

## **Clifton Park Town Board Meeting Minutes**

**September 10, 2001**

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  
Jason Kemper, Director of Planning  
Patricia Haffner, Director of Parks, Recreation & Community Affairs  
Michael O'Brien, Environmental Specialist  
Michael Shahan, Town Administrator  
Walter Smead, Assessor

Motion by Councilman Paolucci, seconded by Councilman Speckhard, to approve the minutes of the August 20, 2001 meeting as presented.

### Roll Call to Vote

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

Noes: None

### Motion Carried

### Announcements and Communication

Supervisor Barrett reported a petition from Tallow Wood residents containing 38 signatures has been received. The petition reads "In follow-up to the Town Board meeting held September 2, we the undersigned would like to state our objection to the PUD article 21 and article 21A, being amended to allow a restaurant of any kind being placed in the commercial area known at Northcrest Park (Executive Woods). Clerk's note: Town Board meeting was held September 4th) Supervisor Barrett announced Farm Fest is scheduled for September 15th and 16th. Councilman Roth reminded residents of the Special Collection Day to be held September 29th and noted the registration form is

on the internet.

Councilman Roth announced Pierre Richard Prosper, former town resident and Shenendehowa graduate, has been appointed Ambassador-at-Large for War Crimes Issues by President Bush and will be in attendance and recognized at the September 17th Town Board meeting.

Steve Marra, President of the Clifton Park Baseball League introduced and recognized coaches and players of the Clifton Park Baseball 11 Year Old All Star Team for their achievements. He expressed appreciation to the Town Board, Mike Handerman, Judy Bayer and Pat Haffner for their assistance throughout the year.

### Reports

Report for August from the Highway Department was filed with the Town Clerk.

### Public Privilege on Resolutions

Question from floor asking why the Town interested in purchasing the Jacobsen property since the State owns the property in the Vischer Ferry Nature Preserve. Councilman Speckhard said the State has expressed an initial interest in the property but the intent of the State is unknown. He believes there is potential long term advantage for the town to own the property in that it has a fairly extensive shoreline and would be easier for the town to develop passive recreation facilities than having to go through the State approval process. Town Assessor Smead explained the auction process and said the proposed resolution of intent would remove the property from the auction list.

Resolution No. 241 of 2001, a resolution setting a Public Hearing to review proposed sewer use legislation.

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

WHEREAS, the Town's engineers have proposed a sewer use policy to govern the sewer districts within the Town of Clifton Park and their associated outside users, and

WHEREAS, the Town Board wishes to solicit the comments of the public regarding the proposed legislation; now, therefore, be it

RESOLVED, that a Public Hearing is scheduled for 7:10 PM at the Clifton Park Town Hall, One Town Hall Plaza, Clifton Park in the Wood Memorial Room on October 1, 2001 and the Town Clerk is directed to publish appropriate notice of the same.

### Roll Call to Vote

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth,

Councilwoman Walowit, Supervisor Barrett

Noes: None

Declared Adopted

Resolution No. 242 of 2001, a resolution of intent to purchase property from Saratoga County for unpaid taxes.

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

WHEREAS, the "Jacobson Property", Tax No. 293.-2-1, of approximately 24.80 acres, is scheduled for sale for unpaid taxes at the September 20, 2001 Saratoga County Auction, and

WHEREAS, the property may afford Clifton Park residents a beneficial open space which should be preserved by municipal ownership; now, therefore, be it

RESOLVED, that the Town Board wishes to communicate its intent to Saratoga County to purchase the "Jacobson Property", Tax No. 293.-2-1, of approximately 24.80 acres located in the Town of Clifton Park for the amount of the unpaid taxes due on the property subject to the review of the Town Attorney.

Councilman Speckhard said the Town is fortunate to have money available to purchase this property as well as the Round Lake Reservoir and suggested establishing a permanent fund for acquisition of property. Supervisor Barrett said this property offers is a great opportunity and will fit in with the Open Space Plan. With regard to the Open Space Plan, he said the most important thing is to have residents make an informed decision and come up with a plan that has been basically designed by residents.

Roll Call to Vote

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

Noes: None

Declared Adopted

Resolution No. 243 of 2001, a resolution authorizing the Supervisor to sign an agreement with Environmental Hydrogeology Corporation to perform a Phase I Environmental Site Assessment for the purchase of the Round Lake Reservoir.

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

WHEREAS, the Town Board has previously authorized the Supervisor to enter into a purchase agreement for the Round Lake Reservoir from the Village of Round Lake, and

WHEREAS, the Phase I Environmental Site Assessment has been recommended to properly evaluate the environmental condition of the Reservoir; now, therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign the attached agreement (Exhibit A) for consulting services with Environmental Hydrogeology Corporation to perform a Phase I Environmental Site Assessment for the Round Lake Reservoir purchase at a cost not to exceed \$1700 to be paid from account A1440-135 (Engineering-Engineering).

Mr. Trainor explained there is a provision in paragraph 3 that limits the consultants liability to \$20,000 and for an additional \$200 they are offering to waive that limitation. He believes this would be money well spent.

Motion BY Supervisor Barrett, seconded by Councilman Speckhard, to amend the resolution by changing the cost of the Phase I Environmental Assessment from \$1500 to \$1700.

Roll Call to Vote on amendment

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

Noes: None

Motion Carried

Roll Call to Vote on Resolution

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

Noes: None

Declared Adopted

Resolution No. 244 of 2001, a resolution setting a Public Hearing for October 1, 2001 to consider a local law amending Local Law No. 5 of 2001, a Local Law amending Local Law No. 7 of 2000, a Local Law amending Local Law No. 27 of 1989, Signs, as amended by Local Law No. 8 of 1992, to consider adoption of a Local Law imposing a ninety day moratorium on the review, approval and issuance of permits for billboards/off premises signs/advertising signs in the Town of Clifton Park.

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

WHEREAS, the Town of Clifton Park has been made a party to litigation seeking to declare the Town's sign law unconstitutional as it relates to exclusion of billboards/off premises signs/advertising signs within the Town of Clifton Park, and

WHEREAS, Town Board wishes to extend a 90 day moratorium on the review, approval and issuance of permits for billboards/off premises signs/advertising signs in the Town of Clifton Park pending review of relevant case law as it applies to the Town's sign law; now, therefore, be it

RESOLVED, that a public hearing to consider extending a 90 day moratorium on the review, approval and issuance of permits for billboards/off premises signs/advertising signs in the Town of Clifton Park for an additional ninety days is hereby set for October 1, 2001 at 7:20 PM in the Wood Memorial Room, One Town Hall Plaza, Clifton Park and the Town Clerk is directed to publish notice of same.

Roll Call to Vote

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

Noes: None

Declared Adopted

Resolution No. 245 of 2001, a resolution accepting conveyance of an open space parcel in Summerhill subdivision from The Michaels Group LLC.

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

WHEREAS, The Michaels Group LLC has agreed to convey open space pursuant to the terms of its subdivision approval, and

WHEREAS, the conveyance will provide the Town a public benefit at minimal cost; now, therefore, be it

RESOLVED, that the Town Board hereby accepts the conveyance of one open space parcel from The Michaels Group LLC in the Summerhill subdivision, and the Town Supervisor is authorized to sign all necessary documents in connection therewith.

Roll Call to Vote

Ayes: Councilman Paolucci, Councilman Speckhard, Councilman Roth,

Councilwoman Walowit, Supervisor Barrett

Noes: None

Declared Adopted

Public Privilege

Anthony LaFleche, Wheeler Drive, recommended, with the budget surplus, accelerating the purchase of electronic voting machines and getting rid of all printmatic voting machines.

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 7:50 p.m.

Patricia O'Donnell  
Town Clerk