

Clifton Park Town Board Meeting Minutes

December 2, 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 led by Girl Scout Troop #265

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
Michael Shahan, Town Administrator

MOTION by Councilman Speckhard, seconded by Councilman Roth, to approve the minutes of the November 12, 2002 meeting as presented.

ROLL CALL VOTE

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

Noes: None

Abstain: Councilman Paolucci

MOTION CARRIED

MOTION by Councilman Roth, seconded by Councilwoman Walowit, to approve the minutes of the November 18, 2002 meeting as presented.

ROLL CALL VOTE

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

Noes: None

Abstain: Councilman Paolucci

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett announced the town Blood Drive will be held on December 11, 2002.

The Supervisor announced the Sounds of the Season event and Tree Lighting will be held December 3, 2002 at Shopper's World.

Supervisor Barrett congratulated the Shenendehowa Plainsmen Football for their outstanding performances in getting to the State Finals.

Councilman Roth thanked Highway Superintendent Gerard and staff on behalf of the Ballston Lake Emergency Squad for spreading sand at the squad building during a recent ice storm.

MOTION BY Supervisor Barrett, seconded by Councilman Paolucci, to move into Executive Session to discuss personnel matters. Motion unanimously carried at 7:20 p.m.

In attendance: Supervisor Barrett, Councilman Paolucci, Councilman Speckhard, Councilman Roth, Councilwoman Walowit, Town Administrator Shahan, Town Attorney Trainor, Town Justices Hughes and Rybak, Town Clerk O'Donnell

No action was taken

MOTION BY Councilman Speckhard, seconded by Councilman Roth to return to the regular meeting. Motion unanimously carried at 7:40 p.m.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 303 of 2002, a resolution appointing Bonnie Seeley and Irene Botch as Temporary Assistants to the Receiver of Taxes.

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

WHEREAS, the need exists to employ two assistants to assist the Receiver of Taxes, and

WHEREAS, the Receiver of Taxes has recommended that Bonnie Seeley, 14 Birch Hill Road, Ballston Lake and Irene Botch, 39 Tekakwitha Drive, Clifton Park, be appointed to fill the position, and the Town Board has considered the same; now, therefore, be it

RESOLVED, that Bonnie Seeley, 14 Birch Hill Road, Ballston Lake and Irene Botch, 39 Tekakwitha Drive, Clifton Park, be appointed as Temporary Assistants to the Receiver of Taxes, effective immediately through December 31, 2002 at Grade 4, Step 1, \$12.33 per hour, to be paid from A-1330-E4000 (Receiver of Taxes/Assessments-Part-time laborers).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 304 of 2002, a resolution authorizing change order No. 1 for rebuilding the chimney at the Grooms Tavern.

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

WHEREAS, the repairs to the Grooms Tavern were authorized at a cost of \$95,100, and

WHEREAS, additional work was required to be performed by the contractor to rebuild the chimney at the Grooms Tavern at an additional cost of \$3490, now, therefore, be it

RESOLVED, that authorization is hereby granted to execute change order No. 1 for additional work to the Grooms Tavern at an additional cost of \$3490 to come from previously budgeted money, A-1627-200 (Grooms Road Emporium-Equipment).

It was noted \$80,000 is anticipated in grant money from NYS Office Parks, Recreation and Historic Preservation for Grooms Tavern.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 305 of 2002, a resolution authorizing Dan Clemens to attend a course on Building Automation Fundamentals.

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

WHEREAS, a Building Automation Fundamentals course is being given on February 10, 2003, in Ballston Spa, and

WHEREAS, Michael Handerhan, Supervisor of Buildings and Grounds, has recommended that authorization be given for Dan Clemens to attend this seminar, and

WHEREAS, 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 Dan Clemens is hereby authorized to attend a Building Automation Fundamentals course on February 10, 2003 at a cost not to exceed \$250 to be paid from A-7110-001 (Buildings & Grounds-Training/Conference).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 306 of 2002, a resolution authorizing construction of additional locker room space at the Clifton Park Arena.

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

WHEREAS, the Shenendehowa Hockey Booster Club has asked the Town for authorization to construct additional locker room space at the Clifton Park Arena which it has agreed to pay for, and

WHEREAS, the Town is willing to undertake the partial cost of the construction so long as the Boosters pay back the amount expended pursuant to the attached agreement; now, therefore, be it

RESOLVED, that construction of additional locker room space at the Clifton Park Arena is hereby authorized at a cost to the Town not to exceed \$20,000 pursuant to the terms contained in the attached agreement for repayment from the Shenendehowa Hockey Boosters Club.

Supervisor Barrett said the current locker room in the town arena is totally inadequate for this hockey team. Regarding construction of the locker room, he stated they must have the proper permits and inspections from the Building Department. Councilman Speckhard said the other leagues, e.g. soccer, baseball, have also paid money to build

structures on the Common which, according to the agreements with them, become town property. Supervisor Barrett said improvements made to the building will be owned by the town, however, that locker room is to be used solely by the hockey team and no one else. Mr. Shahen recommended this be in the agreement. Councilman Speckhard said the agreement with baseball and soccer permits the town to make exceptions and determine uses beyond the agreement. He said the agreement with hockey should be similar to the ones with the other leagues which means the town should be allowed to use the locker space if needed. Supervisor Barrett said at this point he wouldn't be willing to open the locker room up to anyone but the hockey team. He said the Booster Club is doing something of their own initiative and is putting up money and moving ahead to improve what they already have and he doesn't want them to be "punished". They have had exclusive use and didn't have to worry about equipment missing. Councilman Speckhard said he doesn't have an objection to granting exclusive use but there needs to be some language in the agreement stating that it can be retracted. Supervisor Barrett said there are facilities in the arena for other groups. He said this has been their domain and should remain their domain and there should be something in writing for the Booster Club's protection, not the town's. Town Attorney Trainor said what is offered tonight shows that the town retains control and ownership of the facility but this can also be in the use agreement. Mr. Trainor said the agreements with the other leagues provide exclusive use of the facilities during certain times of the year; it being implied that the town could do what it wanted the balance of the year. Mr. Trainor said he thinks the Booster Club's concern is keeping the equipment safe and they could have exclusive use during their season and open to other groups when their season is over. Supervisor Barrett asked Mr. Trainor to draft a use agreement for Town Board review, however, the Supervisor wants to see the Booster Club and High School Hockey team protected that what they have now will continue. Councilman Paolucci asked who will oversee the town's interests. Supervisor Barrett said he would like to waive Building Department fees.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 307 of 2002, a resolution appointing Johanna Monachino as a substitute Senior Van Dispatcher.

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

WHEREAS, Patricia Haffner, Director of Parks, Recreation and Community Affairs, has recommended that Johanna Monachino be hired as a substitute Senior Van Dispatcher; now, therefore, be it

RESOLVED, that Johanna Monachino, 59 Grissom Drive, Clifton Park, is hereby appointed to the position of substitute Senior Van Dispatcher, Grade 1, Step 4 (\$10.17 per hour) effective immediately to be paid from A6772-E127 (Community Support-Senior Support-Express Dispatch).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 308 of 2002, a resolution Amending and Restating the 457 Plan.

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

WHEREAS, the New York State Deferred Compensation Board (the "Board"), pursuant to Section 5 of the New York State Finance Law ("Section 5") and the Regulations of the New York State Deferred Compensation Board (the "Regulations"), has promulgated the Model Deferred Compensation Plan for Employees of the Town of Clifton Park, (the "Model Plan") and offers the Model Plan for adoption by local employers, and

WHEREAS, the Town of Clifton Park, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of the Town of Clifton Park, and

WHEREAS, effective January 1, 2002 the Board amended the Model Plan to adopt provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 ("EGTRRA") as they apply to the Model Plan and to adopt modifications that update certain administrative provisions to accommodate prospective state-of-the-art methods and procedures, and

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations, and

WHEREAS, upon due deliberation, the Town of Clifton Park has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of the Town of Clifton Park by adopting the amended and restated Model Plan; now, therefore, be it

RESOLVED, that the Town of Clifton Park hereby amends the Deferred Compensation Plan for Employees of the Town of Clifton Park effective December 2, 2002 by adopting

the amended and restated Model Plan effective January 1, 2002, in the form attached hereto as Exhibit A.

IN WITNESS WHEREOF, the undersigned have executed this Resolution in Saratoga County, New York this 2nd day of December, 2002 and directed that it be filed as appropriate.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 309 of 2002, a resolution authorizing the Town Administrator to attend the EPA Region III Emergency Preparedness and Prevention Conference.

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

WHEREAS, an EPA Region III Emergency Preparedness and Prevention Conference is being given from December 8-12, 2002 in Baltimore, Maryland, and

WHEREAS, Michael Shahen, Town Administrator has requested authorization to attend this conference, and

WHEREAS, 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 Michael Shahen is hereby authorized to attend the EPA Region III Emergency Preparedness and Prevention Conference December 8-12, 2002 in Baltimore, Maryland at a cost not to exceed \$975 to be paid from A-4010-24 (Community Services-Public Safety)

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

A discussion ensued between Norman Goldman, London Square Drive, and Supervisor Barrett regarding the method of management chosen in 2001 to manage the Clifton Park Arena.

MOTION by Supervisor Barrett, 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 8:35 p.m.

Patricia O'Donnell
Town Clerk