

**Clifton Park Town Board Meeting Minutes
October 2, 2006**

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 Roth
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Absent: Councilman Speckhard

Also Present: Town Attorney Trainor
Mark Heggen, Comptroller
Stephen Myers, Director of Building and Development
Michael Shahen, Town Administrator

MOTION by Councilman Roth, seconded by Councilman Paolucci, to approve the minutes of the September 11, 2006 meeting as presented.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

The Town Clerk presented the 2007 Tentative Budget to the Town Board. Supervisor Barrett reported, though there may be changes to the tentative budget, as it stands now there is less than a two percent increase.

Supervisor Barrett thanked all involved with the successful fundraiser for NYS Trooper Donald Baker, Jr. Animal Control Officer, Don Baker, Sr. sent thanks and appreciation to

Laurie Barrett and Supervisor Barrett for all their efforts in putting the fundraiser together.

Councilman Roth reported the 12th annual hazardous waste day was highly successful with 840 participants coming through. He thanked all the volunteers for making the event run so smoothly, as well as various restaurants' donations of food.

Councilman Paolucci announced ECC Chairman Bob Marino has resigned from the Environmental Conservation Committee. He thanked him for all his volunteer efforts on behalf of the Town of Clifton Park, noting his leadership will be missed.

PRESENTATION TO THE BOARD

Greg Connors, President of the NYS Realtors Association, presented the town with the Association's annual award for Smart Growth Excellence. He reviewed the town's achievements, noting the Open Space Plan, permanent preservation of more than 700 acres of land, creation of 12 miles of walkable trails, generic environmental impact statement covering 14,000 acres of land in western Clifton Park, creation of western Clifton Park design guidelines as a tool for owners and developers, enactment of new zoning districts in western part of town, and the hiring of an Open Space Coordinator to help implement the town's program.

Supervisor Barrett acknowledged the work and efforts of former and current Directors of Planning Jason Kemper and Kate Maynard respectively.

Peter Aust, President of the Southern Saratoga Chamber of Commerce, offered congratulations on the award, noting the Town Board has set the standard for smart growth and community development.

PUBLIC HEARING, 7:10 PM TO CONSIDER A LOCAL LAW AMENDING LOCAL LAW NO. 18 OF 1988, AS AMENDED, SECTION 189 TRANSIENT RETAIL MERCHANTS

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on September 27, 2006.

Councilwoman Walowit explained some transient merchants have had a negative impact on the town and created hazards for drivers. She said the proposed legislation has been prepared in such a way as to not impede or violate any business from doing business in town but also to protect the health, safety and welfare of town residents and visitors. Councilwoman Walowit said the new legislation proposes that no transient retail business be located within 1000 feet of the Northway ramp in the town or 500 feet of any high traffic area. She submitted accident reports from the Northway area to the Town Clerk.

Supervisor Barrett said apart from being unsightly, safety issues have arisen. He reported many merchants in town have expressed concern about transient businesses coming into

town, noting fair competition should rule and businesses that have made the commitment to the community should not be hurt by these transient businesses.

Councilwoman Walowit noted the moratorium expires in four days and asked that the Town Board act this evening on this proposed legislation.

Councilman Paolucci said if there is a definite safety issue in the Exit 9 area then action should be taken, however, he can't support the legislation if this is about giving preferential treatment to businesses and doesn't believe the town has the right to do so.

Councilwoman Walowit stated she doesn't believe the legislation makes any implications to interfering with any business rights.

Supervisor Barrett said to a large extent the town can regulate certain types of businesses that go on in town and to make sure there is a "level playing field". He said there is no way the transient businesses can have the cost structure that a business in town has.

Councilman Paolucci said there is value in the legislation for public safety reasons, however, he does not want the legislation to be open to a challenge.

Councilman Roth said this legislation does not eliminate transient merchants from coming into town but does restrict where they can go for safety reasons. He reported the proposed fee is \$250 per day.

Councilman Paolucci said the restrictions placed in the proposed legislation may exclude certain hotel properties.

Town Attorney Trainor said hotels could fall within the 1000 foot restriction area and perhaps the legislation could be worded "outside" transient retail as opposed to "inside" as sales located in hotels would not cause traffic problems.

The public hearing was opened for comments from the audience at 7:40 p.m.

Peter Aust, President & CEO of the Chamber of Southern Saratoga County, commended the Town Board for addressing the issue and the public safety aspect. He said there are businesses in this community that invest time, life-savings, commitment to the town providing services and products to its residents 365 days a year and who pay their fair share and invest their hard-earned livelihood in the community. Mr. Aust continued, if regulations are not put into place, unfair competition can result. He said charging a fee that is reasonable would potentially deter the "fly by night" company from coming in. Proper insurances and sales tax forms should also be required.

Councilman Paolucci agreed with the proposed higher fee. He supports extending the moratorium in order to review insurance and sales tax issues as mentioned by Mr. Aust.

Councilman Roth agreed with extending the moratorium in order to review legislation

from other towns.

Councilman Paolucci asked that a map be produced to show 1000 foot limitations and hotel locations.

Councilwoman Walowit requested a resolution extending the moratorium for another 45 days be placed on the agenda this evening.

Councilman Paolucci asked Mr. Aust for any guidance regarding the boundaries.

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 7:50 p.m.

Supervisor Barrett explained that most of the following public hearings are necessary since due to zoning changes in western part of town, the R-2 designation longer applies.

**PUBLIC HEARING, 7:15 PM
TO CONSIDER A LOCAL LAW AMENDING CHAPTER 208,
THE ZONING CODE OF THE TOWN OF CLIFTON PARK**

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on September 29, 2006.

Supervisor Barrett summarized the proposed local law explaining since R-2 Zoning no longer exists in the town, it is necessary to amend the Zoning Code.

The public hearing was opened for comments from the audience at 7:52 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 7:53 p.m.

**PUBLIC HEARING, 7:20 PM
TO CONSIDER A LOCAL LAW AMENDING LOCAL LAW NO 8 OF 1992, AS
AMENDED
CHAPTER 171, KEY TO SIGN CHARTS**

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on September 27, 2006.

Supervisor Barrett summarized the proposed local law explaining it is necessary to remove references to R-2 zoning and add new zoning designations.

The public hearing was opened for comments from the audience at 7:54 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 7:55 p.m.

PUBLIC HEARING, 7:22 PM
TO CONSIDER A LOCAL LAW AMENDING SECTION 208-86
KEYHOLE LOTS

The notice had a date of October 22, 2006 for the public hearing rather than October 2, 2006. This will be re-noticed for public hearing on October 10, 2006.

PUBLIC HEARING, 7:24 PM
TO CONSIDER A LOCAL LAW AMENDING SECTION 73-13
FIRE SAFETY INSPECTIONS - FEES

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on September 27, 2006.

Director of Building and Development Myers explained the statement of Fire Safety Inspections needs to be added to the Fee section.

The public hearing was opened for comments from the audience at 7:58 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 7:58 p.m.

PUBLIC HEARING, 7:26 PM
TO CONSIDER A LOCAL LAW AMENDING ARTICLE XVI
SITE PLAN REVIEW AND APPROVAL

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on September 27, 2006.

Director of Building and Development Myers explained this is to ensure getting construction permits out as soon as possible. This will allow the Building Department to receive a letter from the Planning Director authorizing the release of a building permit rather than waiting for the site plan.

The public hearing was opened for comments from the audience at 8:00 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 8:00 p.m.

PUBLIC HEARING, 7:28 PM
TO CONSIDER A LOCAL LAW AMENDING CHAPTER 80 OF THE TOWN CODE
BURNING PERMITS

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on September 27, 2006.

Director of Building and Development Myers explained it is necessary to remove all references to R-2 zoning and add CR Conservation Residential Zone.

The public hearing was opened for comments from the audience at 8:03 p.m.

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 8:04 p.m.

PUBLIC HEARING, 7:30 PM
TO CONSIDER A LOCAL LAW AMENDING CHAPTER 165 OF THE TOWN CODE
REFUSE COLLECTION ACTIVITIES

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on September 27, 2006.

Supervisor Barrett explained this legislation removes references to R-2 zone.

The public hearing was opened for comments from the audience at 8:06 p.m.

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 8:06 pm.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 339 of 2006, a resolution honoring Daniel Peter Scuderi for attaining the rank of Eagle Scout.

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

WHEREAS, Daniel Peter Scuderi, 40 Brookline Drive, Clifton Park, of Boy Scout Troop

45, has attained the rank of Eagle Scout, and

WHEREAS, Daniel's Eagle Scout Project consisted of repairing and rebuilding parts of the building and grounds at the Grooms Road Cemetery on Vischer Ferry Road, and

WHEREAS, Daniel raised money to fund the project by organizing a car wash and received donations from area businesses, and

WHEREAS, Daniel organized work days and recruited scouts and friends to assist in the project, and

WHEREAS, the Clifton Park Town Board wishes to acknowledge and honor Daniels's achievements, including his Eagle Scout Service Project which consisted of repairing and rebuilding parts of the building and grounds at the Grooms Road Cemetery on Vischer Ferry Road; now, therefore, be it

RESOLVED, that Daniel Peter Scuderi, 40 Brookline Drive, Clifton Park, of Boy Scout Troop 45, is hereby recognized and honored for having attained the rank of Eagle Scout.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 340 of 2006, a resolution hiring a temporary Records Management Clerk for the Building and Development Department.

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

WHEREAS, the Building and Development Department has received a Grant of \$58,897 from the Local Government Records Management Improvement Fund to fund the position of temporary Records Management Clerk and to pay Town support costs, and

WHEREAS, the position of temporary Records Management Clerk has been approved by the Saratoga County Department of Personnel, and

WHEREAS, it is necessary to hire a temporary Records Management Clerk to fill the position, and

WHEREAS, Mark Kazmierczak, 394 Vischer Ferry Road, Clifton Park, has been recommended to fill this position; now, therefore, be it

RESOLVED, that authorization is given to hire Mark Kazmierczak, 394 Vischer Ferry Road, Clifton Park, as a temporary Records Management Clerk, Grade 4, Step 1, retroactive to September 25, 2006, position to continue until July 31, 2007, or until the Grant Allowance of \$18, 200 for personnel has been expended.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 341 of 2006, a resolution scheduling a public hearing to consider Local Law No. ___ of 2006, a Local Law amending Local Law No. 10 of 1996, Article XIII, Section 208-78, Zoning- Historic Preservation.

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

WHEREAS, the Historic Preservation Commission has recommended that the Town Code be amended to consider changes to Article XIII, Section 208-78, Zoning-Historic Preservation, as provided in the attachment hereto, and

WHEREAS, a public hearing was held on August 21, 2006 at 7:10 pm, in the Wood Memorial Room and all comments were received from the public, and

WHEREAS, an additional public hearing is required to obtain comment from the Town residents to consider additional changes to Article XIII, Section 208-78, Zoning-Historic Preservation; now, therefore, be it

RESOLVED, that a public hearing be held on Monday, October 10, 2006 at 7:15 pm, in the Wood Memorial Room, 1 Town Hall Plaza, Clifton Park, to consider changes to Article XIII, Section 208-78, Zoning-Historic Preservation; and be it further

RESOLVED, that the Town Clerk publish appropriate notice of the same.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Roth,

Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 342 of 2006, a resolution authorizing the Supervisor to enter into an agreement with Environmental Design Partnership of Clifton Park to create a conceptual design for the development of parkland in Countryman Estates North subdivision.

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

WHEREAS, the Stony Creek Park District No.1 Advisory Committee has requested that the Town of Clifton Park enter into an agreement with Environmental Design Partnership to create a conceptual design for development of parkland located northwest of the Countryman Estates North subdivision, and

WHEREAS, the land was provided to the Town as part of the plan for the subdivision for future development as parkland; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Stony Creek Park District No.1, hereby authorizes the Town Supervisor to enter into an agreement with Environmental Design Partnership for the conceptual design for the development of parkland in Countryman Estates North subdivision at a cost not to exceed \$2500, to be paid with a transfer of \$2500 from SP9-909 (Stony Creek Park District No. 1-Fund Balance to SP 9-7145-135 (Countryman Estates North-Engineering).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 343 of 2006, a resolution scheduling a public hearing on November 20, 2006 regarding the Town of Clifton Park's Section 8 Program.

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

WHEREAS, the Town of Clifton Park operates a Section 8 Housing Assistance Payments Program funded by the U. S. Department of Housing and Urban Development, and

WHEREAS, the Town of Clifton Park is required by the U. S. Department of Housing and Urban Development to prepare and adopt a written Annual Plan that establishes local policies for administration of the Section 8 Housing Assistance Payments Program in accordance with regulations of the U. S. Department of Housing and Urban Development, and

WHEREAS, a public hearing is required for the purpose of receiving comments from the public prior to considering adoption of the Annual Plan establishing local policies for the administration of the Section 8 Housing Assistance Payments Program; now, therefore, be it

RESOLVED, that a public hearing to consider adoption of the Annual Plan establishing local policies for administering the Town of Clifton Park Section 8 Housing Assistance Payments Program is hereby set forth and scheduled for November 20, 2006 at 7:10 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, and the Town Clerk is directed to publish notice of same.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 344 of 2006, a resolution authorizing Change Order No. 1 for the Highway Garage Storage Building Renovations, Contract No. 2, HVAC work.

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

WHEREAS, Resolution No. 228 of 2006 authorized a contract for the Highway Garage Storage Building Renovations HVAC work in an amount of \$12,950, 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 \$950 for the Highway Garage Storage Building Renovations HVAC work from the current amount of \$12,950 to arrive

at a new contract amount of \$12,000; now, therefore, be it

RESOLVED, that Supervisor Barrett is hereby authorized to sign Change Order No. 1 dated September 13, 2006, to Parker Marks Corporation; and be it further

RESOLVED, that the decrease amount of \$950 be released from encumbrance in A-5132-200 (Highway-equipment).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 345 of 2006, a resolution donating the cost of one sheet of game ice for a fund raiser to benefit "The Colon Club".

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

WHEREAS, the Arctic Foxes Women's Ice Hockey Team will sponsor its Fourth Annual "Cross-Checking for Colon Cancer" Women's Ice Hockey Tournament, November 3-5, 2006, to help raise awareness about Colon Cancer, and

WHEREAS, the group has requested that the Town of Clifton Park donate the cost of one sheet of game ice, which is approximately \$275; now, therefore, be it

RESOLVED, that the total ice time usage fee be reduced by \$275 for the Arctic Foxes Women's Ice Hockey Tournament on November 3-5, 2006 at the Clifton Park Ice Arena.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 346 of 2006, a resolution scheduling a public hearing to consider adoption of Local Law No. ___ of 2006, a Local Law amending Article XV, Administration and Enforcement, Section 208-107, Building Permits, Powers & Duties of Building Inspector, J- Term.

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

WHEREAS, the Director of Building and Development has recommended that changes be made Section 208-107 J, as provided in the attachment hereto, and

WHEREAS, the Town Board wishes to solicit comment from the public regarding the proposed changes; now, therefore, be it

RESOLVED, that a public hearing be held on Tuesday, October 10, 2006 at 7:30 pm, in the Wood Memorial Room, 1 Town Hall Plaza, Clifton Park, to consider changes to Section 208-107, J, Term, of the Town Code; and be it further

RESOLVED, that the Town Clerk publish appropriate notice of the same.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 347 of 2006, a resolution scheduling a public hearing to consider adoption of Local Law No. ___ of 2006, a Local Law amending Section 103-16, Building Permit Fees as amended.

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

WHEREAS, the Director of Building and Development has recommended that changes be made to Section 103-16, as provided in the attachment hereto, and

WHEREAS, the Town Board wishes to solicit comment from the public regarding the proposed changes; now, therefore, be it

RESOLVED, that a public hearing be held on Tuesday, October 10, 2006 at 7:35 pm, in the Wood Memorial Room, 1 Town Hall Plaza, Clifton Park, to consider changes to

Section 103-16, Building permit fees of the Town Code; and be it further
RESOLVED, that the Town Clerk publish appropriate notice of the same.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 348 of 2006, a resolution scheduling a public hearing regarding the proposed increase in the maximum amount to be expended for Rexford Water District No. 2 Extension No. 1 water system improvements.

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

WHEREAS, the Town Board of the Town of Clifton Park, Saratoga County, New York (the "Town") has caused a map, plan and report (the "Maps and Plans") to be prepared in connection with the proposed establishment and improvement of Extension No. 1 (the "Extension") to the Rexford Water District No. 2 (the "District"); and

WHEREAS, the boundaries of the Extension are set forth on Exhibit A attached hereto; and

WHEREAS, the Town proposes to acquire, construct and install a water supply and distribution system and related facilities in the Extension (the "Improvements"), including (a) construction and installation of water transmission mains and lines and related facilities, (b) acquisition of furnishings, equipment, machinery or apparatus required in connection therewith, and (c) acquisition of land or rights in land, all as more particularly described in the Maps and Plans; and

WHEREAS, by resolution adopted on April 17, 2006, the Town Board authorized the establishment of the Extension and the acquisition, construction and installation of the Improvements at a maximum cost of \$83,900, with the annual cost to the typical property owner in the Extension to be approximately \$1,152 per year; and

WHEREAS, on August 30, 2006, the New York State Comptroller approved the establishment of the Extension at a cost not to exceed \$83,900; and

WHEREAS, based upon bids received for construction of the Improvements, the Town

Board has determined that the maximum cost of the Improvements will be \$100,000, constituting an increase of \$16,100 over the original estimated maximum cost; and

WHEREAS, based upon the increase in the maximum cost of the Improvements, the cost of the Extension to the typical property in the District is now estimated to be approximately \$1,286 per year; and

WHEREAS, the method of financing the costs of the Improvements will consist of the issuance of serial bonds and bond anticipation notes of the Town to mature in annual installments over a period not exceeding 25 years; and

WHEREAS, the Maps and Plans describing the foregoing, including a detailed explanation of how the estimated cost of the Extension to the typical property was computed, have been filed in the Town Clerk's office and are available for public inspection during regular business hours.

NOW, THEREFORE, BE IT RESOLVED that the Town Board will hold a public hearing to hear all persons interested in the proposed increase in the maximum cost of the Improvements to the Extension, which public hearing shall be held in the Wood Memorial Room, Town Hall, One Town Hall Plaza, in the Town of Clifton Park on October 16, 2006, at 7:10 p.m.; and be it further

RESOLVED, and ordered that the Town Clerk give notice of such hearing by publishing in the official Town newspaper a copy of this resolution and by posting a copy of this resolution on the Town's official sign-board not less than ten nor more than twenty days before such hearing.

ROLL CALL VOTE Ayes: Councilman Paolucci, Councilman Roth
Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

LEGAL DESCRIPTION
Town of Clifton Park
Rexford Water District #2
Extension #1

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND, designated as Rexford Water District #2, Extension #1, on map entitled "Rexford Water District #2, Extension #1", dated March 19, 2004 and revised March 30, 2006, as prepared by John M. McDonald Engineering, P.C., which District is comprised of the parcels shown on Town of Clifton Park, Saratoga County, New York Tax Map number 275 and 276 as prepared

by L. Robert Kimbal Consulting, Ebensburg PA and digitally updated March 1, 2002 by the L. A. Group, being more particularly bounded and described as follows:

BEGINNING AT A POINT on the southerly bounds of the Grooms Road right-of-way, said point also being the northwest corner of parcel 275.-1-40.1, said point also being the northeast corner of parcel 275.-1-41 in the Town of Clifton Park, County of Saratoga, State of New York; and

PROCEEDING THENCE (in a clockwise direction around the proposed bounds) in an easterly direction along the northerly bounds of parcels 275.-1-40.1, 275.-1-40.2, 275.-1-39 and the southerly bounds of the Grooms Road right-of-way to the northwest corner of parcel 275.-1-38.2, said point also being the northeast corner of parcel 275.-1-39;

THENCE, in a northeasterly direction across the Grooms Road right-of-way to the southwest corner of parcel 275.-1-22.4, said point also being the southeast corner of parcel 275.-1-22.54, said point also being on the northerly bounds of the Grooms Road right-of-way;

THENCE, in a northerly direction along the westerly bounds of parcel 275.-1-22.4, and the easterly bounds of parcel 275.-1-22.54 to the northwest corner of parcel 275.-1-22.4, said point also being the northeast corner of parcel 275.-1-22.54;

THENCE, in an easterly direction along the northerly bounds of parcel 275.-1-22.4 and the southerly bounds of parcel 275.-1-19 to the northwest corner of parcel 275.-1-22.3, said point also being the northeast corner of parcel 275.-1-22.4 and on the southerly bounds of parcel 275.-1-19;

THENCE, in a southerly direction along the westerly bounds of parcels 275.-1-22.3 and 275.-1-22.21, and the easterly bounds of parcel 275.-1-22.4 to the northwest corner of parcel 275.-1-36, said point also being on the easterly bounds of parcel 275.-1-22.4 and on the southwest corner of parcel 275.-1-22.21;

THENCE, in an easterly direction along the northerly bounds of parcels 275.-1-36 and 275.-1-37, and the southerly bounds of parcel 275.-1-22.21 to the northeast corner of parcel 275.-1-37, said point also being the northwest corner of parcel 275.-1-22.22 and on the southerly bounds of parcel 275.-1-22.21;

THENCE, in a southerly direction along the westerly bounds of parcel 275.-1-22.22, and the easterly bounds of parcels 275.-1-37, to the southwest corner of parcel 275.-1-22.22, said point also being also being the southeast corner of parcel 275.-1-37 and on the northerly bounds of the Grooms Road right-of-way;

THENCE, in a westerly direction along the northerly bounds of Grooms Road right-of-way and the southerly bounds of parcel 275.-1-37 to the southeast corner of parcel 275.-1-36, said point also being the southwest corner of parcel 275.-1-37, and on the northerly bounds of the Grooms Road right-of-way;

THENCE, in a southwesterly direction across the Grooms Road right-of-way, to the northeast corner of parcel 275.-1-38.1, said point also being also being the northwest corner of parcel 276.-1-50, and on the southerly bounds of the Grooms Road right-of-way;

THENCE, in a southerly direction along the easterly bounds of parcels 275.-1-38.1 and 275.-1-38.2, and the westerly bounds of parcels 276.-1-50 and 276.-1-47.1, to the southeast corner of parcel 275.-1-38.2, said point also being a westerly corner of parcel 276.-1-47.1 and on the northerly corner of parcel 275.-1-73;

THENCE, in a southwesterly direction along the southerly bounds of parcels 275.-1-38.2 and 275.-1-39, and the northerly bounds of parcels 275.-1-70, 275.-1-71, and 275.-1-73, to a southerly corner of parcel 275.-1-39, said point also being the northwest corner of parcel 275.-1-70, and on the easterly bounds of parcel 275.-1-90;

THENCE, in a northwesterly direction along the southerly bounds of parcel 275.-1-39, and the northerly bounds of parcel 275.-1-90 to a southeasterly corner of parcel 275.-1-40.3, said point also being on the easterly bounds of parcel 275.-1-40.2 and on the southwest corner of parcel 275.-1-39;

THENCE, in a northeasterly direction along the southeasterly bounds of parcel 275.-1-40.3, and the westerly bounds of parcel 275.-1-39, to the southeast corner of parcel 275.-1-40.2, said point also being a westerly corner of parcel 275.-1-39 and on the northeasterly corner of parcel 275.-1-40.3;

THENCE, in a northwesterly direction along the northerly bounds of parcel 275.-1-40.3, and the southerly bounds of parcel 275.-1-40.2, to the southwest corner of parcel 275.-1-40.2, said point also being a northwesterly corner of parcel 275.-1-40.3;

THENCE, in a northeasterly direction along the westerly bounds of parcels 275.-1-40.1 and 275.-1-40.2, and the easterly bounds of parcel 275.-1-41, to an easterly corner of parcel 275.-1-41, said point also being a westerly corner of parcel 275.-1-40.1;

THENCE, in a westerly direction along the northerly bounds of parcel 275.-1-41, and the southerly bounds of parcel 275.-1-40.1, to a northeasterly corner of parcel 275.-1-41, said point also being a northwesterly corner of parcel of parcel 275.-1-40.1;

THENCE, in a northerly direction along the westerly bounds of parcel 275.-1-40.1 and the easterly bounds of parcel 275.-1-41 to the northwest corner of parcel 275.-1-40.1, said point also being the northeast corner of parcel 275.-1-41, the southerly bounds of the Grooms Road right-of-way, and the point and place of beginning.

Resolution No. 349 of 2006, a resolution extending the moratorium imposed by Local Law No. 6 of 2006, a local law imposing a moratorium on Transient Retail Merchant Licenses in the Town of Clifton Park.

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

WHEREAS, the Town Board has considered imposing a moratorium on licenses issued to Transient Retail Merchants wanting to do business in the Town of Clifton Park in order to revisit the Town Code sections governing such merchants, and

WHEREAS, on August 21, 2006 a public hearing was conducted to solicit the comments of the Town's residents regarding the proposed moratorium, and

WHEREAS, additional time is needed to consider the proposed changes and comments; now, therefore, be it

RESOLVED, that Local Law No. 6 of 2006, a Local Law Imposing a Moratorium on Transient Retail Merchant Licenses in the Town of Clifton Park be extended for an additional forty-five days, and be it further

RESOLVED, that the Town Clerk file said local law with the New York State Department of State as required by law; and be it further

RESOLVED, that this local law shall take effect immediately upon its adoption.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

Resolution No. 350 of 2006, a resolution scheduling a public hearing to consider adoption of Local Law No. ____ of 2006, regarding amending Section 208-86 Keyhole Lots, of the Town Code.

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

WHEREAS, the Building Director has recommended that changes be made to Section 208-86 of the Clifton Park Town Code, and

WHEREAS, the Town Board wishes to solicit comments from the Town citizens regarding the proposed changes; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for October 10, 2006 at 7:08 pm in the Wood Memorial Room, One Town Hall Plaza, to consider adoption of Local Law No. __of 2006, regarding amending Section 208-86, Keyhole Lots, of the Town Code; and be it further

RESOLVED, that the Town Clerk publish appropriate notice of the same.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Speckhard

DECLARED ADOPTED

PUBLIC PRIVILEGE

Superintendent of Schools Oliver Robinson presented the 2006-2007 Goals and Objectives for Shenendehowa Schools.

Supervisor Barrett said the town would like to work together with the school district with regard to the trail that would connect the new library and the school grounds. He noted the trail was a requirement in the site plan for the library and without the school's support, the library will have to be released from this requirement. The Supervisor emphasized the trail would be a good thing for the children's' sake and all that is needed is a sign-off from the school.

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 8:33 p.m.

Patricia O'Donnell
Town Clerk