

Clifton Park Town Board Meeting Minutes

September 7, 2004

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
Michael Shahan, Town Administrator

MOTION by Councilman Paolucci, seconded by Councilman Roth, to approve the minutes of the August 16, 2004 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett reported money the town had realized in the past from tickets given on state roads will now go to the state. This will result in a loss of six figures or more in court fees revenue. He asked Mr. Shahan to review ways to minimize these revenue losses. It was noted there is an option of a \$10 surcharge but this can only be in effect until September 2005.

Councilman Roth updated the Board on the Farm Fest breakfast at the Senior Center. He noted TVs, stereos, computers will be accepted at the Special Collection Day on October 2, 2004.

Supervisor Barrett reviewed events planned for the Clifton Park Family Safety Expo 2004 scheduled for September 11, 2004.

Councilman Paolucci reported NYS DOT will be replacing the Kinns Road bridge over the Northway from June 2006 to September 2006. An informational open house is scheduled at the Clifton Park Halfmoon Fire House on September 22, 2004.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 237 of 2004, a resolution authorizing the Supervisor to enter into an Intermunicipal Cooperation Agreement with the Town of Halfmoon for water service and supply.

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

WHEREAS, the parties are desirous of entering into an agreement for the supply, operation and maintenance of water and facilities to serve both communities as detailed in the document attached hereto; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to sign the attached Intermunicipal Cooperation Agreement between the Town of Halfmoon, the Clifton Park Water Authority and the Town of Clifton Park on behalf of the Town Board.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 238 of 2004, a resolution authorizing the Town of Clifton Park Water Authority to service a proposed user of the Clifton Park Water System, whose property lies outside the territorial boundaries of the Town of Clifton Park.

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

WHEREAS, by State Law the Town of Clifton Park Water Authority was established as a public benefit corporation to acquire, create, service and/or maintain a water distribution system within the Town of Clifton Park Water District, and

WHEREAS, the enabling legislation also provides that the Town Board may adopt a resolution authorizing the Water Authority to sell water service to an area located outside

the Town of Clifton Park, and

WHEREAS, Michael Abele, owner of property located within the Town of Halfmoon, has requested that the Water Authority be permitted to sell water to him to service this property, and

WHEREAS, Mr. Abele has provided the Planning Department with a map of his lands showing his proposed connection to the Southeastern portion of the Town of Clifton Park; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Clifton Park Water Authority to service land owned by Michael Abele, located in the Town of Halfmoon, and be it further

RESOLVED, that the map of said property be attached to this resolution filed in the office of the Town Clerk.

Councilman Roth said there are some drainage concerns with property owners across the street from this property and a request has been made for the Town of Clifton Park Highway Department to look at the situation. It is his understanding a water retention pond is part of the project and hopes this would take care of the problem. It was decided more information is needed regarding the project plans before approval of this resolution. Supervisor Barrett asked Mr. Kemper to look at the plans.

MOTION TO TABLE by Councilman Paolucci, seconded by Councilwoman Walowit.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

Resolution No. 239 of 2004, a resolution to allocate \$13,000 from contingency funds to be used for expenditure to stabilize the blacksmith shop as part of the Historic Grooms Tavern project.

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

WHEREAS, the restoration work on the Historic Grooms Tavern's neighboring blacksmith shop (a building owned by the Town of Clifton Park) will not commence for several more years, and

WHEREAS, the architects for the Historic Grooms Tavern project, John G. Waite Associates, have advised the Town to stabilize this building to prevent any further

deterioration in its fabric until funds are raised for its restoration, and

WHEREAS, an estimate for this stabilization as provided by John G. Waite Associates includes replacement of the sill on the north side at \$9,000, and siding, eave and roof repairs of \$4,000, for a total of \$13,000; now, therefore, be it

RESOLVED, that \$13,000 be transferred from contingency funds with transfer to A-1627-24 Grooms Tavern – Maintenance.

Councilman Roth explained the blacksmith shop is deteriorating and it has been recommended that it be stabilized so that when funds are raised in the future, the blacksmith shop will also be made part of Grooms Tavern project. It is his understanding that as long as the building is stabilized it could stand for a good 10 to 15 years before extensive renovations are done. Town Historian John Scherer said by putting money into blacksmith shop now, the town is saving money. He feels it is more of a maintenance issue than restoration. Councilman Paolucci expressed concern with the monies put into Grooms Tavern. Councilman Roth said approximately \$250,000 to \$300,000 of town money has been put into the Grooms Road project. He said an \$80,000 state grant has been received, as well as \$30,000 from the Friends of Grooms Tavern. He stated the town has not spent a half million dollars on this project. Councilman Paolucci said when this project came up it wasn't supposed to cost the town anything and he feels it is important to know exactly how much money the town has put into it. Mr. Scherer said the Friends of Grooms Tavern are committed to saving the blacksmith shop but right now efforts are going into the Tavern.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 240 of 2004, a resolution approving an outside user hook-up to the Corporate Commerce Water District.

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

WHEREAS, the Corporate Commerce Water District has been approved by the New York State Comptroller's Department of Audit and Control, and

WHEREAS, a request has been received by the Town Board as Commissioners of the Water District to approve an outside user hook-up per the attached agreement, and

WHEREAS, the said property is located outside the legal boundaries of the Water District, and water mains have been extended previously providing water main in front of each property, and

WHEREAS, the Corporate Commerce Water District has reviewed and approved the application and has been advised that Clifton Park Water Authority has no objection to the new user, and

WHEREAS, the Clifton Park Water Authority will collect all appropriate fees as required by the Rules and Regulations of the Water District, and

WHEREAS, the Town Engineer has reviewed the location and has confirmed that there will be no detrimental impact on the water system; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Corporate Commerce Water District, hereby approves an outside user hook-up to the District's facilities by James E. Mahanna, for Tax Map No. 270.-2-5 pursuant to the attached agreement and authorizes the Supervisor to sign the agreement on behalf of the Water District, and be it further

RESOLVED, that this approval for an outside-user hook-up by James E. Mahanna, 1267 Route 146, Clifton Park, is specifically conditioned upon participation as part of the District once its boundaries are extended to encompass his property, and also upon adherence to the Town of Clifton Park's Policy for New Water Users, which Policy shall be incorporated by reference into the Outside User Agreement applicable to his property.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 241 of 2004, a resolution approving an outside user hook-up to the Corporate Commerce Water District.

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

WHEREAS, the Corporate Commerce Water District has been approved by the New York State Comptroller's Department of Audit and Control, and

WHEREAS, a request has been received by the Town Board as Commissioners of the Water District to approve an outside user hook-up per the attached agreement, and

WHEREAS, the said property is located outside the legal boundaries of the Water District, and water mains have been extended previously providing water main in front of each property, and

WHEREAS, the Corporate Commerce Water District has reviewed and approved the application and has been advised that Clifton Park Water Authority has no objection to the new user, and

WHEREAS, the Clifton Park Water Authority will collect all appropriate fees as required by the Rules and Regulations of the Water District, and

WHEREAS, the Town Engineer has reviewed the location and has confirmed that there will be no detrimental impact on the water system; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Corporate Commerce Water District, hereby approves an outside user hook-up to the District's facilities by Dr. Johnston, Veterinarian, for Tax Map No. 270.-2-11.2 pursuant to the attached agreement and authorizes the Supervisor to sign the agreement on behalf of the Water District, and be it further

RESOLVED, that this approval for an outside-user hook-up by Dr. Johnston, 1245 Route 146, Clifton Park, is specifically conditioned upon participation as part of the District once its boundaries are extended to encompass his property, and also upon adherence to the Town of Clifton Park's Policy for New Water Users, which Policy shall be incorporated by reference into the Outside User Agreement applicable to his property.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 242 of 2004, a resolution authorizing Animal Control Officer Donald Baker to attend a Workshop for Animal Care Professionals.

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

WHEREAS, Donald Baker, Animal Control Officer, has requested authorization to attend a two day workshop for animal care professionals at Schenectady, NY, November 5 & 6, 2004, and

WHEREAS, his attendance at this workshop will confer a benefit upon and be in the best

interest of the Town of Clifton Park; now, therefore, be it

RESOLVED, that Donald Baker, Animal Control Officer, is hereby authorized to attend the two day workshop for animal care professionals at Schenectady, NY, November 5 & 6, 2004, at a cost not to exceed \$125 to be paid from A3510-001 (Animal Control-travel & conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 243 of 2004, a resolution appointing Scott Hughes as a member of the Zoning Board.

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

WHEREAS, an opening exists on the Zoning Board, and

WHEREAS, Scott Hughes has been recommended to serve on the Zoning Board, and the Town Board approves his appointment; now, therefore, be it

RESOLVED, that Scott Hughes, 20 Birch Hill Road, Ballston Lake, NY, be appointed to the Zoning Board to fill the unexpired term of Donna Lawton, term to expire December 31, 2007.

Supervisor Barrett expressed appreciation to Ms. Lawton for her years of service on the Zoning Board.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 244 of 2004, a resolution in connection with a block party to be held in the Village Green Subdivision.

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

WHEREAS, the residents of the Village Green Subdivision wish to conduct a block party within the subdivision on September 11, 2004 and have requested permission to use Woodhall Lane between Easton and Weston Drives for their party activities; now, therefore, be it

RESOLVED, that the residents, with the approval and advice of the Town Highway Superintendent, have permission to use Woodhall Lane between Easton and Weston Drives on September 11, 2004 from 2:00 pm to 7:30 pm for their party activities, but must not block off the street and make sure emergency vehicles can gain access to the street if needed, and be it further

RESOLVED, that the residents shall be responsible for all clean-up activities on Town property or on the street right-of-way resulting from the social activity, and be it further

RESOLVED, that a copy of this resolution be sent to the applicable Fire Department, the Ambulance Corps, the Sheriff's Department and the State Police.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Norman Goldman, London Square Drive, read his comments, attached, regarding the proposed Land Conservation Plan Recommendations Draft dated June 28, 2004 presented at the September 7, 2004 Town Board meeting.

Jim Ruhl, Ballston Lake, read a statement opposing the proposed Exxon Mobil Project on Ushers Road, attached.

Scott Wilshire, Cheviot Court, speaking for the Knolls Swim Club, expressed appreciation for town support and thanked the Town Board for their commitment to the three pools. Mr. Wilshire asked when the Barney Road Pool House will be leveled and the new one built. Supervisor Barrett responded a new building is planned, however, there is no time set for construction. Mr. Shahan said though it was in the 2004 budget, the plans well exceed the dollar amount budgeted.

Mike Abele, Crescent Road, expressed appreciation to the Board for reviewing his

request for water and reported there is a detention area on the site that was approved the Clough, Harbour & Associates, the engineer for the Town of Halfmoon. He explained the integrity of the storm water management is the same for the six lot subdivision as it was for the originally planned 14 lot subdivision. Mr. Abele said the culvert pipe has been replaced. Supervisor Barrett asked that information be gotten from Clough, Harbour & Associates.

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 8:25 p.m.

Patricia O'Donnell
Town Clerk