

**Clifton Park Town Board Meeting Minutes
December 19, 2005**

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
Richard Kukuk, Superintendent of Highways
Mark Heggen, Comptroller
Jason Kemper, Director of Planning
Myla Kramer, Director of Parks, Recreation & Community Affairs
Michael Shahan, Town Administrator
Walter Smead, Assessor
Louis Renzi, Deputy Town Attorney

MOTION by Councilman Roth, seconded by Councilwoman Walowit, to approve the minutes of the December 5, 2005 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

No announcements or communications

REPORTS TO THE BOARD

Town Comptroller Heggen reported revenues are ahead of and expenditures in line with

2004. He said the January and February sales tax receipts will go toward 2005.

Town Administrator Shahan explained McDonald Engineering has detected asbestos associated with the old furnace boiler in the Grooms Tavern. The low quote for asbestos abatement is \$11,200.

PUBLIC HEARING, 7:10 PM
TO CONSIDER A LOCAL LAW AMENDING
SECTION 208-72(c) OF THE ZONING CODE

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on December 15, 2005.

Supervisor Barrett summarized the proposed local law explaining the way the current law reads the attorneys feel the Town Board is obliged to forward any PUD onto the Planning Board for review whether the Town Board has a negative initial reaction to the project or not. This change, deleting the word shall and replacing with may, will give the Town Board more discretion when deciding to forward a PUD to the Planning Board, thereby not wasting the Planning Board's time if a project isn't acceptable to the Town Board.

Councilman Paolucci, speaking in favor of the proposed change to the legislation, said sending a project to the Planning Board that the Town Board is not happy with sends a wrong message to the public, the Planning Board and the developer.

The public hearing was opened for comments from the audience at 7:13 p.m.

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one wished to be heard. Supervisor Barrett declared the public hearing closed at 7:15 p.m.

PRESENTATION TO THE BOARD

Christina Feno gave a photo presentation of the Hurricane Katrina devastation in Louisiana. Ms. Feno, a resident of Clifton Park, volunteered for 3 weeks with the Red Cross in the Gonzales, Louisiana area.

Resolution No. 320 of 2005, a resolution authorizing the Town Board acting as Commissioners of the Clifton Knolls Park District to purchase playground equipment under New York State Contract.

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

WHEREAS, the Clifton Knolls Park District has identified a need for new playground equipment for the Park District, and

WHEREAS, the Clifton Knolls Park District has requested authorization to purchase said equipment under New York State Contract, as described in Schedule A; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Clifton Knolls Park District, authorizes the purchase of playground equipment under New York State Contract PC 62102, from RE Woodson, Inc. of Rochester, N.Y., as described in Schedule A, at a cost not to exceed \$23,610, including shipping, freight and installation, to be paid from SP37131-200, (Clifton Knolls Park District-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 321 of 2005, a resolution scheduling the 2006 Organizational Meeting and the first 2006 Town Board Meeting for the Town of Clifton Park.

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

Now, therefore, be it

RESOLVED, that the 2006 Organizational Meeting for the Town of Clifton Park shall be held on Tuesday, January 3, 2006 at 7:00 p.m. in the Wood Memorial Meeting Room, One Town Hall Plaza, Clifton Park; and be it further

RESOLVED, that the first Town Board Meeting of January 2006 will be held on Tuesday, January 3, 2006 at 7:30 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 322 of 2005, a resolution authorizing the Supervisor to sign a lease with Imagistics and CIT for a Copier for the Justice Court.

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

WHEREAS, the Town Administrator has recommended that a new copier be leased for the Justice Court, and

WHEREAS, the proposed cost for leasing the copier has been budgeted per the attached schedule; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to enter into a lease agreement with Imagistics and CIT for a Copier for forty-eight (48) months at a cost not to exceed \$121.25 per month plus .006 per copy, to be paid from A-1110-9 (Justice Court leases).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 323 of 2005, a resolution authorizing the budget transfers specified in Exhibit A.

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

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 as set forth in Exhibit A; now, therefore, be it

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 324 of 2005, a resolution authorizing the promotion of an employee in the

Highway Department.

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

WHEREAS, Richard Kukuk, Highway Superintendent, recommends that Laborer Daniel Fowler be promoted to MEO in the Highway Department, and

WHEREAS, the above referenced employee has met the requirements for this position; now, therefore, be it

RESOLVED, that effective January 1, 2006 Daniel Fowler is hereby appointed to the position of MEO, Grade 5, Step 1, to be budgeted from DA05110-E1500 (Highway Construction-MEO) and DA05142-E1500 (Highway Snow Removal-MEO).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 325 of 2005, a resolution authorizing the Highway Department to purchase a 2006 John Deere Loader under New York State Contract.

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

WHEREAS, Richard Kukuk, Highway Superintendent, has identified a need for a new loader for use by the Highway Department, and

WHEREAS, Richard Kukuk has requested authorization to purchase a Model Year 2006 John Deere 624J Loader under state contract as described in Schedule A; now, therefore, be it

RESOLVED, that Richard Kukuk, Highway Superintendent, is hereby authorized to purchase a Model Year 2006 John Deere Loader under State Contract Group PC61625 from John Deere Construction and Forestry, Co., Moline, IL. (Nortrax, Clifton Park, Local Dealer), as described in Schedule A, at a cost of \$105,966, less trade in allowance of \$12,000, final cost of \$93,966 to be paid from 2006 budget, DA-5130-220 (Highway machinery-equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 326 of 2005, a resolution authorizing the Supervisor to sign an Agreement with the Clifton Park Water Authority (CPWA) regarding the operation and maintenance of the Rexford Water District No. 2.

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

WHEREAS, the Town Board, acting as Commissioners of Rexford Water District No. 2, is desirous of entering into an agreement for the operation and maintenance of the Rexford Water District No.2 by the Clifton Park Water Authority, and

WHEREAS, the attached Agreement sets forth the rights and obligations of the parties in relation to the daily operation, maintenance, and the finances of the District, and

WHEREAS, the parties agree that the operation of the District by the CPWA will confer a benefit to all users who are residents of the Town of Clifton Park and who are members of the Rexford Water District No. 2; now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to sign the attached Agreement between the Town of Clifton Park, through its Town Board, acting both as the Town Board of the Town of Clifton Park and as Commissioners of the Rexford Water District No. 2, regarding operation of the Rexford Water District No. 2.

Supervisor Barrett said this is the initial step of further consolidation of infrastructure in town and the agreement will greatly benefit Rexford Water District users, as well as the Clifton Park Water Authority. He explained the district doesn't grow much each year but there are structural improvements that need to be made and costs continue to rise. The Supervisor said Rexford Water District has been experiencing increased water usage costs from the Town of Glenville. He said the Plan will provide rate stability and future supply water options that the district does not have now and will also provide future supply water options to Clifton Park Water Authority. Supervisor Barrett said water will still be purchased from the Town of Glenville for the foreseeable future and the water use rules will remain the same. Users of the district will now be billed quarterly as opposed to annually and will be paying CPWA rates. Residents of the district will see little or no increase and many will see a decrease in their water bills. He thanked George Peterson and the members of the Rexford Water District No 2 Advisory Committee for their work and dedication over the years. He further thanked Helmut Gerstenberger, Chairman of the Clifton Park Water Authority, for the Board's assistance. The target date for consolidation is April 15, 2005.

Councilman Speckhard agreed this consolidation greatly benefits the district.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 327 of 2005, a resolution awarding the bid for the Highway Department Storage Building Floor Slab Construction and transferring \$5400 from Unreserved Surplus Account into Capital Projects in the Highway Department.

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

WHEREAS, on December 8, 2005, bids were received for the above referenced contract, and

WHEREAS, the low bidder for the construction of the Highway Department Storage Building Floor Slab is Plank LLC in the amount of \$36,100, and

WHEREAS, as per letter from McDonald Engineering dated December 9, 2005, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that Plank LLC be accepted as the most qualified bidder, and

WHEREAS, Resolution No. 285 of 2005 allocated \$80,000 for Capital Projects in the Highway Department, and

WHEREAS, the total cost for the Capital Projects in the Highway Department is \$5400 more than anticipated; now, therefore, be it

RESOLVED, that the Town Board accepts and awards the above referenced bid in the amount of \$36,100 for the construction of the Highway Department Storage Building Floor Slab, to Plank LLC, to be paid from funds allocated in Resolution No. 285 of 2005 and with a transfer of \$5400 from Unreserved Surplus Account A-00909 into Capital Projects in the Highway Department.

Superintendent of Highways Kukuk explained this will allow the truck maintenance function to be moved out of the garage and, with the completion of this project, will accommodate the new hydraulic lift.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 328 of 2005, a resolution adopting Local Law No. 12 of 2005, a local law amending Section 208-107, of the Town Code, Building Permits; powers and duties of the Building Inspector.

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

WHEREAS, Steven Myers, Director of Building and Zoning, has recommended that the Town Code be amended to include the acceptance of final plans and specifications on CD software, and

WHEREAS, this change is a supplement in line with the proposed transferring of Building Department records from paper to digital media, which would allow for the immediate introduction of a project to the data bank and disposal of the paper records, and

WHEREAS, on December 12, 2005 at 7:10 pm a public hearing was conducted to obtain comment from the public regarding this matter; now, therefore, be it

RESOLVED, that Local Law No. 12 of 2005, a local law amending Section 208-107, of the Zoning Code of the Town of Clifton Park, Building Permits; powers and duties of the Building Inspector, 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.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 329 of 2005, a resolution appointing a Senior Van Driver.

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

WHEREAS, an opening exists for a Senior Van Driver, and

WHEREAS, Harry Ladopoulos, 1 East Lawn Court, Clifton Park, has been recommended to fill this position; now, therefore, be it

RESOLVED, that Harry Ladopoulos, 1 East Lawn Court, Clifton Park, is hereby appointed to the position of Senior Van Driver Grade 3, Step 1, \$25,416 per year effective January 1, 2006, to be paid from A6772-E2250 (Senior Support-employee).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 330 of 2005, a resolution referring a density increase request on the Boel Property to the Planning Board for further review.

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

WHEREAS, a project narrative, requested incentive and proposed amenity, subdivision calculations, site location map, constrained and unconstrained plan and proposed layout were submitted to the Town Board on December 13, 2005 by the Environmental Design Partnership in accordance with Section 208-43.16 of the Town Code, and

WHEREAS, the applicant is requesting a density increase for the subdivision in accordance with Section 208-43.16 of the Town Code, and

WHEREAS, the Town Board must make a determination on whether the project is worthy of further consideration under the amenity zoning provision, and

WHEREAS, referring this application to the Planning Board does not approve the density increase for the subdivision; now, therefore, be it

RESOLVED, that a density increase request on the Boel property is referred to the Planning Board for further review, to report back in 45 days.

Councilman Paolucci said he is happy with the amenity zoning and the \$30,000 per lot

goes toward the purchase of additional open space which the town should be actively seeking. He further said while the \$30,000 is appropriate in the beginning stages, it might become relatively inexpensive with the more lots considered. As open space becomes less available in the western corridor, he believes the price per lot should increase. He would like to begin discussion of another type of rate, perhaps a graduated scale where it increases automatically.

Supervisor Barrett expressed concern with the number of homes being planned for the Crescent/VanVranken Road area.

Councilman Speckhard said it is more important to make open space the primary objective not the money.

Councilman Roth also stated concerns with potential traffic in the area, as well as having money accumulate if landowners are not willing to sell their property to the town.

Town Attorney Trainor reported a workshop at the Planning Board level and public hearing at the Town Board level is required regarding amenity zoning.

Councilman Paolucci said if the town cannot purchase the amount of open space that is required to keep the density in equilibrium with what is in the plan then the amount of money coming from the developers is insufficient to provide the open space required.

Director of Planning Kemper referred to the Permanent Conservation Easement under consideration for Riverview Orchards that will pull approximately 45 units from that area. He said other large landowners are interested in the program.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 331 of 2005, a resolution awarding the bid for the Ice Arena Bathroom Renovations.

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

WHEREAS, on November 17, 2005, bids were received for the above referenced contract, and

WHEREAS, the low bidder for the Ice Arena Bathroom Renovations is John Duguid &

Sons, Inc. in the amount of \$25,700, and

WHEREAS, as per a letter from McDonald Engineering dated November 18, 2005, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that John Duguid & Sons, Inc. be accepted as the lowest most responsible bidder; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park hereby awards the above referenced bid in the amount of \$25,700 to John Duguid & Sons, Inc. with \$15,000 to be paid from funds allocated in Resolution No. 239 of 2005 and the balance of \$10, 700 to be paid from Rainy Day fund.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 332 of 2005, a resolution authorizing the hiring of a secretary to the Historic Preservation Commission.

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

WHEREAS, an opening exists on the Historic Preservation Commission for a secretary to the Commission, and

WHEREAS, Mara Horsley, 18 Ferry Drive, Rexford, has been recommended to fill the position; now, therefore, be it

RESOLVED, that authorization is given to hire Mara Horsley, 18 Ferry Drive, Rexford, as secretary to the Historic Preservation Commission, Grade 1, Step 1, \$10.50 per hour, to be paid from A-07511-E2200 (Historic Preservation Commission – Staff salary), retroactive to January 1, 2005.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 333 of 2005, a resolution authorizing the Assistant Director of Parks, Recreation and Community Affairs to attend a conference.

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

WHEREAS, the Leadership Institute and Upstate New York Camp Conference will be held in Syracuse, New York, and

WHEREAS, the Assistant Director's attendance at this conference will confer a benefit upon and be in the best interest of the Town of Clifton Park; now, therefore, be it

RESOLVED, that the Assistant Director of Parks, Recreation and Community Affairs is hereby authorized to attend the Leadership Institute and Upstate New York Camp Conference January 26-28, 2006, in Syracuse, New York at a cost not to exceed \$452 for registration and hotel, to be paid from A-7021-00001-Parks and Recreation (Training & Conference).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 334 of 2005, a resolution awarding the bid for Grooms Road Tavern HVAC Work in the Town of Clifton Park.

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

WHEREAS, on December 15, 2005 bids were received for the above referenced contract, and

WHEREAS, the low bid for the Grooms Tavern HVAC work was submitted by Bourque Mechanical in the total bid amount of \$27,800, and

WHEREAS, as per letter from McDonald Engineering, dated December 16, 2005, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that the total bid in the amount of \$27,800 submitted by Bourque Mechanical be accepted as the lowest most responsible bidder; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid

to Bourque Mechanical in the amount of \$27,800, to be paid from a Grant of \$25,000 applied for in Resolution No. 294 of 2005 and with \$35,000 allocated in Resolution No. 301 of 2005 from County Surplus.

Councilman Paolucci said since this is only for a hot water system, the language should be changed from HVAC to hot water heating and ventilation. Mr. Shahan explained air handlers are being installed. The system will be engineered so air conditioning could be installed in the future should the Town Board so desire. Councilman Speckhard said it was his understanding the air conditioning would be done in spring 2006. It was noted the above resolution is for heating only. Mr. Shahan reported McDonald Engineering inspected and found asbestos and it is now necessary to hire a professional firm to take the boilers and pipes out. Councilman Paolucci, reading from the McDonald Engineering letter of December 16, 2005, said it appears more work may have to be done regarding asbestos removal.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 335 of 2005, a resolution awarding the quote for Grooms Road Tavern Asbestos Abatement in the Town of Clifton Park.

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

WHEREAS, on December 15, 2005, quotes were received for the above referenced contract, and

WHEREAS, the low quote for the Grooms Tavern Asbestos Abatement Work was submitted by Martin Environmental Service, Inc. in the total amount of \$11,200, and

WHEREAS, as per letter from McDonald Engineering, dated December 16, 2005, McDonald Engineering has reviewed the quotes and has recommended to the Town Supervisor that the total quote in the amount of \$11,200 submitted by Martin Environmental Service, Inc., be accepted as the lowest most responsible quote; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced quote to Martin Environmental Service, Inc. in the amount of \$11,200, to be paid from a Grant of \$25,000 applied for in Resolution No. 294 of 2005 and with \$35,000 allocated in Resolution No. 301 of 2005 from County Surplus.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 336 of 2005, a resolution accepting a conveyance of the following streets and easements.

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

WHEREAS, as a condition of approval of the Abele Subdivision, the Town of Clifton Park Planning Board required that the developer convey roads and easements to the Town of Clifton Park, and

WHEREAS, a Bond has been provided to the Town Planning Department as security for the contractor to complete all remaining punch list items; now, therefore, be it

RESOLVED, that the Town Board accepts the conveyance of the following street and easements briefly described as follows:

Street Name of Owner
Christinamarie Drive Abele Limited Partnership
Stormwater Management Area
Utility Easement through Lot Nos. 2 & 4
Utility Easement through Lot No. 3
Utility Easement through the Town Parcel Lands
Town Parcel Lands

And be it further

RESOLVED, that this conveyance is expressly conditioned upon receipt of an approval by the Town Attorney, Highway Superintendent and Town Engineer of all necessary documents, provision of a title report, which is acceptable to the Town Attorney and upon payment of all taxes, recording fees and assessments, and be it further

RESOLVED, that there be appended to the within resolution a copy of the recorded conveyance after it has been returned from the Saratoga County Clerk, and be it further

RESOLVED, that in accordance with the provisions of Section 171 of the Highway Law of the State of New York, consent be and the same hereby is given to the Superintendent

of Highways of the Town of Clifton Park make an Order laying out the aforescribed Town Highways, said Town Highways to consist of the lands described in the aforesaid deeds (s), and be it further

RESOLVED, that the Town Superintendent of Highways be and he is hereby authorized to post a thirty (30) miles per hour speed limit for the herein described highway (s), together with all necessary regulatory signs, if necessary, and be it further

RESOLVED, that the Town Board hereby authorized the installation of a stop sign on Christinamarie Drive at its southerly intersection of Southbury Drive, as required by the Planning Board and Town Highway Superintendent for proper traffic control.

Superintendent of Highway Kukuk reported McDonald Engineering has approved this road. Mr. Kemper said there has been an ongoing issue in the area for four years; e.g. clearing limit lines were not adhered to, stormwater management area not constructed according to plans, Army Corp wetlands were filled, lots graded inappropriately. Mr. Kemper reported the applicant, Abele Builders, has worked out an agreement with the Army Corps of Engineers and the wetlands disturbance which takes it out of the hands of the Town of Clifton Park and late this fall the stormwater management basin was constructed per the plans. Mr. Kemper said per McDonald Engineering's last inspection everything is according to the approved plans. Supervisor Barrett said the town would not take the road due to the actions of the builder over the last four years.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 337 of 2005, a resolution approving an agreement with the Clifton Park & Halfmoon Ambulance Corps, Inc. and the Ballston Lake Emergency Squad, Inc.

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

WHEREAS, the Clifton Park & Halfmoon Ambulance Corps, Inc. and the Ballston Lake Emergency Squad, Inc. provide ambulance services to residents of the town as needed, and

WHEREAS, an agreement between the ambulance corps and the emergency squad and the Town of Clifton Park is necessary to outline the scope of their services and the town's payment for those services; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement with the Clifton Park & Halfmoon Ambulance Corps, Inc. and the Ballston lake Emergency Squad, Inc. for ambulance services in 2006 at a cost to the town as budgeted.

Supervisor Barrett stated the cost of medical and ambulance services have been increasing and this change in the billing process will protect taxpayers. It is anticipated this could save a few hundred thousand dollars. Councilman Roth explained many of the calls are for non-residents; e.g. doctors' offices, motor vehicle accidents, and the residents of town pay for that service. He reported most ambulance companies in the state are now billing for services.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

MOTION BY Councilman Paolucci, seconded by Councilwoman Walowit to move into Executive Session to discuss a litigation matter.

Motion unanimously carried at 8:45 p.m.

In Attendance: Supervisor Barrett, Councilman Paolucci, Councilman Speckhard, Councilman Roth, Councilwoman Walowit, Town Attorney Trainor, Deputy Town Attorney Renzi, Assessor Smead, Town Administrator Shahen, Town Clerk O'Donnell

No action taken

Motion by Councilman Paolucci, seconded by Councilman Roth, to return to the regular meeting.

Motion unanimously carried at 9:00 p.m.

PUBLIC PRIVILEGE

George Peterson, Chairman of the Rexford Water District Advisory Committee, thanked the Town Board for their support and for including the Advisory Committee in the process of merging the District with the Clifton Park Water Authority.

Supervisor Barrett expressed appreciation to Mr. Peterson for his work and dedication over the years, stating his insight was invaluable.

Helmut Gerstenberger, Chairman of the Clifton Park Water Authority, expressed

appreciation to Mr. Peterson and the Town Board for working together in drafting the agreement and stated the Water Authority is committed to providing good water and excellent service to the residents of Clifton Park.

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

Motion carried at 9:04 p.m.

Patricia O'Donnell
Town Clerk