

## **Clifton Park Town Board Meeting Minutes**

**February 23, 2004**

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  
Supervisor Barrett  
Town Clerk O'Donnell

Absent: Councilman Speckhard  
Councilwoman Walowit

Also Present: Town Attorney Trainor  
Louis W. Gerard, Superintendent of Highways  
Mark Heggen, Comptroller  
Michael O'Brien, Environmental Specialist  
Michael Shahan, Town Administrator

MOTION by Councilman Paolucci, seconded by Councilman Roth, to approve the minutes of the February 2, 9 and 11, 2004 meetings as presented.

### **ROLL CALL VOTE**

Ayes: Councilman Paolucci, , Councilman Roth, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilwoman Walowit

### **MOTION CARRIED**

MOTION BY Councilman Paolucci, seconded by Councilman Roth to go into Executive Session to discuss a personnel matter. Motion unanimously carried at 7:05 p.m.

In Attendance: Councilman Paolucci, Councilman Roth, Supervisor Barrett, Highway Superintendent Gerard, Town Attorney Trainor, Ass't. Town Attorney Peller, Comptroller Heggen, Town Administrator Shahan, Town Clerk O'Donnell

No action was taken.

MOTION BY Councilman Paolucci, seconded by Supervisor Barrett, to return to the regular Town Board meeting. Motion unanimously carried at 7:20 p.m.

PUBLIC HEARING, 7:10 PM  
TO CONSIDER ESTABLISHING THE  
KATHERINE TERRACE WATER DISTRICT EXTENSION

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on February 6, 2004.

Town Engineer Jack McDonald, J.M. McDonald Engineering, explained Katherine Terrace is a dead-end street off Moe Road consisting of nine properties for inclusion in the district. He said both water and sewer have been requested and a Map, Plan and Report has been prepared. Mr. McDonald said the cost is \$48,000 which is \$379 per year debt service. The two properties on Moe Road have water and are not included in this district.

Town Environmental Specialist, Michael O'Brien, reported he sent out mailings to all in the district, outlining the cost, explaining it is an equal pay throughout the district not ad valorem due to its small size. He did not hear from one homeowner. He said the majority of residents are in favor of the district.

Mr. McDonald explained the main will run down the street with a service and shut off to the property line and residents would be responsible to connecting to the shut off and extending it into the house.

It was noted that should the district be established, even those opposed to it would have to pay the debt.

Mr. O'Brien noted Gloria Connors, 3 Katherine Terrace is opposed to the district. Mr. McDonald said her house is receiving water from the back of the house but is included in the district. He said a main running in the front of the house would be a better connection.

Councilman Paolucci said should this district will be established, it will be through Article 12A, requiring a permissive referendum.

Mr. O'Brien said the Wallace property consists of two residences, is assessed as such, and the owner said no to the district due to the cost.

The public hearing was opened for comments from the audience at 7:20 p.m.

Tom Wallace, Katherine Terrace, said his property of one and a quarter acres is unique due to two structures on the property. He said he has been told his property is not subdividable, and he has a problem paying for two structures in the districts. He is wondering if there is a way to reduce his costs as he will be paying \$3000 when everyone else is paying \$1500 (for both water and sewer). He said this will work negatively against

him should he choose to sell the property. Mr. Wallace said he would like to have the property subdivided. Mr. McDonald explained due to Mr. Wallace's property frontage, it would be necessary to obtain a variance. Supervisor Barrett said he will speak with Director of Planning Kemper regarding possible subdivision of the property.

Councilman Paolucci stated as it stands now after hearing tonight's comments, he would not vote for the district as there are some items that need more information.

Everyone was given an opportunity to speak in favor of or against the establishment of the proposed district and no one else wished to be heard. Supervisor Barrett declared the public hearing closed at 7:45 p.m.

**PUBLIC HEARING, 7:20 PM  
TO CONSIDER ESTABLISHING THE  
KATHERINE TERRACE SEWER DISTRICT EXTENSION**

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on February 6, 2004.

Town Engineer Jack McDonald, J.M. McDonald Engineering, said all properties on Katherine Terrace, including the two corner properties on Moe Road, are included in the district. He explained no pump station or grinder pumps will be necessary and the sewer line will be down Katherine Terrace with laterals to the property line. The cost is estimated at \$97,000; the district consist of 10 properties with 11 units. The district debt cost is \$626 per year and the county sewer district charge annual upkeep is \$188 for a total cost of \$814 in the first year. As with the water district, sewer district property owners would pay the debt service whether or not they hook in. Mr. McDonald said there is a requirement from DEC and the town that if sewers are available, property owners have to connect within a certain time period. This time period would be set after the district is formed.

The public hearing was opened for comments from the audience at 7:46 p.m.

Joe Wilson, 5 Katherine Terrace, doesn't want his grandmother's property on Moe Road (J. Connors) to be part of this district as she would not be able to afford the costs. Mr. McDonald explained if this property wasn't included now, in order for her to hook onto the Moe Road sewer line a grinder pump would be necessary. He said being included in the district would be the most inexpensive option. Mr. Wilson said a sewer isn't necessary for that property.

Mr. O'Brien noted the two Moe Road properties, as well as 3 Katherine Terrace are not interested in being part of the sewer district.

Mr. McDonald said at this point there is not a public health issue regarding septic systems on Katherine Terrace but the residents requested that the sewer be done as well as water. He said two separate districts are proposed and one can be done without the other.

Joe Petrosky, 4 Katherine Terrace, said his septic system and well point are very close and he will not drink water coming into his house. He feels it is a health issue.

Don Cummings, 7 Katherine Terrace, questioned the easement planned to go across his property. Mr. McDonald explained the easement for the sewer line would be located along the property line and once installed, property would be restored to its original condition.

. Everyone was given an opportunity to speak in favor of or against the establishment of the proposed district and no one else wished to be heard. Supervisor Barrett declared the public hearing closed at 8:05 p.m.

#### REPORTS TO THE BOARD

Town Administrator Shahan had no report.

Town Comptroller Heggen reported receiving 40 resumes for the Assistant Comptroller position. He and Mr. Shahan interviewed eight individuals. He said the candidate being considered this evening will be an asset to the town. Mr. Heggen explained the majority of revenues received in January are designated for 2003.

Supervisor Barrett noted there was a 12 percent increase in sales tax in 2003.

Resolution No. 49 of 2004, a resolution authorizing the Buildings & Grounds Department to purchase a 2004 Chevrolet Tahoe under state contract.

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

WHEREAS, Michael Handerhan, Supervisor of Buildings & Grounds, has identified a need for a new vehicle for the use of the Buildings & Grounds Department, and

WHEREAS, Michael Handerhan has requested authorization to purchase a Model Year 2004 Chevrolet Tahoe under state contract as described in Schedule A; now, therefore, be it

RESOLVED, that Michael Handerhan, Buildings & Grounds Supervisor, is hereby authorized to purchase a Model Year 2004 Chevrolet Tahoe under State Contract Group 40550, from Whiteside Chevrolet, St. Clairsville, Ohio, as described in Schedule A, at a cost not to exceed \$28,138.80 with funds to come from A-7110-200 (Buildings & Grounds-Equipment), as budgeted.

#### ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Roth, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilwoman Walowit  
DECLARED ADOPTED

Resolution No. 50 of 2004, a resolution authorizing the Building Department to purchase a 2004 Dodge Ram 1500 4 x 4 pickup truck under state contract.

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

WHEREAS, Donald Clemens, Director of Building and Zoning, has identified a need for a new vehicle for the use of the Building Department, and

WHEREAS, Donald Clemens has requested authorization to purchase a Model Year 2004 Dodge Ram 1500 4 x 4 pickup truck under state contract as described in Schedule A; now, therefore, be it

RESOLVED, that Donald Clemens, Director of Building and Zoning, is hereby authorized to purchase a Model Year 2004 Dodge Ram 1500 4 x 4 pickup truck under State Contract from Albany Dodge, Inc., Albany, NY, as described in Schedule A, at a cost not to exceed \$17,638 with funds to come from A-3620-200 (Building Dept. - Equipment) as budgeted.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Roth, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilwoman Walowit

DECLARED ADOPTED

Resolution No. 51 of 2004, a resolution authorizing the hiring of Denise Burrall as Assistant Comptroller.

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

WHEREAS, the position of Assistant Comptroller has been vacant since James Tunney's resignation, and

WHEREAS, Michael Shahan, the Town Administrator, and Mark Heggen, Comptroller, having undertaken an interview process and recommended to the Town Board that

Denise Burrall, 32 Kara Lane, Clifton Park, be hired as Assistant Comptroller; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the hiring of Denise Burrall, 32 Kara Lane, Clifton Park, as Assistant Comptroller at Grade 9, Step 3 – annual rate \$45,253, effective immediately.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Roth, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilwoman Walowit

DECLARED ADOPTED

Resolution No. 52 of 2004, a resolution authorizing the Town Supervisor to sign an agreement with the New York State Police.

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

WHEREAS, the Town of Clifton Park has found it to be cost effective and efficient to obtain law enforcement services within the Town through the New York State Police, and

WHEREAS, the Town of Clifton Park and the New York State Police wish to continue their relationship; now, therefore be it

RESOLVED, that the Town Supervisor is hereby authorized to sign a contract with the New York State Police whereby the State Police shall provide law enforcement services within the Town of Clifton Park for a three (3) year period ending February 28, 2006, and, be it further

RESOLVED, that the cost of such services, as budgeted, shall increase each year with the Consumer Price Index and any collective bargaining agreements.

ROLL CALL VOTE

Ayes: Councilman Paolucci, Councilman Roth, Supervisor Barrett

Noes: None

Absent: Councilman Speckhard, Councilwoman Walowit

DECLARED ADOPTED

PUBLIC PRIVILEGE

Norman Goldman, London Square Drive, said the maps included in the GEIS presentation on February 11, 2004 are too small to read.

MOTION by Councilman Roth, 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 8:25 p.m.

Patricia O'Donnell  
Town Clerk