

**Clifton Park Town Board Meeting Minutes
August 15, 2005**

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

Absent: Councilman Paolucci

Also Present: Town Attorney Trainor
Mark Heggen, Comptroller
Jason Kemper, Director of Planning
Myla Kramer, Director of Parks, Recreation & Community Affairs
Richard Kukuk, Superintendent of Highways
Michael O'Brien, Environmental Specialist
Michael Shahan, Town Administrator

MOTION by Councilman Roth, seconded by Councilwoman Walowit, to approve the minutes of the August 1, 2005 meeting as presented.

ROLL CALL VOTE

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

Absent: Councilman Paolucci

Noes: None

MOTION CARRIED

PRESENTATIONS TO THE BOARD

Darryl Purinton, Marvin & Co. Independent Auditors, reviewed the annual Financial

Report, noting the town has received a clean opinion on the financial statements for 2004.

Lee Palmer, Chairman of the Riverfront Oversight Committee, and member Eric Ophardt, reviewed the Mohawk Riverfront Concept Plan and gave a visual presentation. The goals noted are improved recreational opportunities on the Mohawk River; improved access to the Vischer Ferry Nature and Historic Preserve; the interpretation, preservation and protection of the historic and ecologic sites along the riverfront corridor; partnership with federal and state agencies to develop and promote the riverfront corridor; and develop a comprehensive management plan for the riverfront corridor.

Councilman Speckhard expressed thanks to the Committee. He said it is his understanding that the state is considering making the Preserve a bird sanctuary. Mr. Ophardt noted it is a unique feature of the town.

Councilman Roth said an engineering report was received in November 2003 regarding a proposed boat launch on the Jacobsen property and in April 2004 a boat launch was proposed for the Vischer Ferry Fire Department. He said this is an opportunity to move forward, not only for the boat launches but for recreation purposes and something that can be started right now.

Councilwoman Walowit asked if grant money has been researched for a boat launch for emergency services.

Mr. Palmer responded there is a New York State Department of State Planning Grant. He recommended the town contact the Town of Colonie regarding their efforts along the river.

**PUBLIC HEARING, 7:10 PM
TO CONSIDER THE ESTABLISHMENT OF THE
SETTLER'S HILL PARK DISTRICT**

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on August 5, 2005.

Director of Planning Kemper explained early this year residents complained the developer, as he was finishing the subdivision, was no longer maintaining open space areas as they would become the Town of Clifton Park property. Two residents of the subdivision passed a petition stating "We are in favor of establishing a park district for Settlers Hill Development". A letter, attached, and petition, dated May 24, 2005, containing signatures of 89 out of 109 households was sent to Mr. Kemper. Upon receipt of this information, a Map, Plan and Report was prepared. Mr. Kemper reported there are 12 park districts in the town which include 9000 parcels. Mr. Kemper is submitting email comments received to the Town Clerk.

Supervisor Barrett said park districts are a good way for residents to make decisions

about their

development and is a funding mechanism to take care maintenance of common green areas and upkeep of park facilities, if any. He said it is his understanding mowing and maintenance is the general concern for Settler's Hill subdivision. He recommended residents of Settler's Hill attend other park district meetings to become acquainted with the workings of a park district.

The public hearing was opened for comments from the audience at 7:50 p.m.

Bob Cuoco, Goldfield Lane, asked that the town ask the builder of Settler's Hill subdivision to come back and make necessary improvements. He said the cul de sacs and retention ponds are unsightly. Supervisor Barrett said there are maintenance issues that arise after a builder has left. Mr. Kemper explained plans were inspected by the town engineer and the escrow has been released. He said retention basins are not maintained. The Supervisor said the cul de sacs would be maintained by the park district.

Rhonda Parker, Wallflower Lane, spoke in agreement with Mr. Cuoco and wants the development to look better. She expressed concern that the park district concept sounds like an association and she is not in favor of that. Supervisor Barrett explained the park district, consisting of residents, presents a budget and is a taxing district. The budget is approved and overseen by the Town Board. The Supervisor explained money goes directly into the park district. Ms. Parker does not agree that residents should be paying for a park district.

Adam D'Alessandro, Aster Drive, said an area abutting Aster Drive needs repairs due to the water line extension on Miller Road .

Photos were distributed and Supervisor Barrett stated this will be reviewed.

Karen Malcolm, Aster Drive, speaking in favor of the park district said the potential cost to a homeowner would be nine cents per day. She said dirt would be brought in and the front entrance area seeded and mulched and area mowed 18 times a year.

Norman Goldman, London Square Drive, said since the town owns the property and requires cluster zoning then the town should be responsible for the upkeep. He asked if there might be an optimum number of homes that should be in a park district before playing fields are developed.

Victoria Gennett, Aster Drive, said she feels it was made clear to the 109 residents that the creation of the park district was solely for the purpose of maintaining the entrance of Settler's Hill and residents do not want swing sets, swimming pools, tennis courts, etc.

In response to a question, Supervisor Barrett explained the process to create a park district.

Brian Maley, Wallflower Drive, asked for clarification as to what the \$32 would cover.

Supervisor Barrett explained this is up to the residents of the park district but feels it was brought forward due to the condition of the entrance way, but probably common green areas of all types would be maintained. He said the creation of the district is not an annual vote.

Mr. Kemper explained the open space in the subdivision is passive and could only be walking trails.

Councilman Roth explained the park district committee is formed by the residents and all requests go through the committee, the town will give an estimate of the costs based on the requests at which time residents will decide what they want to do.

Alan Welch, Wallflower Drive, agreed that front entrance needs to be maintained. He said top soil needs to be brought in to meet the road and the entrance sign needs repair. He said 30 miles an hour is to fast for the development. Supervisor Barrett replied due to New York State rules, towns have very little control over minimum speed limits on town roads.

Everyone was given an opportunity to speak in favor of or against the proposed Settler's Hill Park District and no one else wished to be heard. Supervisor Barrett declared the public hearing closed at 8:30 p.m.

REPORTS TO THE BOARD

Town Comptroller Heggen reviewed the monthly financial report, noting revenues and sales tax are tracking ahead of last year. He said the auditor's report will be finalized and distributed to the Town Board by the end of the month.

Town Administrator Shahan said department heads are preparing 2006 budgets and bids are out for a senior bus. He reported interviews are being held for the Director of Building and Zoning position and it is hoped to have a candidate for consideration by the September 6, 2005 Town Board meeting.

PUBLIC PRIVILEGE

No one wished to be heard.

Resolution No. 209 of 2005, a resolution honoring Louis W. Gerard for his years of service to the Town of Clifton Park.

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

WHEREAS, Louis W. Gerard served the Clifton Park community for 28 years as the Town Highway Superintendent, and

WHEREAS, Mr. Gerard's long and distinguished career helped to make Clifton Park's Highway Department one of the best in the region and recognized nationwide for having one of the first covered salt buildings for a community of its size, as well as for instituting a comprehensive training program for employees, and

WHEREAS, the citizens of the Town of Clifton Park wish to express their sincere gratitude to Mr. Gerard for his commitment and loyal dedication to the Town; now, therefore, be it

RESOLVED, that the Town of Clifton Park Highway Complex shall hereafter be known as the "Louis W. Gerard Highway Complex" in honor of Mr. Gerard's 28 years of service to the Town of Clifton Park.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 210 of 2005, a resolution authorizing the Highway Superintendent to purchase a used 1996 Heavy Duty Freightliner snowplow truck.

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

WHEREAS, Richard Kukuk, Highway Superintendent, has identified the need for a snowplow truck to be used for the upcoming winter season, and

WHEREAS, the Highway Superintendent has requested authorization to purchase a used 1996 Heavy Duty Freightliner snowplow truck; now, therefore, be it

RESOLVED, that Richard Kukuk, Highway Superintendent, is hereby authorized to purchase a used 1996 Heavy Duty Freightliner snowplow truck at a cost not to exceed \$41,000 with \$22,787 to come from DA05130-00219 (Highway-Truck) and \$18,213 to be transferred from DA00909 (Undesignated Fund Balance) to the DA05130-00219 (Highway-Truck) budget line.

Superintendent of Highways Kukuk explained this purchase is necessary due to new subdivisions and roads.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 211 of 2005, a resolution authorizing Change Order No. 1 to add two swing gates at Longkill I Park District Field #2.

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

WHEREAS, Resolution No. 151 of 2005 awarded the bid for fencing for Field #2 at Longkill Park, and

WHEREAS, Michael Handerhan, Supervisor of Buildings and Grounds, has recommended a Change Order to add two swing gates at Longkill I Park District Field #2 at a cost of \$1,500 to be installed by AFSCO Fence Supply Company; now, therefore, be it

RESOLVED, that Supervisor Barrett is hereby authorized to sign Change Order No. 1 with AFSCO Fence Supply Company in the amount of \$1,500 to be paid from SP57123-200 (Longkill#1-Capital Improvement).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 212 of 2005, a resolution authorizing the Town Supervisor to enter into a contract to purchase four parcels of land from the Clifton Park Water Authority.

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

Roth.

WHEREAS, the Town Board wishes to enter into an agreement with Clifton Park Water Authority to purchase four (4) parcels of land, and

WHEREAS the acquisition of this land would confer a benefit to the Town of Clifton Park and its residents, and

WHEREAS, the purchase of four parcels of land are as follows:

Section, Lot Block Commonly known address

(1) 265.12-1-30 Pierce Farm Well Site

(2) 265-2-69.3 Canterbury Road Reservoir and Well Site

(3) 277-2-23 Linden Court Well Site

(4) 271.007-1-14 Northcrest Well Site

at a cost of \$72,000 to be paid from the Unreserved Fund Balance, to be transferred to A-1940-200 (Other Town Payments Equipment), and

WHEREAS, upon execution, the Town Attorney, the Town Engineer, the Planning Department and the Building Department will review the contract for compliance before closing; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to enter into the attached Agreement with Clifton Park Water Authority for the purchase of four parcels of land, and the funds for the purchase be allocated as outlined above.

Supervisor Barrett expressed appreciation to the Water Authority for the opportunity to purchase these parcels which can be additions to park areas as well as buffers.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 213 of 2005, a resolution approving an outside user hook-up to the Route

9 Fire Road Water District No. 1 for property located at 31A and B Old Route 146 and 31 Plank Road and Old Rt. 146.

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

WHEREAS, the Route 9 Fire Road Water District No. 1 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; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Route 9 Fire Road Water District No. 1, hereby approves an outside user hook-up to the District's facilities by Michelle Davidoff, Trustee of the trust under the will of Gail Phillips, for property at 31A and B Old Route 146 and 31 Plank Road and Old Rt. 146, pursuant to the attached agreement and authorizes the Supervisor to sign the agreement on behalf of the Route 9 Fire Road Water District.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 214 of 2005, a resolution authorizing the hiring of additional lifeguards, if needed, during the end of the season at Barney Road, Locust Lane and Country Knolls pools.

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

WHEREAS, the Director of Parks, Recreation and Community Affairs has recommended that the additional lifeguards listed in Schedule A be hired to fill the vacancies of those leaving for college; now, therefore, be it

RESOLVED, that the Director of Parks, Recreation and Community Affairs is authorized to hire the lifeguards listed in Schedule A effective immediately to fill vacancies left by students leaving for college and budget line item for hires will depend on which pools need the lifeguards.

Regarding Water Safety Instructors, Supervisor Barrett recommended increasing their salaries in the 2006 budget.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 215 of 2005, a resolution promoting Ron Croce to the position of Automotive Mechanic.

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

WHEREAS, Ron Croce was hired as an MEO on January 3, 2005, Grade 5, Step 1, where since that time he has been working in the function of Auto Mechanic, and

WHEREAS, Richard Kukuk, Superintendent of Highways, recommends that Ron Croce's title be changed to Auto Mechanic retroactive to January 3, 2005, and

WHEREAS, the increase in compensation is \$4510; now, therefore, be it

RESOLVED, that effective January 3, 2005, Ron Croce is hereby promoted from the position of MEO (Grade 5, Step 1) to the position of Automotive Mechanic (Grade 6, Step 3), with \$4510 to be taken from DA-5110-215 (Highway Construction-Street Striping) to be transferred into (Construction Highway Account) DA05110-E0274 - and (Highway Snow Removal) Account DA05142-E274.

Superintendent of Highways explained Mr. Croce has had a number of years in auto repair and he and the other mechanics have saved the town many thousands of dollars in repairs. He has performed in this regard since his hiring date and has been working out of title.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

PUBLIC PRIVILEGE

Margaret Catellier, Royal Oak Drive, suggested having the Planning Board meetings videotaped. She said Planning Board public hearings should be scheduled more than five minutes apart and schedule less public hearings held in an evening. She recommended hiring more people in the Planning Department.

John Scherer, Town Historian, Vischer Ferry Road, spoke in favor of the Riverfront presentation. He said all 600 acres of the Vischer Ferry Nature and Historic Preserve are on the National Register of Historic Places so whatever is done in the area, the town must partnership with Historic Preservation. Regarding the Grooms Tavern, Mr. Scherer said though work has been progressing, the building can't be used as there is no plumbing, heat or electricity in it. He asked the Town Board, with the county surplus money, to consider completing the heating, electricity and plumbing. Councilman Speckhard said it appears it will run approximately \$50,000 - \$55,000 to complete the above. Air conditioning would run another \$20,000 - \$25,000 but can be done next year. He encouraged the Town Board to move ahead to get this done.

Norman Goldman, London Square Drive, asked if any senior housing is coming into town. Supervisor Barrett responded there has been interest but it will take private investment to get it done.

Nancy Bellamy, Eastside Drive, said with the 2006 budget she hopes someone would be hired to work with open space and Michael O'Brien. She expressed concern about the number of items on the Planning Board agenda. She questioned the development proposed for Route 9 and Ushers Road and recommended parking be placed in back of the building to allow a buffer along Route 9. She also would like the Planning Board meetings videotaped. Ms. Bellamy advised the Board that the house at 26 Eastside Drive is in disrepair and children are getting into the building. She asked if the Highway Department work regarding standing water in front of 106 and 108 Eastside Drive could include the home at 104 Eastside Drive. Supervisor Barrett requested that the homeowner contact him or Mr. Kukuk.

Mr. Kukuk reported Town Engineer Jack McDonald is designing a more comprehensive system to correct this situation.

Mr. Clemens will look into the situation with the house at 26 Eastside Drive.

Laurie Irwin, Brookline Drive, asked what the Town Board plans are to do to slow down some of the residential growth in the community so infrastructure and schools can catch up. She stated the issue is not being addressed by the school board and town together.

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

Motion carried at 9:33 p.m.

Patricia O'Donnell
Town Clerk