

**Clifton Park Town Board Meeting Minutes
December 11, 2006**

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
Stephen Myers, Director of Building and Development
Jeffrey Vedder, Supervisor of Convenience Transfer Station

MOTION by Councilman Roth, seconded by Councilwoman Walowit, to approve the minutes of the November 20, 2006 meeting as presented.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

MOTION CARRIED

REGISTER OF HISTORIC HOMES PRESENTATION

Resolution No. 420 of 2006, a resolution designating three structures to the Clifton Park Town Register of Historic Places.

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

WHEREAS, the Historic Preservation Commission has recommended that the Abner

Irish House, 178 Vischer Ferry Road (282.-2-20), Platt Rogers House, 683 Bruno Road (265.-2-59.1) and the Peters-Lockrow House, 269 Moe Road (277.-3-43.11) be added to the Town Register of Historic Places; and

WHEREAS, structures placed on this Register will be given historic status for purposes of Town-wide recognition and as such shall be provided with appropriate marker and inclusion in a Town brochure identifying all sites so designated; now, therefore, be it

RESOLVED, that the Town Board hereby adds the Abner Irish House, 178 Vischer Ferry Road, Platt Rogers House, 683 Bruno Road and Peters Lockrow House, 269 Moe Road, to the Town Register of Historic Places.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

PRESENTATIONS

Historic Preservation Chairman Mark Kazmierczak read a brief synopsis of each house and Supervisor Barrett presented Historic Home markers to Fred and Jane Stevens – Abner Irish House, and Art and Dottie Bourdeaux – Platt Rogers House, who were present and for the Peters-Lockrow House owned by developer Thomas J. Farone.

Councilman Roth reported over 900 people signed up for the annual Hazardous Waste Day, with 840 participating, including residents from the Towns of Malta and Halfmoon. He expressed appreciation to Environmental Specialist Michael O'Brien for his work and organization of the day. Councilman Roth and Mr. O'Brien presented Certificates of Appreciation to all those who volunteered at the Hazardous Waste Day, as well as McDonald's, Mama's Pizza and Price Chopper for their donations and to the Clifton Park Halfmoon, Jonesville, Vischer Ferry, Ballston Lake, Malta Ridge, and Waterford Volunteer Fire Departments for fire protection throughout the day.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 421 of 2006, a resolution authorizing the promotion of two employees at the Convenience Transfer Station.

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

WHEREAS, Jeffrey Vedder, Transfer Station Supervisor, recommends that Anthony Simmons be promoted from MEO to HEO and that Todd Kirchofer be promoted from MEO Light to MEO; and

WHEREAS, the above referenced employees have met the requirements for these positions; now, therefore, be it

RESOLVED, that effective January 1, 2007 Anthony Simmons is hereby appointed to the position of HEO, Grade 6, Step 1, and that Todd Kirchofer be promoted from MEO Light to MEO, Grade 5, Step 1 to be budgeted from A8160-E and A8160-E4100, respectively.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 422 of 2006, a resolution scheduling a public hearing to consider Local Law No. ____ of 2006, a Local Law amending Local Law No. 10 of 1996, regarding Building Permits.

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

WHEREAS, the Director of Building, Steven Myers, has recommended that Chapter 208-107, Building Permits of the Town Code be amended per the attached, and

WHEREAS, the Town Board wishes to solicit the comments of the Town's citizens regarding the proposed changes; now, therefore, be it

RESOLVED, that a public hearing be held on Monday December 18, 2006 at 7:10 pm, in the Wood Memorial Room, Town Hall, Clifton Park, New York to consider Local Law ____ of 2006, a Local Law amending Local Law No. 10 of 1996, as per the attached, and be it further

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

Mr. Myers explained this is a result of the Department of State changing the administrative law for Building Code and the changes are added in to the existing law.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Councilman Roth left the meeting at 8:00 p.m.

PUBLIC PRIVILEGE

Mary Jo Bracken, Juniper Drive, again reported on the disturbing music from an apartment located at 614B Clifton Park Center Road which backs up to her property and asked that the Town Board amend the Noise Law. She said 10 or 15 neighbors are affected by this music. Ms. Bracken said the Sheriff's Department says there is nothing they can do. She said the individuals stop playing at 9:59 p.m. She asked that the town law be amended to allow police "professional discretion" to enforce the spirit of the ordinance 24 hours a day should it be necessary. Ms. Bracken stated this kind of activity should not be going on in a residential area.

Jason Capogna, Juniper Drive, attempted play the music recorded at 7:30 p.m. from his property but wasn't able to. He asked if anything is going to be done to address the problem. He reported Town Security measured 69 decibels from Juniper Drive. Mr. Capogna stated this band plays for three and a half hours making his windows rattle and even planes do not drown out the noise.

Supervisor Barrett responded he has reports from Town Security that include the decibel readings that are much higher than allowed in town law (clerk's note: Noise Law is in effect from 10:00 p.m. to 7:00 a.m.). He said he has asked the Sheriff to see if there is anything that can be done and has also asked Deputy Town Attorney McCarthy to research the situation. The Supervisor said he is reaching out to everyone possible that has the power to enforce laws and for recommendations to change the current law. He noted the current legislation does not cover daytime hours. Supervisor Barrett stated it is important to continue calling law enforcement and town security when this music is played in order to document the activity.

Carolina Roque, Delta Way, Halfmoon, Shenendehowa student interning at a law office, recommended looking into a "nuisance" law with regard to the loud music issue.

From the floor, Deputy Town Attorney McCarthy reported he has spoken with the individuals in the apartment and they have indicated they will not stop playing their music.

Fred Morris, Schenectady, speaking with regard to George Sarris and the wildlife situation, said Mr. Sarris is obligated to take in injured wildlife. Mr. Morris spoke favorably of Mr. Sarris' property and its upkeep.

Cia Bruno, Schenectady County, spoke in support of George Sarris and asked the Town Board to take a more objective look at the situation.

Supervisor Barrett stated this issue is currently in the hands of the courts.

Laura Brown, Washington Ave, Scotia, member of "Save the Geese", urged the town to investigate the false allegations against Mr. Sarris and to work with him to preserve the unique and valuable service.

Norman Goldman, London Square Drive, reiterated his concerns regarding electronic voting machines and the Executive Assistant position in the Planning Department and distributed his written comments.

Tina Hudson, Woodside Drive, Clifton Park, spoke in support of Mr. Sarris' activities. She said she signed a petition against Mr. Sarris under false pretenses as she was told geese were being slaughtered.

John Cummings, Woodside Drive, Clifton Park, resident since 1992, spoke in favor of Mr. Sarris' activities and asked the Town Board to visit Mr. Sarris' property.

Layne Zagorski, Woodside Drive, Clifton Park, lives between the Newell and Sarris properties, spoke in favor of Mr. Sarris' activities, stating there is no problem with noise or feces and that her children visit the property often. Ms. Zagorski's children spoke in support of Mr. Sarris, stating they have learned a lot from him.

Erika Scott, Schenectady, spoke in support of Mr. Sarris and urged the Town Board to visit the site and support Mr. Sarris.

Pat Keelen, Waterford, President of League of Humane Voters, spoke in support of Mr. Sarris. She feels Mr. Sarris is enduring harassment by his neighbors. She said due to current litigation Mr. Sarris has had to refuse taking in female ducks that are injured because female ducks quack and since there is no one else to take the ducks they are put to death. Ms. Keelen said Mr. Sarris' sanctuary is unique and a positive asset to the Town of Clifton Park. She passed out notices of an open house at Mr. Sarris' property.

Nancy Ramos, Guilderland, asked the Town Board to stop the legal proceedings. She spoke in support of Mr. Sarris' activities and asked that his activities be allowed to continue.

David Goldschmidt, Albany, Executive Director of the League of Humane Voters, asked the town to support Mr. Sarris, noting he is an asset to the town. He distributed a press release from the League.

Nadine Mahan, Rensselaer, said she is very disturbed to hear that animals could be euthanized and asked the Town Board to take a stand.

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

Motion carried at 8:40 p.m.

Patricia O'Donnell
Town Clerk