 2001, and

WHEREAS, Kathy Boni's attendance at this class will provide a benefit to the Town of Clifton Park; now, therefore, be it

RESOLVED, that Kathy Boni, Department of Parks Recreation and Community Affairs, is hereby authorized to attend the Microknowledge for Access class December 26 and 27, 2001, at a cost not to exceed \$169 to be budgeted from A-7021-001 (Parks & Recreation Training/Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 312 of 2001, a resolution in support of the local Babe Ruth Baseball League's efforts to sponsor the 2002 National Babe Ruth World Series.

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

WHEREAS, the 1997 and 1999 Babe Ruth World Series held in Clifton Park was a great

success; and

WHEREAS, recent visits with representatives of the National Association of Babe Ruth Baseball have proven most successful in attracting their interest in our Town's sponsorship of a World Series Event; and

WHEREAS, the fine efforts of our local league are worthy of our support and acknowledgement; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park hereby pledges its full support of the sponsorship of the 2002 14 Year Old Babe Ruth World Series; and be it further

RESOLVED, that the Town Board extends its sincere thanks and best wishes to the local league officials for their efforts to bring distinction to our community, and be it further

RESOLVED, that the Town Clerk send a copy of this resolution to Tom MacLaughlin, Host President of the local World Series Committee; and be it further

RESOLVED, that the Clifton Park Town Board encourages the Saratoga Board of Supervisors to also give their support to the sponsorship of the 2002 14 Year Old Babe Ruth World Series and be it further

RESOLVED, that the Town of Clifton Park hereby makes a commitment of \$25,000 toward the sponsorship of the 2002 National Babe Ruth World Series.

Councilman Paolucci explained this resolution is a result of the World Series Committee also petitioning the county for funds and shows town support of the event. He believes that the county should also support the World Series as there will be a beneficial impact upon both the town and county. He stated the town should make a significant contribution. He noted the World Series Committee has asked for a cash contribution of \$25,000 and Mr. Shahan estimates the cost of Buildings and Grounds work and security to be around \$21,000 in in kind services. He said the whole picture of \$25,000 plus \$21,000 needs to be looked at. He recommended amending the resolution to add a dollar figure which may give the county an idea of support. Councilwoman Walowit said she doesn't have a problem with the \$25,000 cash commitment and noted \$1.5 million could be brought back into the community. She noted, given the surplus, this is a very good investment. Councilman Speckhard said \$25,000 is appropriate for the resolution without designating it either cash and in kind and then basically seeing how the event develops with an openness to helping out more if necessary. He stated this is not necessarily a final figure.

MOTION by Councilman Speckhard, seconded by Councilman Paolucci, to amend the resolution by adding "RESOLVED, that the Town of Clifton Park hereby makes a commitment of \$25,000 toward the sponsorship of the 2002 National Babe Ruth World Series."

ROLL CALL VOTE ON MOTION

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

Noes: None

MOTION CARRIED

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 313 of 2001, a resolution authorizing the installation of street lights at the entrances to The Oaks subdivision.

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

WHEREAS, The Oaks subdivision was previously approved by the Town of Clifton Park Planning Board, and

WHEREAS, the installation of street lights has been recommended by the Director of Planning and is warranted at this time; now, therefore, be it

RESOLVED, that authorization is hereby granted for the installation of street lights, one at the entrance to The Oaks subdivision at the Avenue of the Oaks, (north entrance) and Vischer Ferry Road intersection, and the other at the Avenue of the Oaks, (south entrance) and Vischer Ferry Road intersection, said subdivision being located on the west side of Vischer Ferry Road (County Road 90) in the Town of Clifton Park; and be it further

RESOLVED, that said street lights shall be charged to the Town of Clifton Park Lighting District No. 1 and a copy of this authorization shall be forwarded to the Niagara Mohawk Power Corporation.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 314 of 2001, a resolution authorizing the installation of a street light at the entrance to the Knollwood subdivision.

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

WHEREAS, the Knollwood subdivision was previously approved by the Town of Clifton Park Planning Board, and

WHEREAS, the installation of a street light has been recommended by the Highway Department and is warranted at this time; now, therefore, be it

RESOLVED, that authorization is hereby granted for the installation of a street light at the entrance to the Knollwood subdivision at the Hilltop Hollow Drive and Ushers Road intersection, said subdivision being located on the north side of Ushers Road in the Town of Clifton Park; and be it further

RESOLVED, that said street light shall be charged to the Town of Clifton Park Lighting District No. 1, and a copy of this authorization shall be forwarded to the Niagara Mohawk Power Corporation.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 315 of 2001, a resolution adopting Local Law No. 15 of 2001, a Local Law amending Chapter 165, Sections 2,3 and 4 adopted by Local Law No. 5 of 1996, regarding Refuse Collection Activities.

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

WHEREAS, the Town Board has received input from the public at a public hearing on October 1, 2001 regarding the amending of Local Law No. 5 of 1996, Refuse Collection Activities, and

WHEREAS, the Town Board has considered the comments from the public in this regard; now, therefore, be it

RESOLVED, that the Town Board hereby adopts Local Law No. 15 of 2001, a Local Law amending Chapter 165, Sections 2,3 and 4 adopted by Local Law No. 5 of 1996, Refuse Collection Activities as per schedule A, and be it further

RESOLVED, that the Town Clerk file appropriate notice of same.

Local Law No. 15 of 2001

A Local Law amending Local law No. 5 of 1996, regarding Refuse Collection Activities
Chapter 165

Section 165-2. Definitions

RESIDENTIAL DISTRICT-Any district defined in the Zoning Ordinance of the Town of Clifton Park as a "residential district", including but not limited to Agricultural/Rural Residential 3 Districts (R-3); Residential 2 Districts (R-2); Residential 1 Districts (R-1); Residence Districts (R-1); Residence Business Districts (R-B); and Special Residential Districts (S-R).

OTHER DISTRICT-Business Non-Retail District (B-1 and B-2); Neighborhood Business Districts (B-3); Highway Business Districts (B-4); Corporate Commerce Districts (B-5); Public/Institutional/Recreational District (PIR); Light Industrial Districts (L-I); Land Conservation Districts (L-C); Planned Unit Development Districts (PUD).

Section 165-3. Prohibitions.

It shall be unlawful for any person to operate a refuse-collecting vehicle for the purpose of refuse-collecting activities in a residential district within the Town, or in any other district in the Town within 500 feet of a residence, during the hours of 7:00 p.m. to 7:00 a.m. daily.

Section 165-4. Complaint; filing and specifications.

Any person who observes a violation of this chapter may file a complaint under oath or an affirmation with a Justice of the Town of Clifton Park or with the Highway Superintendent or Zoning Enforcement Officer specifying the nature of the violation, the date and time thereof, a complete description of the vehicle and operator, including the license plate number, if known. Two complaints, each originating from separate households, shall be required as the basis for enforcing the provisions of this chapter.

Supervisor Barrett explained this local law came about as a result of refuse pickup in the

early morning in areas close to residential areas.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 316 of 2001, a resolution authorizing the Assessor to relevel delinquent water charges on the 2002 property tax bills.

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

WHEREAS, the Rexford Water District has reported unpaid water bills per the attached schedule for the Rexford Water District, and

WHEREAS, it is necessary for the Assessor to relevel the unpaid bill on the property owner's 2002 tax bill to ensure payment of the same; now, therefore, be it

RESOLVED, that the Town Board accepts the reported delinquent water charges for the Rexford Water District per the attached schedule and authorizes the Assessor to relevel that amount on the property owner's 2002 property bill.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 317 of 2001, a resolution authorizing the Assessor to relevel delinquent water charges on the 2002 property bills.

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

WHEREAS, the Rivercrest Water District has reported unpaid water bills per the attached schedule for the Rivercrest Water District, and

WHEREAS, it is necessary for the Assessor to relevel the unpaid bill on the property

owner's tax bill to ensure payment of the same; now, therefore, be it

RESOLVED, that the Town Board accepts the reported delinquent water charges for the Rivercrest Water District per the attached schedule and authorizes the Assessor to relevel that amount on the property owner's 2002 property bill.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 318 of 2001, a resolution authorizing the Director of Community Development to attend the NYS Economic Development Council's Annual Academy in Saratoga Springs, November 28 and 29, 2001.

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

WHEREAS, it is the intention of the Clifton Park Town Board to have the Director of Community Development attend the NYS Economic Development Council's Annual Academy November 28 and 29, 2001; and

WHEREAS, the Director of Community Development's attendance at this conference will confer a benefit upon the Town and its residents; now, therefore, be it

RESOLVED, that the Director of Community Development is hereby authorized to attend the NYS Economic Development Council's Annual Academy November 28 and 29, 2001 at a cost not to exceed \$130 to be budgeted from A-8989-1 (Community Development - Travel & Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Councilman Speckhard referring to Resolution No. 304 tabled at the November 5, 2001 town board meeting, said it was tabled due to uncertainty as to use and rather than remove it from the table, offered a substitute resolution as follows:

Resolution No. 319 of 2001, a resolution regarding vacant land in the Town of Clifton Park listed on the Saratoga County Tax Auction.

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

WHEREAS, the Town Board wishes to secure 27.80 acres located at Blue Jay Way rear, SBL 276.-1-11.111, and 30.12 acres located at Miller Road rear; SBL 270.-1-37.21; now, therefore, be it

RESOLVED, that the Supervisor is authorized to expend up to \$9500.00 in order to secure clear title to the 27.80 acres located at Blue Jay Way rear, SBL 276.-1-11.111, and 30.12 acres located at Miller Road rear; SBL 270.-1-37.21.

Councilman Speckhard said there is no tax due attached to this property. He has asked Town Attorney Peller to look into preparing legislation that would, in the future, demand that all taxes are paid before any land or roads are turned over to the town or to add a resolution to the purchase price that would indicate the amount of taxes to be paid so it would become part of the public record.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Councilman Paolucci said information is available for the Board's review from the Environmental Specialist regarding a topsoil standard.

MOTION by Councilman Paolucci, 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 7:40 p.m.

Patricia O'Donnell
Town Clerk