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September 4, 2007

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 Hughes
Councilman Roth arrived at 7:10 p.m.
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy
Michael Handerhan, Supervisor of Buildings and Grounds
Mark Heggen, Comptroller
Myla Kramer, Director of Parks, Recreation and Community Affairs
Kathleen Maynard, Director of Planning
Michael Shahan, Town Administrator
Walter Smead, Assessor

MOTION BY Councilwoman Walowit, seconded by Councilman Paolucci, to approve the minutes of the August 20, 2007 meeting as presented.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Hughes, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Roth

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Councilman Hughes reviewed upcoming Farm Fest events, noting various participants.

Councilman Hughes announced there are openings in the Fall Rec Basketball League. He also announced "River Days" will be held October 5-7.

Supervisor Barrett reminded residents of the September 29th Hazardous Waste Day and asked that registration forms be returned to the town hall by September 15th. He reported Bulk Pick Up days are ongoing.

Councilman Roth arrived at 7:10 p.m.

**PUBLIC HEARING, 7:10 PM
REGARDING TAXPAYER ASSISTANCE PROGRAM
REBATE IMPLEMENTATION LOCAL LAW**

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on August 23, 2007.

Supervisor Barrett summarized the proposed local law explaining the town is in a very enviable position with no outstanding debt. He said becoming debt free and having reduced the town's highway tax by more than 70 percent, Councilman Hughes brought forward the idea of a tax rebate. The \$2.25 million to be used for the rebate is a small portion of the total surplus. He

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emphasized the town does not generate any revenue from a town property tax and noted 70-80 percent of total revenues is derived from sales tax. The rebate will not affect any town services, programs or future initiatives. This rebate also includes renters. Supervisor Barrett expressed appreciation to Senator Bruno, Assemblyman Reilly and Governor Spitzer for making this a reality.

The public hearing was opened for comments from the audience at 7:17 p.m.

Peter Aust, President and CEO of the Chamber of Southern Saratoga, stated the Chamber wholeheartedly supports the tax rebate to renters and property owners. Noting the town has accrued the surplus through sales tax and has a significant commercial tax base that generates a significant amount of tax revenue. Mr. Aust urged adoption of the legislation. He strongly encouraged residents to spend the tax rebate in town.

Jim Fitzgerald, 20 year resident of Clifton Knolls, spoke favorably of the town and stated the tax rebate is an example of government fiscal success. Mr. Fitzgerald said offering the rebate to all citizens is the fairest way.

Jeff Lane, Redfield Drive, spoke in support of the tax rebate. He said when he was looking for a home he chose Clifton Park due to no town taxes and all the great programs offered.

Ed Kramer, Huntwood Drive, spoke in favor of the rebate and commended the Board on this initiative. He said this rebate could feed four meals for a family of four, as well as assist seniors with prescription drugs. He urged passage of this legislation.

Norman Goldman, London Square Drive, said large surpluses have made it easy to spend large sums without public outcry. He said he still questions why the town paid \$400,000 for a driveway to a new school and \$400,000 for a skate park. Regarding the tax rebate, he said other taxes paid by residents should have been looked at as the \$150 rebate is, for most residents, a pittance. Mr. Goldman stated he doesn't agree with the way profits are being shown at the ice arena.

Paul Caron, 4 year resident, applauded the Town Board for their management of town affairs. He believes the \$150 rebate will have a multiplier effect that will come back to the community. He expressed appreciation to Councilman Hughes for taking this initiative which has inspired him to give back to the community. Mr. Caron urged passage of the legislation.

Supervisor Barrett said what is important is that town funds be appropriated properly to serve all residents of Clifton Park. He reported Exit 9 is now an economically vibrant area providing diversified offerings of services that generate a great deal of sales tax and this is very important for the town's base value. Supervisor Barrett stated the town is financially in the best shape it has ever been.

Rhonda Hagethorn, Kings Court, spoke in favor of the rebate. She express concern with school taxes and how senior citizens are affected.

Supervisor Barrett explained the town has no control over school taxes but the state offers the STAR and Enhanced STAR program

Todd Kerner, Spruce Street, expressed concern that the Tax Rebate Program was announced first to the media. He said residents should be made aware that the \$150 will be subject to income tax. He reported though there is no town tax, residents pay special district taxes. He asked that special districts be combined and money used to reduce taxes that everyone pays to those taxing districts.

Supervisor Barrett responded a press conference is a very prudent way to relay information to the general public. He reported with the ice arena debt paid off and the town debt free, it was determined to return taxpayer money back to the residents.

Councilman Paolucci reported since the year 2000 excess funds of \$20 million, or approximately \$3 million a year, have been given back in the form of reduced highway taxes from 80 cents per \$1000 to 16 cents, and, in some cases, county taxes reduced. He continued, budgeting conservatively and sales tax revenues exceeding what has been forecast and budgeted, contribute to the growing surplus.

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Nancy Bellamy, Eastside Drive, stated all residents should have been invited to the press conference. She asked if an account is being set up for those residents who wish to return the rebate which could then, as an example, be put toward the Kids Korner rehabilitation.

Supervisor Barrett said it is necessary to look at the legalities of returning rebates.

Jon Sullivan, Dutch Meadows, said he considers the tax rebate good government. He reported there were no nay votes in the Senate or Assembly for the Home Rule request.

Mr. Goldman stated it would be better if money was more focused.

Margaret Catellier, Royal Oak Drive, stated the Legislature only voted on the Home Rule request not the merits of the rebate. She believes a rebate had been discussed at the county level.

Councilman Hughes responded the Legislature knew exactly what they were voting on and it is based on the merit of the idea. He stated a Home Rule message is reviewed by the Governor's office counsel and if it doesn't meet the merit test, it does not get signed.

Supervisor Barrett said the county has, on occasion, sent a rebate back to municipalities but not to individual households.

Beverly Czub, Miller Road, spoke in favor of the rebate.

Supervisor Barrett emphasized this rebate is "everybody's money" and will not affect any town services, or future initiatives. He stated all profits received from the town ice arena have been put back into the facility.

Michael Dudick, Rexford, spoke in favor of the tax rebate. He recommended anyone who does not wish to use the \$150 to donate the money to a charity.

Mr. Kerner asked that he be invited to any future press conferences. He stated before this rebate is distributed the Town Board has a duty to make residents aware of the tax ramification. He further stated with regard to Home Rule legislation, it is common courtesy that the Legislature gives approval to a municipality for whatever they are seeking.

Adam Kramer, McGregor Court, said the tax rebate is a big victory for the taxpayers of Clifton Park. He stated a press conference is held to give public information to the press at times that are convenient to the media and being held before a Town Board meeting made sense.

Councilman Hughes said he is proud to say that Senator Bruno, Assembly Reilly and Governor Spitzer joined with the Town Board in support of the Tax Rebate Program and part of the charge as elected officials is to be good fiscal stewards.

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one else wished to be heard. Supervisor Barrett declared the public hearing closed at 8:17 p.m.

PUBLIC PRIVILEGE ON RESOLUTIONS

Comment from the floor questioning why the Hollandale PUD is coming forward again. Councilwoman Walowit responded the site plan has changed significantly. Supervisor Barrett said this is restarting the process. Director of Planning Maynard said plans are available for review and minutes can be reviewed regarding past Hollandale submissions. Further comment from the floor stating they were not aware of a Phase III. Councilwoman Walowit reviewed the location of the proposed development. Supervisor Barrett offered to meet with residents adjacent to the proposed development.

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Resolution No. 245 of 2007, a resolution approving an outside user connection to the Rexford Water District No. 2 for Floyd Simone, 781 Riverview Road, in the Town of Clifton Park.

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

WHEREAS, the Rexford Water District No. 2 has been approved by the New York State Comptroller's Department of Audit and Control, and

WHEREAS, the Town Board, as Commissioners of the Water District, has received a request from Donald Austin, Water Authority Administrator, to approve an outside user connection to the Rexford Water District No. 2, for property at 781 Riverview Road, S.B.L. No. 275.-1-86, and

WHEREAS, a Building Permit was issued for the property in June of 2007; now, therefore, be it

RESOLVED, that the Town Board, as Commissioners of the Rexford Water District No. 2, hereby approves an outside user connection to the District's facilities for a parcel of land at 781 Riverview Road.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 246 of 2007, a resolution authorizing two Court Clerks to attend a training program for Court Clerks, September 30 - October 3, 2007, provided by the New York State Association of Magistrates Court Clerks, Inc.

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

WHEREAS, it is necessary for Court Clerks to be knowledgeable of all of the requirements which apply to the Justice Court, and

WHEREAS, the NYS Association of Magistrates Court Clerks, Inc. provides such training for the benefit of the Court Clerks, and

WHEREAS, Judge Hughes and Judge Rybak have requested authorization for Laura Davidson and Janet Barton to attend a training program sponsored by the NYS Association of Magistrates Court Clerks, Inc. to be held at the Westchester Marriott, 670 White Plains Road, Tarrytown, New York, from September 30 - October 3, 2007, and

WHEREAS, attendance at this conference will confer a benefit to the residents of the Town of Clifton Park; now, therefore, be it

RESOLVED, that authorization is hereby given for Laura Davidson and Janet Barton to attend the New York State Association of Magistrates Court Clerks, Inc. training program September 30 - October 3, 2007, at a cost not to exceed \$1400 for both attendees, to be paid from A1110-001 (Justice Court-Training).

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ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 247 of 2007, a resolution approving the Clifton Park Water Authority provision of water to a certain location in the Town of Ballston.

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

WHEREAS, per a letter from Water Authority Administrator Donald Austin, the Clifton Park Water Authority (CPWA) has granted access to the public water supply for the property of Patrick and Cristin Lentile, at 225 Eastline Road, Town of Ballston, by Resolution No. 19 of 2007, and

WHEREAS, Patrick and Cristin Lentile have requested that the Clifton Park Town Board approve the extension of services as per Public Authority Law Section 1120-d (18); now, therefore, be it

RESOLVED, that the Clifton Park Town Board approves the extension of the Clifton Park Water Authority's services to 225 Eastline Road, Town of Ballston, contingent upon such extension being consistent with Public Authorities Law Section 1120-d (18).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 248 of 2007, a resolution proclaiming the month of September 2007, Literacy Awareness Month in the Town of Clifton Park.

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

WHEREAS, studies show that too many adults in our communities read or write below a 5th Grade level, and

WHEREAS, low literacy skills prevent individuals from reaching their full potential as employees, parents, and community members, and

WHEREAS, in order to make a difference in the lives of these citizens and their families, it is critical to raise awareness about the importance and implications of literacy in our daily lives, increasing knowledge, support and appreciation for literacy; now, therefore, be it

RESOLVED, that the Clifton Park Town Board hereby proclaims the month of September 2007, commencing on September 8th, International Literacy Day, Literacy Awareness Month in the Town of Clifton Park.

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ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 249 of 2007, a resolution dedicating two recently acquired parcels of land in the western portion of the Town as Town Parkland.

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

WHEREAS, on July 12, 2005 the Town of Clifton Park purchased over 98 acres of land on Route 146, Rexford, from Thomas Qualtere to be used for Town Parkland, and

WHEREAS, on August 9, 2007, the Town of Clifton Park purchased over 54 acres of land on Route 146, Rexford, from Emmor and Ann Caldwell to be used as Town Parkland, and

WHEREAS, together the approximately 152 acres of land, located in the western portion of Town, were acquired with the intent of developing new state of the art, athletic/recreational facilities to comprise the Town of Clifton Park Recreation Complex; a Complex intended to meet current and projected recreational needs within the Town, and

WHEREAS, in addition to state of the art soccer fields, the site will be an excellent location for hiking, biking and nature trails; now, therefore, be it

RESOLVED, that the Town Board hereby dedicates this combined site, comprising over 152 acres of land, to the people of the Town of Clifton Park, as Town Parkland; and be it further

RESOLVED, that the Town Board hereby expresses its support for the development of these parcels as a new Recreation Complex for the people of the Town of Clifton Park.

Councilman Paolucci said Clifton Park is a growing community and extra facilities are needed, especially in the western part of town. The land will consist of mixed uses, e.g. passive area and areas for activities. He explained this will deemphasize use on the Common. Supervisor Barrett said the Board is looking for input for the area.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 250 of 2007, a resolution adopting an operating budget for the Fall 2007 Fitness Counts Running Program.

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

WHEREAS, the Town of Clifton Park wishes to continue its effort to help children develop good healthy habits for life through its running fitness program for children ages 4-12, and

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WHEREAS, this program would support Character Counts values including sportsmanship, fairness, respect, responsibility and citizenship; now, therefore, be it

RESOLVED, that the attached budget is hereby adopted showing expected expenditures and revenues for the Fitness Counts Running Program, expenses to be paid from A-7309-87 (Community Programs-Character Counts).

Director of Parks, Recreation & Community Affairs Kramer explained applications have exceeded what was originally planned.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 251 of 2007, a resolution authorizing the hiring of two Program Coordinators for the Fall 2007 Fitness Counts Running Program.

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

WHEREAS, the Fall 2007 Fitness Counts Running Program will be conducted September 10-25, 2007, and

WHEREAS, it is necessary to hire two coordinators for the program, and

WHEREAS, the Director of Parks and Recreation Myla Kramer has recommended that Matt McMahon, 15 Jacob Drive, Halfmoon and Lori Hughes, 46 Pinetree Place, Clifton Park, be hired for these positions; now, therefore, be it

RESOLVED, that authorization is given to hire Matt McMahon, 15 Jacob Drive, Halfmoon and Lori Hughes, 46 Pinetree Place, Clifton Park, as coordinators for the Fall 2007 Fitness Counts Running Program, to be paid \$200 each for the six day program, from A-7309-87 (Community Programs-Character Counts)

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 252 of 2007, a resolution authorizing two members of the Open Space, Riverfront and Trails Committee to attend the Parks and Trails New York, Third Statewide Greenway and Community Trail Conference.

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

WHEREAS, Myla Kramer, Director of Parks and Recreation, has requested authorization for William Mackesey and Jerry Burr, members of the Open Space, Riverfront and Trails Committee, to attend the Parks and Trails New York, Third Statewide Greenway and Community Trail Conference at Monroe Community College, Rochester, New York, September 28-29, 2007, at a cost not to exceed \$778 for both attendees, and

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WHEREAS, attendance at the Seminar would confer a benefit upon the Town residents; now, therefore, be it

RESOLVED, that authorization is hereby given for William Mackesey and Jerry Burr, members of the Open Space, Riverfront and Trails Committee, to attend the Parks and Trails New York, Third Statewide Greenway and Community Trail Conference at Monroe Community College, Rochester, New York, September 28-29, 2007, at a cost not to exceed \$778 for both attendees, to be paid with a transfer of \$778 from A7629-135 (Trails-Engineering) to A7629-001(Trails-Conferences).

Councilman Roth asked Ms. Kramer to have Messrs. Mackesey or Burr give a report at an upcoming Town Board meeting.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 253 of 2007, a resolution declaring September “National & Town Preparedness Month” and to increase public awareness about the importance of preparing for emergencies.

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

WHEREAS, National Preparedness Month is sponsored by the U. S. Department of Homeland Security and the goal of the month is to increase public awareness about the importance of preparing for emergencies, and

WHEREAS, National Preparedness Month is a nationwide effort to encourage Americans to take simple steps to prepare for emergencies in their homes, businesses and schools, and

WHEREAS, the Town of Clifton Park wishes to encourage individuals to volunteer with the Town’s Citizen Corps and to promote participation in the CERT and RUOK emergency programs, and

WHEREAS, Clifton Park wishes to provide critical Emergency Preparedness information to the citizens of the Town of Clifton Park through our Cliftonpark.org web site and to encourage attendance at the free classes being offered by the Town, such as Basic First Aid & CPR, Community Preparedness and Red Cross Baby Sitter Classes; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park does hereby declare September as National & Town Preparedness Month.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

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Resolution No. 254 of 2007, a resolution waiving the Building Department fee paid by the Vischer Ferry Fire District for the building of their new firehouse and authorizing the return of the building fees that were paid.

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

WHEREAS, the Vischer Ferry Fire District has requested and paid for a building permit to construct a new Fire Station at 750 Grooms Road, and

WHEREAS, the Vischer Ferry Fire District performs first response and emergency services vital to the health and safety of the citizens of Clifton Park, and

WHEREAS, the Vischer Ferry Fire District has requested that the fee of approximately \$1610 for the building permit be waived pursuant to Clifton Park Town Code, Fees, Chapter 103-17 (c); now, therefore, be it

RESOLVED, that the fee of approximately \$1610 for a building permit issued to the Vischer Ferry Fire District for construction of a new Fire Station at 750 Grooms Road is hereby waived; and be it further

RESOLVED, that the permit fee of \$1610, which has been waived, be returned to the Vischer Ferry Fire District.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 255 of 2007, a resolution authorizing three members of the Planning Board and the Planner to attend the New York Planning Federation Conference.

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

WHEREAS, Kate Maynard, Director of Planning, has requested authorization for three members of the Planning Board and the Planner to attend the New York Planning Federation Conference in Saratoga Springs from October 8-9, 2007, at a cost not to exceed \$530, and

WHEREAS, the amount has been budgeted for 2007 in budget line item A-8021-1 (Planning- Conference and Training), and their attendance at the Seminar would confer a benefit upon the Town residents and to the Planning Board; now, therefore, be it

RESOLVED, that authorization is hereby given for three Planning Board members and the Planner to attend the New York Planning Federation Conference to be held in Saratoga Springs from October 8-9, 2007, at a cost not to exceed \$395 for Planning Board members, to be paid from A-8020-015 (Planning Board) and \$135 to be paid for the Planner to attend from A-8020-001 (Planning-Conferences).

Director of Planning Maynard noted attendance at this conference qualifies for the state requirement.

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ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 256 of 2007, a resolution authorizing the hiring of Alison Pingelski as Assistant Comptroller and rescinding Resolution No. 236 of 2007.

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

WHEREAS, Resolution No. 236 of 2007 authorized the hiring of an Assistant Comptroller, and

WHEREAS, the appointee decided to decline the job, and

WHEREAS, an opening exists for an Assistant Comptroller, and

WHEREAS, Michael Shahan, Town Administrator, and Mark Heggen, Comptroller, having undertaken an interview process, have recommended to the Town Board that Alison Pingelski, 128 Fellows Road, Halfmoon, be hired as Assistant Comptroller; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the hiring of Alison Pingelski as Assistant Comptroller at Grade 9, Step 3 (\$50,047), effective immediately, salary for the balance of 2007 to be paid with a transfer of \$16,000 from A-1315-E235 (Comptroller's Office) to A-1315-xxx (Staff Salary); and be it further

RESOLVED, that Resolution No. 236 of 2007 authorizing the hiring of an Assistant Comptroller is hereby rescinded.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 257 of 2007, a resolution authorizing the hiring of a full time laborer in the Buildings and Grounds Department.

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

WHEREAS, a need exists for a full time laborer in the Buildings and Grounds Department, and

WHEREAS, Michael Handerhan, Buildings and Grounds Supervisor, has recommended that Gregory Budney, 50 Evergreen Avenue, Clifton Park, be hired to fill the Laborer position; now, therefore, be it

RESOLVED, that authorization is given to hire Gregory Budney, 50 Evergreen Avenue, Clifton Park, as a full time Laborer for the Buildings and Grounds Department, at Grade 3, Step 1, (\$26,369) effective immediately, salary of \$8,113.60, through the end of 2007 to be paid with a transfer of \$8,113.60 from A-7110-0211(Buildings & Grounds-Employee) to A-7110-(Buildings & Grounds-Employee).

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ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 258 of 2007, a resolution referring the Hollandale Planned Unit Development District Amendment for Hollandale Phase III to the Planning Board for review and comment.

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

WHEREAS, in November of 2006 application was made to the Town Board for review of the Hollandale Planned Unit Development District Amendment for Hollandale Phase III, and

WHEREAS, on November 20, 2007 the Town Board referred the PUD to the Planning Board for review and comment, and

WHEREAS, the Planning Board's review of the project required that changes be made to the site plans, and

WHEREAS, on June 15, 2007 a revised site plan was received by the Town Board for review, and

WHEREAS, the Town Code permits the Town Board to request a review of all PDD applications by the Planning Board; now, therefore, be it

RESOLVED, that the revised site plan for the Hollandale Planned Unit Development District Amendment for Hollandale Phase III is hereby referred to the Town Planning Board for review and comment and that the Planning Board report back to the Town Board within 60 days.

Supervisor Barrett advised interested parties can be review plans in the Planning Department. Councilman Roth stated he still has reservations about the layout and hopes the Planning Board will carefully consider the traffic flow in the area, as well as take buffering into account. Councilman Paolucci stated he will not support this being sent to the Planning Board. He said he hopes a process can start with the residents and Mr. Hollander getting together before proposal comes to the Town Board for referral to the Planning Board. He noted his concerns are similar to those of Councilman Roth. Councilwoman Walowit stated she is pleased with the significant changes made. Since this project has been before the Board since early spring, she believes the developer deserves some kind of answer. Supervisor Barrett reviewed the process.

ROLL CALL VOTE

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

Noes: Councilman Paolucci

DECLARED ADOPTED

PUBLIC PRIVILEGE

Norman Goldman, London Square Drive, stated he thinks sending the PUD request to the Planning Board is a rebuff to concerned residents. He reviewed questions he presented at the August 20, 2007 meeting.

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Diane Scala, Nutmeg Court, League of Humane Voters, asked if the Town Board has reconsidered the October duck shoot in the Preserve. She stated she cannot submit the petition against duck hunting but the Board can review it. She noted it contains almost 700 names. Ms. Scala said this is not a political issue but one of quality of life.

Ed Kramer, Huntwood Drive, asked the Town Board for a Moment of Silence in memory of former Town Supervisor Joseph Riley.

Nancy Bellamy, Eastside Drive, represents the Ballston Lake Fire Department on the Emergency Services Advisory Board, reported the Fire Department has been awarded a grant of \$44,558 for the purchase of critical safety equipment. She read information from NYSDEC regarding hunting. She asked that the Kids Korner equipment be stained and any necessary repairs made.

Margaret Catellier, Royal Oak Drive, expressed appreciation for the new park in the western part of town. She asked, with the surplus, why town residents need to pay a fee to use town parks and facilities. She believes there is a repair needed to a wall surrounding at the Locust Lane pool. Ms. Catellier expressed concern with mud at the dog park.

Supervisor Barrett said he is aware of the problem with the wall and there is no impending danger and will be repaired for the next pool season at the latest. He reported a tremendous amount of money has been put into the Locust Lane and Burning Bush Clubhouses, as well as a new Clubhouse built at Barney Road. He said there are plans to completely upgrade the Kids Korner in the near future. He agreed to meeting Ms. Bellamy at the playground.

Mike Dudick, Rexford, former Chairman of Parks, Recreation Advisory Committee and current ZBA Chairman, stated conservation is the best way to save energy. Regarding the duck hunting issue, Mr. Dudick said it is his belief the Preserve was set up with money from hunting licenses with the stipulation that at least one week a year be reserved for duck hunting.

Supervisor Barrett responded research is continuing on how the Preserve was originally set up.

Patti Keelan, Waterford, representing the League of Humane Voters, reported conversations with the Canal Corporation repeatedly state that it is totally up to the Town Board's discretion whether to allow hunting or not.

Mr. Goldman stated he pays 100 percent for wind power for his electricity. He spoke against duck hunting in the Vischer Ferry Nature Preserve. He continued to ask for a response to his questions submitted on August 20, 2007. He questioned if residents of certain apartments and facilities are eligible for the tax rebate. Mr. Goldman asked if laws will be changed regarding "dangerous displays" e.g. balloons, etc. that were cited in the discussions surrounding the Transient Merchant legislation.

A Moment of Silence was held in memory of former Town Supervisor Joseph Riley, who lost his life in a car crash in August.

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

Motion carried at 9:35 p.m.

Patricia O'Donnell
Town Clerk