

Clifton Park Town Board Meeting Minutes

November 17, 2003

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
Louis Gerard, Superintendent of Highways
Mark Heggen, Comptroller
Michael O'Brien, Environmental Specialist
Michael Shahan, Town Administrator
Walter Smead, Assessor
Louis Renzi, Ass't Town Attorney

MOTION by Councilwoman Walowit, seconded by Councilman Speckhard, to approve the minutes of the November 3, 6 (budget public hearing), and 10, 2003 meetings as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Councilman Roth announced the third Welcome to Clifton Park sign has been placed at Exit 10 with a dedication planned for November 22, 2003 at 10:00 a.m. He thanked Stewarts Shops for donating the sign.

Councilman Roth and Environmental Specialist O'Brien reviewed the 9th Annual

Hazardous Waste Collection day, noting 390 people from Clifton Park, 23 from Malta, 37 from Halfmoon and 20 Saratoga County farmers took part. A successful electronics collection was also held. Certificates were given to the 30 plus volunteers, as well Mama's Restaurant, Stewarts Shops, McDonalds and Price Chopper for their generous food and drink donations. It is estimated the event cost just under \$40,000 which is 50 percent reimbursable from New York State. The town also received a \$5000 from County Waste towards this effort. The total cost to the Town of Clifton Park is approximately \$12,293. Councilman Roth thanked the emergency volunteers and fire departments for their participation, noting it is vital to have them on hand during the day. He also expressed appreciation to Environmental Specialist Michael O'Brien for his work in putting the event together.

PUBLIC HEARING, 7:20 PM
TO CONSIDER A LOCAL LAW AMENDING SECTION 194-5 OF THE TOWN
CODE
REGARDING PARKING ON TRACEY COURT

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on November 13, 2003.

Supervisor Barrett summarized the proposed local law explaining high school students have been parking on Tracey Court and cutting through private property to reach the high school and residents have asked that no parking be allowed on the street from 7:00 a.m. to 4:00 p.m. Monday through Friday. He noted there is noise and litter from the youth. He said it is necessary to pass a law in this regard in order to enforce no parking.

The public hearing was opened for comments from the audience at 7:30 p.m.

Abraham Blum, Parkland Court, expressed concern that areas in town are being used as used car lots and asked if this can be curtailed and be made part of the proposed legislation.

Michael Pendergast, Tracey Court, stated there are a number of children on the court and the students driving and parking on the street have created a safety issue. He said cars are parking partly on lawns and there is no public access to the high school from Tracey Court, only through private property. He thanked the Board for their consideration of this legislation.

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 7:45 p.m.

Town Administrator Shahan reported town security have contacted people that are selling cars by the side of the road and asked to have them moved. He reviewed changes made to the budget from the public hearing, attached.

Town Comptroller Heggen reported the assistant comptroller has been doing an audit of all departments. Mr. Heggen said he and Darryl Purinton, Marvin & Co., have discussed the impending GASBY 34 requirements, as well as the capitalization of infrastructure, particularly roads. He will meet with Mr. Gerard in this regard.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to speak.

Resolution No. 283 of 2003, a resolution adopting the Preliminary Budget for 2004.

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

WHEREAS, a Public Hearing was held on the Preliminary Budget on November 6, 2003 where comments were received regarding the proposal, and

WHEREAS, the comments of the public have been incorporated into the proposed budget; now, therefore, be it

RESOLVED, that the Preliminary Budget for 2004 is hereby adopted as the Town's Budget for the Year 2004.

Supervisor Barrett reviewed the proposed 2004 Budget. He reported the Town of Halfmoon will contribute \$4000 and the Town of Clifton Park \$6000 to the YMCA Saturday Night Live Program so the program can continue under the same level of funding as in the past. He noted Catholic Charities can no longer offer the Job Connection service. Though CAPTAIN may look at this program in the future, the Town of Clifton Park will now offer it in house through the Community Development Director budget. The Supervisor said he has spoken with the Director of Umbrella, a company that targets seniors needing to have work done around the house in this regard.

Councilman Roth stated the Clifton Park Halfmoon Emergency Squad budget has been reduced by \$10,000 and the Squad will be using reserves to make this up. He emphasized there will be no reduction in services.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 284 of 2003, a resolution authorizing Change Order No. 1 with HMA Contractor for the Clifton Country Road Improvements Project.

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

WHEREAS, a contract for improvements to Clifton Country Road Project was authorized in an amount of \$66,958.50, and

WHEREAS, a Change Order was prepared by McDonald Engineering which provides the breakdown of individual item costs, and

WHEREAS, the Change Order results in a decrease of \$226.74 for the Clifton Country Road Improvement Project from the current contract amount of \$66,998.50 to arrive at a new contract amount of \$66,771.76; now, therefore, be it

RESOLVED, that Supervisor Barrett is hereby authorized to sign Change Order No. 1 dated October 29, 2003, to HMA Contracting contract for the Clifton Country Road Improvement Project.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 285 of 2003, a resolution authorizing Change Order No. 1 with John G. Waite Associates for the Grooms Tavern Restoration Project.

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

WHEREAS, a contract to perform services for the Grooms Tavern Restoration Project was awarded in the amount of \$91,321, and

WHEREAS, a Change Order was prepared by John G. Waite Associates which provides the breakdown of individual item costs, and

WHEREAS, Change Order No. 1 is for Alternative No. 1 Windows increasing the contract amount by \$13,800 and also increasing the architectural service fee by \$1,725,

for a total increase of \$15,525, and

WHEREAS, the additional cost of \$15,525 is being split between the Town and Friends of Grooms Tavern; now, therefore, be it

RESOLVED, that Supervisor Barrett is hereby authorized to sign Change Order No. 1 dated October 15, 2003, with John G. Waite Associates for the Grooms Tavern Restoration Project in the amount of \$15,525, \$7,763 to be paid by the Town of Clifton Park and \$7,763 to be paid by the Friends of Grooms Tavern.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 286 of 2003, a resolution authorizing the Town of Clifton Park Comptroller to return \$1 million dollars to Saratoga County in 2004 from sales tax receipts and to authorize the Town Supervisor to file commitment documents with Saratoga County.

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

WHEREAS, the Town Board is committed to doing all it can to stabilize County tax payments by Town residents; now, therefore, be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the Town Comptroller to return \$1 million dollars to Saratoga County in 2004 from sales tax receipts and hereby authorizes the Town Supervisor to file the appropriate documents of commitment with Saratoga County.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 287 of 2003, a resolution authorizing the Supervisor to sign a contract amendment with Arena Management Group LLC.

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

WHEREAS, the Management Agreement between the Town and Arena Management Group LLC provides that a written report of operations and financial performance be provided to the Town within sixty days after the end of the Arena's fiscal year, and

WHEREAS, the Management Agreement also provides that the Arena is to provide annual audited financial statements to the Town on the operation of the facility, and

WHEREAS, both the Town and the Arena Management Group recommend that the sixty day period be extended to ninety days after the end of the Arena's fiscal year; now, therefore, be it

RESOLVED, that the Supervisor be authorized to sign an Amendment to the Management Agreement which extends the sixty day period for a written report of operations and financial performance to ninety days after fiscal year end and also provides for the provision of the Arena's annual audited financial statements at the same time.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 288 of 2003, a resolution setting a Public Hearing to alter the boundaries of the Town of Clifton Park Consolidated Hydrant District No. 1, as adopted by Resolution No. 248 of 1992, as amended by Resolution No. 176 of 1995.

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

WHEREAS, a resolution was adopted by the Town of Clifton Park at a regular Town Board Meeting on November 2, 1992, establishing the Town of Clifton Park Consolidated Hydrant District No. 1, and

WHEREAS, at the adoption of that resolution, certain engineer's plans, reports and legal descriptions of said proposed hydrant district, and maps illustrative thereof were attached to that resolution, and made a part thereof, and

WHEREAS, the Town Board wishes to include additional properties within said Town of Clifton Park Consolidated Hydrant District No. 1, which descriptions and maps are attached hereto; now, therefore, be it

RESOLVED, that a Public Hearing is hereby set for December 1, 2003 at 7:10 pm in the Wood Memorial Room, 1 Town Hall Plaza, Clifton Park, to receive public comment regarding the proposed alteration of Consolidated Hydrant District No. 1 boundaries, and the Town Clerk is directed to publish appropriate notice of the same.

Town Assessor Smead reviewed proposed additions to the Hydrant District, noting this was last expanded in 1995. He said the tax levy will go up by thirteen cents per one thousand and future development has been taken into consideration.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 289 of 2003, a resolution authorizing the Assessor to relevel delinquent water charges on the 2004 property tax bills.

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

WHEREAS, the Rexford Water District has reported unpaid water bills, per the attached schedule, for the Rexford Water District, and

WHEREAS, it is necessary for the Assessor to relevel the unpaid bill on the property owner's 2004 tax bill to ensure payment of the same; now, therefore, be it

RESOLVED, that the Town Board accepts the reported delinquent water charges for the Rexford Water District, per the attached schedule and authorizes the Assessor to relevel that amount on the property owners' 2004 property bill.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

Resolution No. 290 of 2003, a resolution adopting Local Law No. 11 of 2003, a local law amending Local Law No. 14 of 1991 and Chapter 194-5 of Vehicles & Traffic, regarding stopping, parking and standing regulations.

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

WHEREAS, the NYS Police have stated that students are parking on Tracey Court, and they believe that this could be a safety issue, especially during the upcoming months with snow removal, and

WHEREAS, Louis Gerard, Highway Superintendent, has received requests from both the NYS Police and the Shenendehowa School District that Tracey Court be made a “No Parking” area, and

WHEREAS, a Public Hearing was held on November 17, 2003 to consider the proposed local law and comments received were generally in favor of the local law; now, therefore, be it

RESOLVED, that Local Law No. 11 of 2003, a local law amending Local Law No. 14 of 1991 and Chapter 194-5 of Vehicles & Traffic, creating a “No Parking” area on Tracey Court is hereby adopted, and be it further

RESOLVED, that authorization be given to the Highway Department to install signs creating a “No Parking” area on Tracey Court from 7AM to 4PM, Monday thru Friday; and be it further

RESOLVED, that this local law shall take effect upon its filing at the New York State Department of State but shall also be immediately effective upon a person or entity personally served with a copy before then.

Supervisor Barrett said security will continue to patrol the area and asked residents to notify the town of any problems. Councilman Speckhard agreed but is concerned that others may need to park on the street during the prohibited hours, e.g. residents’ company, services calls.

MOTION BY Councilman Speckhard, seconded by Councilman Roth to amended the proposed legislation as follows: “C. No person shall park [or] and leave unattended...”

ROLL CALL VOTE ON MOTION

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

Noes: None

Absent: Councilman Paolucci

MOTION CARRIED

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Paolucci

DECLARED ADOPTED

PUBLIC PRIVILEGE

Norman Goldman, London Square Drive, expressed concern about the length of time passed before the Ice Arena audit is received. He recommended that the Welcome to Clifton Park signs read Town of Clifton Park. He further recommended that the new senior van be in addition to the others and not a replacement.

Abraham Blum, Parkland Court, expressed concern about the sale of cars along road sides. Town Attorney Trainor is to check with the County regarding any legislation they may have in this regard.

John Chera, Eldorado Drive, requested the Town Board consider upgrading the sound equipment in the town owned ice arena. Supervisor Barrett said he has received the proposal in this regard and will consider the upgrade but wants to look at the options.

MOTION by Councilman Roth, 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 8:50 p.m.

Patricia O'Donnell
Town Clerk