

Clifton Park Town Board Meeting Minutes

September 15, 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 Paolucci
Councilman Speckhard
Councilman Roth
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Also Present: Town Attorney Trainor
Mark Heggen, Comptroller
Jason Kemper, Director of Planning
Barbara McHugh, Director of Community Development
Michael Shahen, Town Administrator
Walter Smead, Assessor

MOTION by Councilman Paolucci, seconded by Councilman Roth, to approve the minutes of the September 2, 2003 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 noted Farm Fest is scheduled for the weekend of September 19 and 20, 2003.

Councilman Roth gave an update of the Special Collection Day to be held October 4, 2003.

Councilman Roth announced an encore production of the 175th Anniversary Play, "The Queen of Hearts" will be presented October 3, 4 and 5 in the Little Theater in High

School East.

REPORT TO THE BOARD

Darryl, Purinton, Marvin & Co., reported on the year ending 12/31/2002, noting the Single Audit for 2002 received a clean audit opinion with no reportable findings. He said the General Purpose Financials as of 12/31/2003 received a clean opinion and are in compliance with all laws and regulations. Councilman Roth noted expenditures were under budget by \$100,000.

Supervisor Barrett noted the town has an A1 bond rating.

PUBLIC HEARING, 7:10 PM

TO CONSIDER A LOCAL LAW REGARDING IMPOSING A MORATORIUM ON DEVELOPMENT IN THE WESTERN PART OF TOWN

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on September 6, 2003.

Mike Bianchino, Clough, Harbour & Associates, speaking on the planned GEIS said this will allow the town to look at the cumulative impacts on developments, as well as the growth inducing impacts on water and sewer for any development that occurs in the study area. He displayed a map of the study area of approximately 17,500 acres of land, consisting of approximately 2000 parcels. He reported the boundary was established based on areas that were not presently served by existing water and sewer services. Build out scenarios and the impact of that build out on traffic, open space, streams and wetlands, scenic vistas, historic properties and the loss of farmland, as well as impact on other utilities services will be evaluated in the GEIS. Mr. Bianchino anticipates the GEIS to be a 12-month process, however, the law allows for an additional six month. He explained the proposed moratorium applies to 5 lots or more and commercial site plans over 5000 square feet in size. He reviewed the process of the GEIS. Mr. Bianchino said the principles of the Comprehensive Plan will be incorporated into the GEIS, as well as the Open Space Plan and zoning.

Councilman Speckhard asked if there is anything about the moratorium that would impact on water development if the town or Water Authority sought to provide water to someone. Mr. Bianchino said at this point the moratorium is on major subdivisions, development projects and commercial site plans, not on the extension of utilities.

Supervisor Barrett said during the moratorium road construction projects will be taking place that will alleviate some traffic concerns and we will have a better idea as to where our water supply will come from, e.g. the Water Authority creates more source or the county plan goes through. He also noted the school will be building a new elementary school.

Director of Planning Kemper asked that the correspondence he has received with regard

to this public hearing be included in the record.

The public hearing was opened for comments from the audience at 7:15 p.m.

John Montagne, Chazen Companies, and representing John Brock, explained Mr. Brock has had a project at Glenridge Road and Route 146 before the Planning Board for about 3 years. He continued the zoning is B2- Business Non-Retail and the project is completely in compliance with zoning standards. Mr. Montagne said a significant investment has been placed on the property, a traffic study was done, wetland delineation, topography and engineering plans. They have notified the Planning Board that they are ready to come before the Board and that they have interested tenants. Mr. Montagne said the impact of a moratorium significantly impacts the economic value of this property and hinders his client's ability to move forward on something that has significant financial investment at this time. He said if they were to lose 12 to 18 months in the review process there is a good likelihood that the potential tenants would go somewhere else. There is a 50 percent greenspace which excludes stormwater management and wetland areas. He stated this is a very low density project, very much in character with the Master Plan. He said the improvements in the area for water over the last two years is what led them to come back with the project. Mr. Montagne said this will increase the tax base and bring in high end white collar businesses. He asked that a modification be considered for the moratorium that would not preclude this project from going through the review process. He said he agrees that it is a great idea to do a GEIS and again asked that they not be encumbered by this moratorium for as long a period as is proposed.

Mr. Kemper responded the project has been at conceptual and then back for revised conceptual, no SEQRA determination has been made and the next submission would be for a public hearing in front of the Planning Board.

David Miller, Hidden Valley Lane, spoke in favor of the proposed moratorium in order to conduct and complete a thorough GEIS. He said this is an important action for the future of the town and will be a benefit to farming in the long-term, a benefit to natural resources and wildlife and all residents. The proposal will also help integrate the objectives of the Open Space Plan into the future planning fabric and decisions of the town. Mr. Miller stated this proposal is complimentary to the Open Space Plan and the open space program. He urged the Town Board to adopt the moratorium.

Supervisor Barrett stated this is a proactive planning tool for the future of the town.

Kathryn Ophardt, Daniel Lill Court, read a prepared statement in support of the proposed moratorium, attached.

Supervisor Barrett said he doesn't foresee any "big box" stores coming into town and the zoning on Route 146 does not allow for it.

Ray Seymour, Nadler Road, said the Land Trust has sent a letter to the Director of Planning supporting the proposed moratorium. Mr. Seymour read a letter from the

Friends of Clifton Park Open Space in support of the moratorium, attached.

Dan Donzelli, Wayto Lane, contractor and builder, said his project has had conceptual approval for about 3 years. His expenses have mounted up. Mr. Donzelli said he is in favor of a study but doesn't think building should stop, as there will be a ripple effect on the work force – painters, plumbers, electricians. He asked that projects already before the Planning Board be considered so building can continue. Mr. Donzelli said he has 5 lots on Wayto Lane with septic and wells.

Mr. Kemper explained Mr. Donzelli had received preliminary approval but it has expired. He said Mr. Donzelli made a submission in June to get on the Planning Board agenda but no fees were paid and, therefore, could not be put on the agenda.

Supervisor Barrett said he is sensitive to the fact that there may be projects that can't go forward.

Gordon Furlani, commercial real estate broker with CB Richard Ellis, said the Town Board has to be sensitive to people that have things in process. He represents Henry Green, owner for 15 years of property, approximately 8.3 acres in size, on the southwest corner of Vischer Ferry and Grooms Roads, currently zoned a PDD (land in front of Coburg Village). He explained ten years ago the site originally was approved for 27,500 square feet of professional office and 27,500 of retail. He noted the property has been on the market for 10 years but no nationally retailers want to pioneer the western part of town. A year ago it was decided to market the property as high density residential, e.g. apartments, condominiums, town homes. A builder was found and an offer has been put in on the property. They have met with Mr. Kemper and are ready to get into the approval process to get property approved as a condominium project. He is looking for a change in the PDD from commercial to residential. Mr. Kemper responded he passed the submittal for a PUD amendment on to the Town Board. When asked what the time frame would be from the time the PUD proposal comes before the Town Board through site plan approval, Mr. Kemper responded about one year. Mr. Furlani said he believes if the moratorium goes through, he will lose the developer and Mr. Green will lose his sale. He said there should be some exceptions to this moratorium. Supervisor Barrett said he can't hold up a planning study for 18,000 acres for 33,000 people in town because a project has been on the boards for 3 to 15 years. Mr. Kemper said there has been no application made or site plan approval.

Kurt Swartz, Ballston Lake, read a prepared statement in support of the moratorium, attached.

Tom Powers, lifelong resident of 1221 Route 146, said he will be negatively impacted with this proposed moratorium. He said those with acreage were greatly effected when reassessed. Runoffs from new developments are coming onto his property. Mr. Powers said many of the people affected by this proposed moratorium are planning to retire by selling off property but there have been so many things with open space, wetlands, etc., their property is being devalued. He said it is not fair to the small number of people in the

western part of town that have the acreage to have this negative impact.

Sean Finnerty, Woodland Hills, said he appreciates that a moratorium is being considered but there have been other GEIS's that have been given no teeth, specifically the Exit 9 GEIS. He said the Exit 9 GEIS, as well as the Open Space Plan put forth recommendations that should have been put into law instead of using them as guidelines. Mr. Finnerty further stated taxpayer money is being wasted by not putting these studies into law. He said he hopes the Town Board will go through with the moratorium but also follow through with the recommendations from the GEIS.

Supervisor Barrett, speaking with regard to the landowners in the western part of town, said he understands where they are coming from and if they are just looking to market their property and have a major plan, he doubts it could be marketed, sold and go through the planning process in a year or year and a half.

Mr. Kemper said everything on the east side of Miller Road was included in the Vischer Ferry Road Corridor Study and is not part of the moratorium.

Supervisor Barrett noted that many of the houses on Vischer Ferry and Miller Roads were approved in the late 1980s and early 1990s and just came to fruition recently. In response to comments from the audience, the Supervisor stated the Open Space Plan is completely voluntary and, in his opinion, adds value to surrounding property.

Chad Beck, Route 146, has a large piece of property on Route 146 and is a general contractor. He said he has plans to develop his property and the current the zoning is for one acre lots which would allow him to 28 lots but after the moratorium the zoning could change allowing him 14 lots, thereby losing sales and money that his family is looking to for retirement. He said he did not receive any notice of the public hearing.

It was noted that Mr. Beck's property was part of the Vischer Ferry Road Corridor GEIS and is not part of this GEIS or the proposed moratorium.

Tom Savino, CB Richard Ellis Real Estate, represents International Center for Leadership located on Route 146, an approved PDD of 30,000 square feet. He asked if the moratorium will stop them from building. Mr. Kemper responded they do not have preliminary site plan approval and would be part of the moratorium. Mr. Savino said this is one of the town approved Empire Zones and now it can't be develop unless the building is less than 5000 square feet.

Debra Lakritz, Park Lane, spoke in support of the moratorium, as well as people being able to sell their land and make a profit. She said it is important to continue to develop the town in a conscientious manner, as well as to look at pedestrian parks.

Christine Beck, Route 146, Hillview Stables, said there is confusion as to what properties are included in the moratorium.

Supervisor Barrett responded though the description appears to include that area of Route 146, Ms. Beck's property is not included in the moratorium as her property was part of the Vischer Ferry Road Corridor GEIS in the early 1990s.

Councilman Paolucci explained the cumulative impact has already been studied in those areas.

John Brock, owner of property on Route 146 and Glenridge Road, said the study of the Vischer Ferry Road Corridor and the Open Space Plan were done without a moratorium and asked why one is necessary for this study.

Supervisor Barrett explained the Open Space Plan was a macro view of the town and looking into what needed to be protected in the future but this is a more intense study.

Regarding the Vischer Ferry Road Corridor GEIS, Mr. Bianchino explained the developers got together and did the study and all the projects in the corridor were on hold during the study.

Barbara Nebb, Riverview Road, lifelong resident, asked that the Town Board and all involved in growth and development of major developments give consideration to the individual homeowners. She said she has clay soil with a very high water table and doesn't believe the project on Route 146 and Glenridge Road should be allowed to build with a septic system. She doesn't believe the town should proceed with development until county-wide sewer and town-wide water systems are in place.

Beth Edelman, Brian Drive, asked how can we keep zoning contained and get water to everyone in town and the cost be borne by all the citizens. She stated open space and the moratorium are a great idea but only as good as the people who are willing to put it into action. If the town is spending \$250,000 on the GEIS then approximately \$400,000 has been spent on all the studies combined. She asked that the town consider putting all the GEIS's into law. Ms. Edelman stated public services are needed, parks as well as water, and it is her position that the entire town should bear the cost of everyone getting water. She stated it wouldn't be expensive and that it would be the right and moral thing to do. She would like the GEIS to take that into consideration when making evaluations about water demands of the community.

Dean Devito said he has an option to buy a piece of property within the GEIS area and significant money has been spent. He is ready to present the conceptual plan and asked 1) what can be done during the moratorium, 2) what is the possibility or probability that the density of the zoning may be changed as a result of the study and 3) is it expected that there may be mitigation fees imposed as a part of the study.

Mr. Bianchino said during the moratorium there is the possibility that applications can proceed at their own risk to a point but no actions can be taken until the GEIS is completed and findings established. As far as mitigation fees and density, he said it is too early to say, but there is a possibility that land use control and mitigation fees could come

about as a result of the GEIS process.

Mr. Devito, in response to Mr. Bianchino, said then an applicant could come before the Planning Board with a conceptual plan, get comments, no action would be taken but density could change and mitigation fees could be imposed. Mr. Bianchino responded that it is accurate.

Bill Koebbemann, Riverview Road, said there is a good reason for imposing the moratorium on anyone that doesn't have the approvals or a negative declaration because hopefully the GEIS will uncover and discover some environmental impacts for the community and then will impose some mitigation measures for those impacts. Mr. Koebbemann noted he was part of a GEIS study in the Town of Halfmoon. He continued people shouldn't be starting out building now who would be covered under the moratorium as they won't have the mitigation measures included. Mr. Koebbemann said if the town doesn't have the mitigation measures, existing residents pay some of the costs of development. Hopefully the GEIS will recognize that there are costs of development and will deal with it in an equitable way. He said impending development also impacts the loss of the rural character of the area.

Delores Wilson, Tanner Road, spoke in support of the moratorium in order to study what the effects will be. Uncontrolled growth without a study is irresponsible. She said she and her neighbors are living on wells and septic systems and to put in a large development next to residents living on clay affects their quality of life.

Helen Zagata, Appleton Road, said she understands zoning is going to be changed from farmland (R3). Mr. Kemper explained Mr. Obremski, received approval for a 3 lot subdivision, the smallest lot being 4 acres in size. Ms. Zagata, said in the deed of her nephew's property (Vincent Obremski) there is a 5 year holding period for no development. Mr. Kemper said he was not aware of the restriction but enforcement of such a restriction is up to the holders of the deed, not the town. Supervisor Barrett responded if there is something legally binding that the town cannot permit him to build, the town will do that. Ms. Zagata distributed a copy of the deed.

Clark Wilson, Nott Road, spoke in support of the moratorium, stating there are serious problems in the western part of town that need to be addressed. Speaking with regard to Mr. Montagne's comments, Mr. Wilson said the water line coming up Glenridge Road has improved pressure for homes but did not solve a significant problem, that being the fact that the Rexford Water District is not in compliance with the Town of Glenville which requires a whole day's storage capacity in the tower. Any further development further exacerbates that problem and puts the town further out of compliance with that contract. Mr. Wilson said the county has no plans in the immediate future to extend the sewer system any further west. He said any further development in the western part of town would further exacerbate the very significant traffic problems at the Rexford Bridge and especially for emergency vehicles at heavy traffic times. Mr. Wilson applauded the Town Board for their foresight in considering the moratorium and GEIS.

Councilman Speckhard stated the Rexford Water District is not out of conformity at this point as we have until the end of 2005 to address the reserve issue.

Kevin Bowman, Sugar Hill Road, said he supports the GEIS and asked if, during the moratorium, a building or barn of approximately 30,000 square feet on his property needs to be rebuilt, will this be allowed.

Mr. Kemper replied a structure destroyed and rebuilt doesn't require site plan approval but would have to be rebuilt in the same manner as before. He doesn't believe there would be an issue.

Youseff Ballout, Torrero Drive, spoke in support of the moratorium, stating it is a very positive proposal on the part of the Town Board. He continued it is especially positive coming on the heel of the Open Space Plan, however, the GEIS should become town law and not just a guideline. He said the issue of water and sewer should also be a part of the study, including the cost of taking water to everyone in the western part of town that needs it.

Supervisor Barrett said it is estimated it would cost everyone in town an additional \$100 per year per customer of the Water Authority, in addition to their current tax bill, to pay to bring water to everyone in town.

Melissa Thomas, Miller Road, asked how the moratorium will affect people deciding to vote on the Miller Road water issue if they have to worry that there will be increase taxes on their property. She said they may vote no because they might be restricted as to what they can do with their land. She does not want a restriction put on property so that it would push people as to how they would vote on the water issue.

Mr. Kemper explained in the area of the proposed Miller Road South Water District there are no properties that could have more than four lots, therefore, they would not be affected by the moratorium.

Councilman Speckhard stated the moratorium will not have any impact in the Miller Road South Water District. He said as he understands it the moratorium will not impact water development. He reported water is on its way to the Corporate Commerce Zone and the possible extension of the water pipe to Rexford needs to be discussed. If Miller Road South Water District is approved, that puts water closer to the Appleton Road area where there is also a need. He continued one of the reasons for the GEIS is to assess and study potential impacts of water development, with maybe subsequent zoning changes, but not to stop the development that will proceed.

Norman Goldman, London Square Apts., said if density wasn't going to be reduced and mitigation fees instituted, the town wouldn't be doing the study and landowners looking to sell their property for retirement purposes will lose out as property value will be less. He stated the moratorium, which has many benefits, is going to severely hurt many people on a personal basis. He noted, in the proposed moratorium area, some of the

parcels are already developed, some are small and wouldn't be affected, there is a substantial amount of wetlands, as well as other environmental constraints on development in certain sections and thinks there should be something more definitive recognizing this than the current map of the moratorium area.

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 9:10 p.m.

**PUBLIC HEARING, 7:20 PM
TO CONSIDER A LOCAL LAW AMENDING SECTION 103-16 BUILDING PERMIT
FEES**

Supervisor Barrett moved to waive the reading of the proposed local law and the Town Board agreed as this had been previously discussed at a public hearing held on July 7, 2003. This is being redone as the public hearing notice was inadvertently not published in the Daily Gazette.

Supervisor Barrett stated this does not affect homeowners but some commercial rates are increasing.

The public hearing was opened for comments from the audience at 9:12 p.m.

Everyone was given an opportunity to speak in favor of or against the proposed local law and no one wished to be heard. Supervisor Barrett declared the public hearing closed at 9:15 p.m.

Town Administrator Shahan reviewed activities including preparation of the 2004 budget and the table top practice of the Emergency Management Plan scheduled for September 17, 2003. SEMO will present a scenario.

Town Comptroller Heggen said Wise Insurance has a website that town employees can access at no cost to obtain information on various benefits. He reported the 457 Plan is out to bid.

PUBLIC PRIVILEGE ON RESOLUTIONS

Supervisor Barrett said the resolution regarding the Maxwell Drive South PDD will not be on the agenda as more information is needed but will be on the October 6, 2003 Town Board agenda.

Resolution No. 239 of 2003, a resolution setting a public hearing on the Time Warner/AOL Franchise Agreement.

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

WHEREAS, it is appropriate and necessary to periodically reconsider the Town's franchise for cable services and improved audio and visual communication capability to its residents, and

WHEREAS, a public hearing was previously held by the Town Board on October 15, 2001 and it being the intention of the Town Board to incorporate the minutes of said public hearing into the record, and

WHEREAS, the revised proposed agreement with Time Warner Cable is attached hereto; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for 7:10 p.m. on October 14, 2003 in the Wood Memorial Room, 1 Town Hall Plaza, Clifton Park, to consider the proposed agreement regarding the Town's franchise for cable services with Time Warner Cable.

Councilman Paolucci said he would like to see what changes are being made from the prior agreement before the public hearing

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Regarding the following two resolutions, Town Assessor Smead explained the state periodically raises the amounts of income people can make in order to qualify for exemptions. He said Shenendehowa has raised the exemption this year and it is a good time for the town to do so.

Resolution No. 240 of 2003, a resolution scheduling a public hearing to consider adopting Local Law No. ____ of 2003, a local law amending Local Law No. 1 of 1998 relating to a tax exemption for individuals with disabilities and limited incomes.

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

WHEREAS, it has been recommended by the Assessor's office that the Town Board consider amending Local Law No. 1 of 1998, a local law giving a tax exemption to individuals with certain disabilities in accordance with New York State guidelines, and

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

RESOLVED, that a public hearing is hereby scheduled for October 6, 2003 at 7:20 PM to consider adopting Local Law No. ____ of 2003, a local law amending Local Law No. 1 of 1998, and giving a tax exemption to individuals with certain disabilities in accordance with the New York State guidelines attached hereto and the Town Clerk is directed to publish appropriate notice of the same.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 241 of 2003, a resolution setting a Public Hearing to consider adoption of Local Law No. ____ of 2003, a local law modifying Local Law No. 1 of 1999, a local law modifying property tax exemptions for persons over 65 years of age.

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

WHEREAS, Local Law No. 1 of 1999 provided partial property tax exemptions for property owned by persons over 65 years of age with annual incomes of \$27,900 or less, and

WHEREAS, the Town Board wishes to increase the income eligibility figure to \$29,900 to provide uniformity with other taxing districts and a public hearing is required to consider the change; now, therefore, be it

RESOLVED, that a Public Hearing is scheduled for October 6, 2003 at 7:30 PM in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider the adoption of Local Law No. ____ of 2003, a local law modifying Local Law No. 1 of 1999 and increasing the maximum income eligibility figure from \$27,900 to \$29,900 per the attached schedule, and the Town Clerk is directed to publish appropriate notice of the same.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 242 of 2003, a resolution authorizing Town Historian, John Scherer, to attend the Association of Public Historians of New York State Fall 2003 Conference. Introduced by Councilman Paolucci, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, it is the intention of the Town Board to have the Town Historian attend the Association of Public Historians of New York State Fall 2003 Conference from October 19-21, 2003 in Long Island, New York, and WHEREAS, the attendance of the Town Historian at this conference will confer a benefit upon the Town and its residents; now, therefore, be it RESOLVED, that that the Town Historian is hereby authorized to attend the Association of Public Historians of New York State Fall 2003 Conference from October 19-21, 2003 in Long Island, New York at a cost not to exceed \$500, to be paid from A7510-001 (Historian/Travel & Conferences) \$89.00, A7510-015 (Historian/Other) \$340.00 and A7510-006 (Historian/Office Supplies) \$71.00. ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 243 of 2003, a resolution authorizing an additional expenditure for installation of carpet at Town Hall.

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

WHEREAS, the balance of the carpeting is scheduled to be installed at Town Hall, and

WHEREAS, the installation necessitates the moving of furniture at an additional cost of \$4,400; now, therefore, be it

RESOLVED, that authorization is given to Dupont Flooring Systems to move the furniture during installation at a cost of \$4,400 to be paid with a transfer from A-1620-4 Town Hall/Computer to A-1620-200 Town Hall/Equipment.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 244 of 2003, a resolution honoring Chad Lewis Houser for attaining the rank of Eagle Scout.

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

WHEREAS, Chad Lewis Houser, 11 Doral Court, Clifton Park, Boy Scout Troop 45, Clifton Park has attained the rank of Eagle Scout, and

WHEREAS, the Town of Clifton Park Town Board wishes to acknowledge and honor Chad's achievements, particularly his project which entailed the construction of a Shot-put Throwing Ring for the Shenendehowa Track Team; now, therefore, be it

RESOLVED, that Chad Lewis Houser, Boy Scout Troop 45, Clifton Park, is hereby recognized and honored for having attained the rank of Eagle Scout.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 245 of 2003, a resolution authorizing the Town Supervisor to execute a contract with Sequoia Pacific Voting Equipment, Inc.

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

WHEREAS, the Town Board has previously adopted a policy to replace the Town's voting machines over a period of years by purchasing new electronic machines each year, and

WHEREAS, it continues to be both reasonable and desirable to purchase new machines each year through Sequoia Pacific Voting Equipment, Inc.; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to execute a contract with Sequoia Pacific Voting Equipment, Inc. for the purchase of five electronic voting machines totaling \$31,450 to be paid for from A-1450-200 (Equipment Booths) as budgeted.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 246 of 2003, a resolution awarding the bid for the Senior Center HVAC Improvement Project, Contract No. 1-HVAC Work.

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

WHEREAS, on September 11, 2003, bids were received for the above referenced contract, and

WHEREAS, the low bidder for Contract No. 1- HVAC Work is Family Danz Heating & Air Conditioning, Inc. in the amount of \$63,000, and

WHEREAS, as per letter from McDonald Engineering, dated September 12, 2003, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that Family Danz Heating & Air Conditioning, be accepted as the lowest most responsible bidder; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid in the amount of \$63,000 to Family Danz Heating & Air Conditioning, Inc., with the funds to be appropriated from the 2001 County Revenue Sharing Plan and a transfer to A-1624-200 (Senior/Youth Bldg./Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 247 of 2003, a resolution awarding the bid for the Senior Center HVAC Improvement Project, Contract No. 2-Electrical Work.

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

WHEREAS, on September 11, 2003, bids were received for the above referenced contract, and

WHEREAS, the low bidder for Contract No. 2-Electrical Work is Farina Electric, Inc. in the amount of \$7,400, and

WHEREAS, as per letter from McDonald Engineering, dated September 12, 2003, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that Farina Electric, Inc. be accepted as the lowest most responsible bidder; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid in the amount of \$7,400 to Farina Electric, Inc., with the funds to be appropriated from the 2001 Saratoga County Revenue Sharing Plan and a transfer to a-1624-200 (Senior Youth Bldg./Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 248 of 2003, a resolution awarding the bid for the Senior Center HVAC Improvement Project, Contract No. 3-Plumbing Work.

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

WHEREAS, on September 11, 2003, bids were received for the above referenced contract, and

WHEREAS, the low bidder for Contract No. 3-Plumbing Work is Trojan Hardware Co., Inc. in the amount of \$14,967, and

WHEREAS, as per letter from McDonald Engineering, dated September 12, 2003, McDonald Engineering has reviewed the bids and has recommended to the Town Supervisor that Trojan Hardware Co., Inc. be accepted as the lowest most responsible bidder; now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid in the amount of \$14,967 to Trojan Hardware Co., Inc., with the funds to be appropriated from the 2001 Saratoga County Revenue Sharing Plan with a transfer to A-1624-200 (Senior Youth Bldg./Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Norman Goldman, London Square Drive, stated sales tax is more regressive than property tax. He noted the Ushers Road multi-use path was changed when the residents complained and recommended giving consideration to residents such as Tom Powers and others when considering the moratorium.

Supervisor Barrett said he knows this is a difficult issue but he has real concerns about what will become of this town if we aren't careful. He said developable land will only become more valuable and he doesn't think the moratorium is going to destroy anyone's economic situation as far as the land goes.

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

Motion carried at 10:00 p.m.

Patricia O'Donnell
Town Clerk