

Clifton Park Town Board Meeting Minutes

August 5, 2002

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
Louis Gerard, Superintendent of Highways
Jason Kemper, Director of Planning
Barbara McHugh, Director of Community Development
Michael Shahan, Town Administrator

MOTION by Councilman Paolucci, seconded by Councilman Roth, to approve the minutes of the July 15, 2002 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett announced the town blood drive is scheduled for August 14, 2002.

Councilman Paolucci distributed a flyer to the Town Board prepared by Lorna Kircher regarding a guide for the dog park and asked for comments.

Town Clerk O'Donnell announced the purchase of seven electronic machines and that a Voter Education Day will be held August 15, 2002 from 9:00 a.m. to 7:00 p.m.

REPORTS

Reports for June from the Transfer Station and Highway Department and for July from Animal Control and the Planning Department were filed with the Town Clerk.

Specialist Matt Romano presented Supervisor Barrett with a New York State flag and an American flag that have flown over Kandahar, Afghanistan airport as well as a Certificate of Authenticity regarding the same. Specialist Romano expressed appreciation to residents for their support and “Operation Care” packages received while in Afghanistan. Supervisor Barrett thanked those who donated, as well as TrustCo bank for providing the account and Clifton Park Center for paying for all shipping costs.

PUBLIC FORUM ON TOWN WIDE LEASH LAW

Supervisor Barrett said this discussion is on whether there should be a town wide leash law as opposed to the current terminology of having a dog under control.

Supervisor Barrett acknowledged an email from Steve Potter asking that his comments of May 20, 2002 public forum be reiterated: Steve Potter, Eagle Trace, said his dog is on a leash everywhere except Kinns Road Park and dogs he has seen running at Kinns Road Park are under control. He hopes there is room for compromise. He said it is important that his dog get exercise by running and urged the Board to think twice before coming up with an ultimate ban.

Ruth Hahn, Nottingham Way, said her property abuts Kinns Road Park and dogs run on her property. She said she is in favor of dogs under control and on a leash.

Norman Goldman, London Square Drive, read a prepared statement, attached.

Michael Pedowski, Bear Brook Court, reviewed a survey he conducted in the Robinwood Estates development, attached. Also attached is his personal recording of how many people visit Kinns Road Park at a given time. Mr. Pedowski noted he has never witnessed an incident in the park.

Todd Szwetkowski, Mountain Way, said he brings his dog to Kinns Road Park and questioned how many public forums would be held before a decision is made. He said most of the people who go to Kinns Road Park would be willing to compromise on a town wide leash law except leave Kinns Road Park or Vischer Ferry Preserve for people to walk their dogs.

Supervisor Barrett said, in his estimation, this will be last public forum. He explained if this issue was to continue, a public hearing would be held on a proposed local law which would then be voted on. Supervisor Barrett said there does need to be compromise and suggested an arrangement at Kinns Road Park and noted Veterans Park on MacElroy Road would also be a good area. He said the only complaints he has had are dogs running loose in neighborhoods and these are not dogs off leash with an owner. He asked residents to call when problems arise and noted Animal Control Officer Baker patrols

areas where there have been concerns.

Chris Grossman, Nott Road, read a prepared statement, attached.

Richard Vicario, Ohio, said don't add to the law, enforce the current one.

Cindy Sternal, Massachusetts, former resident of Sherwood Forest, spoke in favor of dogs unleashed in Kinns Road Park.

Marjorie Williams, Woodcliffe Drive, spoke in favor of dogs unleashed in Kinns Road Park.

Ann Sweeney, Robinwood Estates, uses Kinns Road Park and recommended keeping dogs on leash until the row of houses is passed.

Mary Legge, Vischer Ferry Road, said she has been walking her dogs in Kinns Road Park for over 20 years and keeps them under control. She invited Board members to walk with dog owners in Kinns Road Park. Ms. Legge said there are limited places to exercise off leash. She recommended signage at Kinns Road Park stating "this is a shared park for joggers, bikers, walkers and people walking dogs on and off leash".

Patricia Mathews, Nottingham Way North, property abuts the park, said she would like to see a leash law but is concerned with the possibility of a compromise with Kinns Road Park being leash free. She said she has had several incidences over the past 5 years, dogs damaging her property, as well as jumping over her fence. Ms. Mathews reported her two year old son was knocked down by a dog while walking in Kinns Road Park and is now afraid of dogs. Supervisor Barrett asked Ms. Mathews to call security if there are dogs running on her property or if she hears any motorized activity in Kinns Road Park.

William Grimm, Terrace Court, said he has a problem with inconsiderate dog owners. He said the current law is vague and overly broad to the point of being unenforceable. He stated there should be a leash law.

Debbie Alexander, Berkshire Drive West, uses Kinns Road Park. She said enforce the law and residents should report dog owners that are abusing the system. She asked that dogs be unleashed at the park.

Supervisor Barrett commended the Animal Control and Security Officers for their work.

Kelly Ambrose, Clute Circle, said she is against any change in the current leash law. She walks her dog in the Vischer Ferry Nature Preserve. She said deal with the dogs that are problems and don't penalize everybody.

Kathy Strait, Pepper Hollow, said she checked with Animal Control to see how many complaints come from Kinns Road Park and found there have been three minor intimidation instances all year. Ms. Strait said the people using Kinns Road Park are not

asking for any monetary input for the park but that the dogs be allowed to be unleashed. People abusing the law should be reprimanded. She presented petitions with approximately 91 signatures collected at Kinns Road Park from people who strongly feel that the park be left as is stating “We, the undersigned residents of Clifton Park, are petitioning the Clifton Park Town Board to leave the current regulations concerning dogs in effect in the Kinns Road Park. The current posted law reads that dogs must be in control. It does not stipulate that dogs necessarily be leashed as long as they are “in control”. We strongly feel that the residents who use this park with their unleashed dogs do so in a friendly and responsible manner”. Ms. Strait asked if a sign asking people not to use the trails that abut residences would be a compromise.

Supervisor Barrett said the town could see how that would work.

Councilwoman Walowit said the complaints in the earlier years came from skiers using the park stating that people were not cleaning up after their dogs. She said she called the forums as a result of a campaign promise and has had a lot of complaints within neighborhoods and people who don't go to the parks anymore because they are uncomfortable and afraid. She said a dog park should be membership supported as is the Town of Clifton Park's.

Supervisor Barrett said no one is asking for subsidy of any sort but only the continuation of using the same recreational facilities they have used for years.

Lorna Kircher, Lilac Court, said people don't know what the laws are or what impact they have. She noted education is very important and would like to see the town move in that direction as opposed to restricting people's freedoms.

Beverly Czub, Miller Road, agreed that the law needs to be enforced as there are many dogs that are not under control. She said there needs to be something in the law about a dog being too far away from the owner or not under control of the owner. She presented petitions with approximately 272 signatures stating “As a resident of the Town of Clifton Park, I understand the Town has a specific dog leash law that applies only to the Clifton Common. I believe people in the rest of the Town deserve the same consideration for their safety and the ability to use other public areas and Town Facilities, to relax or walk, etc., without fear or danger caused by unleashed dogs. This is not intended to restrict a dog owner's (s') right to leave his/her/their dog(s) unleashed on that dog owner's owned or leased property or as specifically permitted by another owner or leasee on their owned or leased property – or at the Mary Jane Row Dog Park which was established by the Town where dogs may run unleashed, by permit”.

Larry Kaempf, Nottingham Way North, said his house is right by the parking lot, dogs have been in his yard and there should not be a compromise. The current law needs to be enforced instead of adding more laws. He does not leash his dog and he doesn't want to see a distance be put on “under control”.

Edward Peck, Temple Hills, said he has never had a problem at Kinns Road Park and it is

the only place a dog can get exercise, however, the law needs to be enforced, dogs should be kept under control and people should clean up after their dogs. He would like to see another park like Kinns Road Park in town.

A show of hands of those who had not spoken was taken with 15 in opposition to a town wide leash law and 2 in favor.

Supervisor Barrett called a five-minute recess at 9:00 p.m. The meeting convened at 9:10 p.m.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 204 of 2002, a resolution referring the DCG Mixed Use Planned Unit Development District to the Planning Board for review and comment.

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

WHEREAS, application has been made to the Town Board for the proposed DCG Mixed Use Planned Development District, and

WHEREAS, the Town Code requires a review of all PUD applications by the Planning Board; now, therefore, be it

RESOLVED, that the DCG Mixed Use Planned Unit Development District application 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.

Councilman Speckhard said the reason for the request is that much of the area consists of PIR zoning and in this proposal there is an acre and a half that is being asked to be rezoned to B-4 to accommodate a parking lot. Basically one the questions that the Town Board will address is do we want to change one and a half acres of PIR zoning in exchange for 200 senior housing units. He said the Board also has to consider if it wants to extend traffic from Route 146 to Wall Street. He noted in the past there has been much neighborhood opposition to extending a road to Wall Street due to the potential of extending it further to Clifton Park Center Road.

Councilman Paolucci said there is a need for middle income senior housing in town and he hasn't been made aware that this application would satisfy that need. He agreed there is a trade off. He noted the town code says the PUD should develop more usable open space, preserve lands and create an efficient use of the lands resulting in economical networks of utilities and streets. These are two areas of this plan that he doesn't think meets that hurdle. The extension of traffic to Wall Street is through a series of parking lots and he doesn't think that is efficient. Councilman Paolucci said the 35 percent

greenspace proposed is acceptable in a B-4 zone but 45 percent is required a PIR zone. He noted the Planning Board, in the 1998 Draft Environmental Impact Statement decided that 45 percent was appropriate in that area specifically to lower the density of development due to the traffic situation that already exists. Though he doesn't know the height of the proposed four-story senior housing, the PIR zone has height limitations of 35 feet however in a PUD the Board could supercede that. In the B-4 zone there is an allowance to go over 35 feet but for every amount over 35 feet rear and side setbacks have to be increased. Councilman Paolucci said the Board has the ability to make the trade offs for the good of the town but the last qualification for a PUD refers to a "development pattern in harmony with the planning objectives of the town" and he isn't sure this is appropriate. He said he wants the builders to know that he has reservations that have to be addressed before he would be able to support any projects of this nature, given Planning Board support or not.

Supervisor Barrett said there is no doubt that there is a need for middle income senior housing. He said eventually something is going to happen in that area and this is a good location for senior housing and middle income senior housing would garner the most support. He stated this is the most important piece of the proposal.

Councilman Roth said middle income senior housing could be very viable in the town. He would like to obtain some additional information as to what the government considers middle income senior housing. He said when this was discussed several years ago most of the objections came from a road going through to Clifton Park Center Road not so much stopping at Wall Street. Councilman Roth said he has reservations with the greenspace situation that even though the Town Board did not adopt the 45 percent requirement as law, a lot of money was spent on that GEIS in that area and was very specific that the greenspace should be 45 percent.

Councilman Speckhard said past concern was direct access from Route 146 to Wall Street would create a traffic snarl in that area and it would be inevitable that the road would have to be extended to Clifton Park Center Road.

Highway Superintendent Gerard stated it is not a road but a series of parking lots.

Supervisor Barrett said this may alleviate traffic on Clifton Country Road.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 205 of 2002, a resolution to add a Water Safety Instructor pay rate for

Michael Purcell, who is currently a lifeguard at the Country Knolls pool.

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

WHEREAS, Michael Purcell, 17 Sunrise Terrace, Clifton Park, was hired as a lifeguard in a previous resolution and is now qualified as a Water Safety Instructor, and

WHEREAS, the Director of Parks, Recreation & Community Affairs recommends that Michael Purcell be paid the Water Safety Instructor rate of \$8.25 per hour retroactive to June 30th; now, therefore, be it

RESOLVED, that Michael Purcell, 17 Sunrise Terrace, Clifton Park, be paid the Water Safety Instructor pay rate of \$8.25 per hour retroactive to June 30, 2002.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 206 of 2002, a resolution to consider a change order regarding the Town Hall sidewalk replacement.

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

WHEREAS, McDonald Engineering has recommended the approval of Change Order No. 2 for light pole repairs, as well as, payment of the \$3,243.65 balance owed on the project of Bast Hatfield; now, therefore, be it

RESOLVED, that Change Order No. 2 and final payment of \$3,243.65 to Bast Hatfield for the Town Hall sidewalk replacement project are hereby approved.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 207 of 2002, a resolution authorizing the Director of Planning and the Vice-Chairman of the Planning Board to attend the 2002 New York Planning Federation Conference.

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

WHEREAS, the 2002 New York Planning Federation Conference will be held in Saratoga Springs, N.Y., from September 29 to October 2, 2002, and

WHEREAS, Jason Kemper, Director of Planning for the Town of Clifton Park, and Steve Bulger, Vice-Chairman of the Town of Clifton Park Planning Board, have requested authorization to attend this conference, and

WHEREAS, Mr. Kemper's and Mr. Bulger'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 Jason Kemper, Director of Planning for the Town of Clifton Park, and Steve Bulger, Vice Chairman of the Town of Clifton Park Planning Board, are hereby authorized to attend the 2002 New York Planning Federation Conference from September 29 to October 2, 2002, at a cost not to exceed \$250 to be budgeted from A-8020-015 (Planning-Planning Board).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 208 of 2002, a resolution authorizing the installation of a street light at the entrance to the Windsor Pointe subdivision.

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

WHEREAS, the Windsor Pointe subdivision was previously approved by the Town of Clifton Park Planning Board, and

WHEREAS, the installation of a street light was required from the builder as part of the Windsor Pointe subdivision approval; now, therefore, be it

RESOLVED, that authorization is hereby granted for builders to install a street light at the entrance to the Windsor Pointe subdivision at the Ushers Road and Beresford Road

intersection, said subdivision being located on the South side of Ushers Road in the Town of Clifton Park; and be it further

RESOLVED, that after installation, the expense of operating said street light shall be charged to the Town of Clifton Park Lighting District No. 1, and a copy of this authorization shall be forwarded to the Niagara Mohawk Power Corporation.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 209 of 2002, a resolution requesting approval for mowing of additional areas in Stoney Creek No. 2 Park District.

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

WHEREAS, the Stoney Creek No. 2 Park District has received a quote of \$110 for the initial cut of grass, and \$35 per cut thereafter in areas not previously identified to Staucet's Lawn Service, and the Park District wants the Town Board as Commissioners to authorize the additional expenditure up to \$390; now, therefore, be it

RESOLVED, that the Town Board, acting as the Commissioners of the Stoney Creek No. 2 Park District hereby authorize the additional expenditure to Staucet's Lawn Services of up to \$390 for grass cutting services this summer.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 210 of 2002, a resolution authorizing the Highway Superintendent to attend the NYS Association of Towns Superintendents of Highways Conference from September 24-27, 2002.

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

WHEREAS, the NYS Association of Town Superintendents of Highways Conference will be held in Monticello, N.Y., from September 24 – 27, 2002, and

WHEREAS, Louis W. Gerard, Highway Superintendent for the Town of Clifton Park, has requested authorization to attend this conference, and

WHEREAS, Mr. Gerard'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 Louis W. Gerard, Highway Superintendent of the Town of Clifton Park, is hereby authorized to attend the NYS Association of Town Superintendents of Highways Conference in Monticello, N.Y., from September 24 - 27, 2002 at a cost as budgeted to be paid from A-5010-00001 (Highway-Travel and Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 211 of 2002, a resolution in connection with a Halloween party to be held on October 26, 2002.

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

RESOLVED, that the Town Highway Superintendent is authorized to close Dyer Drive on October 26, 2002 from 5:30 p.m. to 6:30 p.m. to facilitate a local social event of the Jonesville Fire Company, and be it further

RESOLVED, that the residents, with the approval and advice of the Highway Superintendent, shall block the roadway off but shall open it immediately in case of emergency service needs such as fire, police or ambulance protection, and be it further

RESOLVED, that the Jonesville Fire Company shall be responsible for all clean-up activities on Town property or on the street right-of-way resulting from the social activity; and be it further

RESOLVED, that a copy of this resolution be sent to the Jonesville Fire Dept., Ballston Lake Ambulance Corps, Sheriff's Department and the State Police.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 212 of 2002, a resolution setting a public hearing to consider the adoption of Local Law_____of 2002, a Local Law establishing a Retirement Incentive Program pursuant to Chapter 69 of the Laws of 2002.

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

WHEREAS, the Town of Clifton Park wishes to adopt targeted incentive Part A of the Retirement Incentive Program as authorized by Chapter 69 of the Laws of 2002, and

WHEREAS, it is necessary to adopt this Incentive Program by Local Law; now, therefore, be it

RESOLVED, that a public hearing be held by the Town Board of the Town of Clifton Park on the 19th day of August, 2002 at 7:20 p.m. in the Wood Memorial Meeting Room, 1 Town Hall Plaza, Clifton Park, New York; and be it further.

RESOLVED, that the Town Clerk publish and post notice of said public hearing as required by law.

Councilman Speckhard said the last time a Retirement Incentive Program was adopted the town saved about \$27,500, and this time the potential over five years is \$80,000. It was noted this has to be adopted on or before September 3rd.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 213 of 2002, a resolution authorizing advanced payment for baseball lights at the Common.

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

WHEREAS, surplus funds are available to advance the cost of baseball lights at the Common in return for the assignment of anticipated grant proceeds in the amount of \$75,000, and

WHEREAS, a written assignment of anticipated grant proceeds will be delivered by the

Clifton Park Baseball League in a form satisfactory to the Town Attorney prior to advance payment for the lights; now, therefore, be it

RESOLVED, that the Comptroller is authorized to advance \$75,000 out of surplus funds for baseball lights at the Common upon the Town Attorney receiving a satisfactory written assignment from the Clifton Park Baseball League of anticipated grant proceeds in the same amount for the project.

Supervisor Barrett explained the league wants to get the lights up before the Babe Ruth World Series. They are receiving significant funds for the project but asked for help on an interim basis for funding up to \$75,000. The interest rate to be charged was discussed. Councilman Speckhard asked for a payment date to be included and asked if the league were not to get the grant, would the league itself repay. Supervisor Barrett responded yes. Town Attorney Trainor has a copy of a letter confirming approval of the grant. Councilman Roth asked that the agreement state that should the grant not materialize, the league is responsible for the loan. Mr. Trainor said he would exact the language necessary in the agreement.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 214 of 2002, a resolution adopting Local Law No. 8 of 2002, a Local Law amending Local Law No. 2 of 1978 regarding Notification of Defects.

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

WHEREAS, a public hearing was held on July 15, 2002 to consider the attached Local Law providing for written notification of defects and obstructions on town highways, bridges, streets, sidewalks, crosswalks and culverts in the Town of Clifton Park and amending Local Law No. 2 of 1978 and no comments were received; now, therefore, be it

RESOLVED, that Local Law No. 8 of 2002, Notification of Defects, amending Local Law No. 2 of 1978 is hereby adopted and the Town Clerk is directed to file and publish appropriate notice of same.
Notice of Defects

Local Law No. 8 of the year 2002, a Local Law amending Local Law No. 2 of 1978, a local law providing for written notification of defects and obstructions on town highways,

bridges, streets, sidewalks, crosswalks and culverts in the Town of Clifton Park

§ 176.1. Notice of condition required.

(a) No civil actions shall be maintained against the town or town superintendent of highways for damages or injuries to person or property sustained by reason of any highway, bridge, street, sidewalk, crosswalk or culvert being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, dangerous, or obstructed condition of such highway, bridge, street, sidewalk, crosswalk or culvert was actually given to the town clerk or town superintendent of highways, and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of. No such action shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any highway, bridge, street, sidewalk crosswalk or culvert, unless written notice thereof, specifying the particular place, was actually given to the town clerk or town superintendent of highways and there was failure or neglect to cause such snow or ice to be removed, or to make the place otherwise reasonably safe within reasonable time after the receipt of such notice.

(b) The town superintendent of highways shall transmit in writing to the town clerk within ten days after the receipt thereof all written notices received pursuant to this local law and subdivision 2 of section 65-a of the Town Law. The town clerk shall cause all written notices received pursuant to this local law and subdivision 2 of section 65-a of the Town Law, to be presented to the town board within ten days of the receipt thereof or at the next succeeding town board meeting whichever shall be sooner and shall maintain an index of all such notices in accordance with section 65-a, subdivision 4, of the Town Law.

§ 176-2. Continuance of existing provisions.

The provisions of this article are in addition to and supplemental to any state and federal laws concurrently in existence. This local law shall supersede in its application to the Town of Clifton Park subdivisions 1 and 3 of section 65-a of the Town Law. This local law shall take effect immediately upon its filing in the office of the Secretary of State.

It was noted this came at the recommendation of New York Municipal Insurance Reciprocal, the town's insurance carrier.

ROLL CALL VOTE

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

Noes: None

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DECLARED ADOPTED

PUBLIC PRIVILEGE

Jean Taylor, Riverview Road, distributed copies of a letter she sent to the residents of Riverview Road and Willow Springs regarding logging in the area, attached. She said only one acre out of the 69 acres is not designated a wetland. Ms. Taylor said the residents are extremely concerned and are asking for an environmental impact study and wetlands review before the trucks go in.

Director of Planning Kemper said town law covers timbering and though it can't be stopped, it has to be selective cutting. He said this is a temporary action and not a land disturbance activity. He said there may be some restrictions the town can put on them for the parcel and some assurances to make sure the water quality is protected, such as a bond or Letter of Credit, as well as to insure the easement is restored to its natural state. Mr. Kemper explained if a landowner cannot sell the property or subdivide it, logging the property can be a source of income.

Norman Goldman, London Square Drive, asked the Board to keep the human part in perspective when talking about "middle income" housing.

William Grimm, Terrace Court, asked what the back up collateral is should baseball league not receive the grant. Mr. Trainor responded the lights will be attached to town property. Mr. Grimm expressed concern about youngsters playing hockey in the street. He recommended the town clerk's office hand out the dog law when applying for a license, as well as requesting the applicant to sign a receipt that they have received this information. He also asked the Board to consider requiring any known dog that bites be muzzled when off the owner's property.

MOTION by Supervisor Barrett, 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 10:10 p.m.

Patricia O'Donnell
Town Clerk