

March 19, 2018

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.

Present: Supervisor Barrett
Councilman Whalen
Councilwoman Standaert
Councilwoman Walowit
Deputy Town Clerk Brobston

Absent: Councilman Romano

Also Present: Town Attorney McCarthy
Dahn Bull, Superintendent of Highways
Mark Heggen, Comptroller
Daniel Clemens, Supervisor of Buildings and Grounds
Myla Kramer, Director of Parks, Recreation and Community Affairs
Steven Myers, Director of Building and Zoning

ANNOUNCEMENTS AND COMMUNICATIONS

Councilwoman Standaert reminded residents of the annual town wide Clean Up Day on Saturday, April 21, 2018, 9 a.m.-Noon. Contact Town Hall or Councilwoman Standaert to participate.

Supervisor Barrett announced the free town wide bulk waste pick up will take place April 16 – May 12. He stated residents will receive a mailing from County Waste two weeks prior to the beginning of the pickup for their neighborhood.

Supervisor Barrett stated the town recently closed on purchase of the 37+ acres from the Shenendehowa School District in the Town Center area, Exit 9. A comprehensive planning process will be conducted for the use of the land. Public input will be acquired. A Public Land Planning Committee will be formed to manage the process and oversee the collection of ideas and opinions provided through public meetings, workshops and charrettes. A Stakeholders Committee will also be formed representing organizations that have been involved directly in the process of determining the future ownership of the property, land owners that are geographically located close to the property and public entities that partner with the town. Each stakeholder will have an opportunity to nominate a person to represent them on the committee. The Town Board will be contacting these organizations/persons and inviting them to select a representative by April 16, 2018. This committee will work jointly with the Planning Committee throughout the planning process.

PUBLIC HEARING, 7:10 PM TO CONSIDER AMENDING CHAPTER 97.3(A), CONVENIENCE TRANSFER STATION PERMIT FEES

The Deputy Town Clerk read the Notice of Public Hearing as published the The Daily Gazette on March 15, 2018.

Supervisor Barrett stated the town subsidizes the operation of the Transfer Station. Residents pay for permits to dispose of garbage which is the largest revenue generator for the operation. He explained in 2017 the town completed a \$62,000 hopper repair expense. Additional revenues include the yard waste program where County Waste leases area of the property for mulching; solar farm land lease; also, single stream recycling agreement with Saratoga County. Supervisor explained in 1990 the primary permit was \$60, with senior permits \$30, currently the primary permit is \$80, with senior permits \$40. He showed very minimal increase over the years. He explained there have been less primary permits sold with senior permits sales increasing. Overall total permits sales are down and collecting less revenue. The proposal is to increase the primary permit fee from \$80 to \$90 and senior permit fees from \$40 to \$45.

Everyone was given an opportunity to speak in favor of or against the proposed local law amendment and no one wished to be heard. Supervisor Barrett declared the public hearing closed at 7:21pm.

PRESENTATION OF CLIFTON COMMON PLAYGROUND

Supervisor Barrett explained the Town Board has been discussing alternatives for improving the playground located behind the ice arenas on the Clifton Common. He stated the playground was originally built in 1989 as a community project. He explained the structures are made of wood and showing its wear. At the March 5 Town Board meeting one option was presented. That option was for the left front quadrant of the playground, replacing with hard plastic material and rubber matt flooring with entertainment geared toward the toddler age group. An additional visual for the toddler group section was presented which is used in Ithaca, made by the same manufacturer of the structure on the common. Supervisor presented a visual of another option for the remaining structure which was to replace some of the wood with fake plastic wood which would be safer and less maintenance. He showed a playground similar to the type on the common at the Charlton Heights Elementary School where real boards were replaced with the fake plastic boards.

Councilman Whalen stated the addition of the toddler area really opens the playground to another age group.

PUBLIC PRIVILEGE ON RESOLUTIONS

Resolution No. 71 of 2018, a resolution scheduling a public hearing to consider a petition to rezone a portion of a parcel of land at English Road and NYS Route 9.

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

WHEREAS, the Town Board has received a petition from Connie Lake Properties for a change in zoning for a portion of the parcel of land identified as 97 English Road, also known as SBL# 250.-2-27, and

WHEREAS, the subject property is situated at the corner of English Road and NYS Route 9, immediately adjacent to the town line with the Village of Round Lake and adjacent to property owned by Connie Lake Properties within the village, and operated as The Mill Restaurant, and

WHEREAS, the petition requests that a 1.05-acre portion of the lot be re-zoned from its current B-1 designation to B-4, while the remaining 1.61 acres of the parcel continue to be designated as B-1 with an application to the Planning Board for subdivision of the separately zoned parcels contemplated, and

WHEREAS, the Town Board held a public hearing on a similar proposal for the subject property on July 18, 2016, and

WHEREAS, the Town Board and staff have worked with the Village of Round Lake to respond to comments received at the earlier public hearing; now, therefore, be it

RESOLVED, that a public hearing will be held on April 2, 2018 at 7:05 P.M. on a petition to rezone a 1.05-acre area of property immediately adjacent to the municipal boundary with the Village of Round Lake, near the intersection of English Road and NYS Route 9; and be it further

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

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Matthew Chauvin, Connie Lake Properties Counsel, gave a brief description of the project. He stated the project has been before the Town Board for quite some time. He stated in the intervening timeframe feed back from the Town Board and the Village of Round Lake have been considered. He stated concessions have been made by the applicant in efforts to alleviate the concerns raised. Portions of the parcel are being requested rezoned. Rezoning would allow for parking and storage of equipment in the preexisting garage on the existing parcel. Rezoning is subject to the removal of the bandstand area from the Town of Clifton Park portion of the parcel. Any outside music to be performed would be at the pavilion on the Round Lake portion of the parcel. Substantial berming and plantings would be included to mitigate the sound coming from the site along with acoustic paneling on the building, table structures etc. The applicant has entered a MOU, copy was provided to the Town Board, with the Village of Round Lake which will control hours of operation and the way the site will be utilized and the days and times in which live entertainment will be offered. The Village of Round Lake's noise ordinance was discussed. He stated the second step to this proposal is to go back to the Planning Board for subdivision on the parcel which would create a buffering lot between the commercial zone and the neighboring parcel not owned by the applicant. He explained the intention is for a house to be constructed on this parcel with a deed restriction that would go with the property.

Resolution No. 72 of 2018, a resolution accepting a proposal by Siemens Industry, Inc. for acquisition of streetlights within the town and conversion to energy efficient LED lighting.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, on December 7, 2017, the town published a request for proposals seeking a performance-based energy contract to acquire existing street lighting from their respective utility company owners, and the procurement and installation necessary to upgrade all lighting fixtures to LED lighting under the town's ownership, and

WHEREAS, by initiating its procurement, the town seeks to proceed under the New York State Streetlight Replacement and Savings Act, and related regulatory changes that authorized municipal acquisition of utility owned streetlights, and

WHEREAS, Siemens Industry, Inc. submitted a timely proposal responsive to the RFP, and which provides guaranteed savings from energy efficiencies resulting from the use of Light Emitting Diode (LED) technology, reduced maintenance costs, and through the elimination of certain service and maintenance charges from existing utility owners, and

WHEREAS, the Siemens proposal includes performance based guaranteed energy savings providing the town an opportunity to acquire outdated lighting technology from existing public utilities, and to upgrade the town's streetlight fixtures with energy-efficient technology with costs of this project offset by energy savings and efficiencies; now, therefore, be it

RESOLVED, that the proposal of Siemens Industry, Inc. Building Technology received in response to the town's published request for proposals is accepted; and be it further

RESOLVED, that the Supervisor is authorized to negotiate an energy performance contract with Siemens Industry, Inc. Building Technology consistent with the response to the RFP selected.

Supervisor Barrett stated during the RFP process over riding factors with the Siemens Inc. were their experience with many streetlight projects from start to finish, experience of the company, guaranteed savings in the proposed programs and an in-house financing option. He stated the town will be the first completed project for the acquisition and conversion of streetlights in the area.

Shadrach Treat, Siemens representative, explained the process for the conversion and the utilizing of local DPW. He explained the town will save over 20 years, approximately two million dollars just on the energy component alone and then on the facility charge reduction around seven million dollars. Dark Sky Compliance was discussed and is included in their RFP. GPS monitoring was explained.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 73 of 2018, a resolution awarding the quote for HVAC annual services for town buildings.

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

WHEREAS, sealed bids were received and opened on March 8, 2018 for HVAC annual services for various buildings located throughout the town, and

WHEREAS, Carrier Commercial Services was the lowest responsive quote for HVAC annual services, and

WHEREAS, the Town Board accepts the bid of Carrier Commercial Services for the town building locations to be paid, as budgeted, per the attached Schedule A; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes Buildings & Grounds Supervisor Daniel Clemens to accept the bid of Carrier Commercial Services HVAC annual services for the various town buildings, total cost not to exceed \$24,200 for the year 2018, with the option for 2019 and 2020 each at an increase not to exceed 3% per year, upon agreement of both parties.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 74 of 2018, a resolution authorizing the Supervisor to enter into a professional services agreement with Laberge Group for the preparation of a feasibility/design study and subsequent grant application to NYS DOS for a shared services fueling facility.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, the Town of Clifton Park has an existing fueling island and tank to service local government fleet vehicles, and

WHEREAS, the Town Board finds that capabilities to share services among municipalities can promote efficiencies and reduce expenditures for both the town and for partnering entities, and

WHEREAS, the Town Board determines that it is in the public interest to undertake a feasibility/design analysis and submittal of a grant application under the 2018-2019 Local Government Efficiency Grant Program for a shared fueling facility, and

WHEREAS, the intent of the proposed project is to provide the town, law enforcement partners, ambulance corps, county DPW, and fire districts the ability to share fueling services from a new dispenser, tank, and fuel management system, and

WHEREAS, implementation of the project can lead to cost savings and more efficient delivery of government services over the life of the facility; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute an agreement with Laberge Group for professional design and grant preparation services to seek a grant funding request for a shared services analysis for the town’s fueling island and fuel management system, and be it further

RESOLVED, that the Comptroller is authorized to disperse \$7,500 for engineering services for the feasibility study and design analysis for the shared fueling facility, to be paid from A-1440-135 (General Fund-Engineering) for preparation and submittal of a shared services grant application; and be it further

RESOLVED, that the Town Board hereby authorizes the Highway Superintendent to execute all documents necessary for implementation of this project.

Highway Superintendent Bull explained the tanks and pumps have aged. Reporting has become a rigorous process. The grant will help bring the tanks above ground which will be safer and easier to monitor and provide new pumps. Reporting and inspecting would be much easier. The larger amount of gasoline used will reduce the cost.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 75 of 2018, a resolution authorizing the hiring of specialists for the 2018 Summer Recreation Full and Half-Day Summer Camps.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilwoman Standaert.

WHEREAS, the Town Board wishes to hire additional staff to operate the town’s 2018 Summer Recreation Full and Half-Day Camps, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that the individuals listed in Schedule A, attached hereto, be hired to fill the positions of specialists; now, therefore, be it

RESOLVED, that the individual specialists listed in Schedule A, attached hereto, shall be hired to staff the town's Summer Recreation Full and Half-Day Camps, effective April 6 - August 17, 2018, per Schedule A.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 76 of 2018, a resolution authorizing the hiring of staff for the Clifton Park Action Park.

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

WHEREAS, an opening exists for an attendant for the Clifton Park Action Park, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that Sarah Shastany be hired to fill the position; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Sarah Shastany, 15 Hillcrest Village, Niskayuna, as an attendant for the Clifton Park Action Park, effective March 26 - October 31, 2018 at Step 1 (\$9.00/hour) to be paid from (A-7200-E4000) Action Park Staff.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 77 of 2018, a resolution authorizing the hiring of pool management for the 2018 season, per Schedule A, "2018 Summer Pool Directors/Managers".

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, the Town Board wishes to hire management and training staff to operate the three town-owned pools for the 2018 season, and

WHEREAS, the Town Board wishes to rehire the returning Pool Director Duane Nichols, Pool Managers Brian Czerpak and Bruce Stuphin and Learn to Swim Director/Trainer David Czechowski, as per " Schedule A, "2018 Summer Pool Directors/Managers"; now, therefore, be it

RESOLVED, that the individuals listed above are hereby rehired as staff for the three town-owned pools; and be it further

RESOLVED, that all hires are effective with start dates and ending dates as per the attached Schedule A, "2018 Summer Pool Directors/Managers ".

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 78 of 2018, a resolution authorizing the Comptroller and Assistant Comptroller to attend the New York State Government Finance Officers Association (NYSGFOA) Annual Conference in Albany, New York.

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

WHEREAS, Comptroller Mark Heggen has requested that he and Assistant Comptroller Stephanie Drenchko be authorized to attend the NYSGFOA Annual Conference to be held March 20-23, 2018, at the Albany Marriott, in Albany, New York, and

WHEREAS, their attendance at this conference will confer a benefit upon and be in the best interest of the Town of Clifton Park; now, therefore, be it

RESOLVED, that Comptroller Mark Heggen and Assistant Comptroller Stephanie Drenchko are hereby authorized to attend the NYSGFOA Conference March 20-23, 2018, in Albany, New York, at a cost for both attendees not to exceed \$750 to be paid from A-1315-001 (General Fund Comptroller's Office-Travel & Conferences), to be vouchered appropriately.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 79 of 2018, a resolution authorizing certain highway budget transfers for an increase in the Highway Department Salt Fund.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, the Superintendent of Highways Dahn Bull has recommended that certain budget adjustments be made to address the need for the reallocation of funds in response to an above average number of snowstorms requiring salt applications; now, therefore, be it

RESOLVED, that DSA-5142-138 (Highway Snow Removal-Salt Fund) be increased by \$73,984 and decrease DA-5140-240 (Highway-Trees & Brush) by \$7,500 and decrease DA-5110-E0876 (Highway General Repairs-Employees/Laborers) by \$26,484 and decrease DA-5110-030 (Highway General Repairs-Paving) by \$40,000 per the Highway Superintendent's recommendations.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilwoman Walowit, Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 80 2018, a resolution appointing members to the Town of Clifton Park Youth Court Community Board.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, the Town Board established the Clifton Park Youth Court on June 9, 2014, a voluntary alternative to the criminal justice system for young people who have committed a crime or offense in the Town of Clifton Park, and

WHEREAS, the Clifton Park Youth Court Community Board consists of fifteen members as an ad hoc community board including stakeholders from the criminal justice and youth advocacy communities in Southern Saratoga County, and

WHEREAS, the resignation of Greg Szczesny has left an opening for Youth Court Program Coordinator, and

WHEREAS, Councilwoman Standaert has recommended the appointment of Cynthia Scavo as Youth Court Program Coordinator to fulfill the unexpired term of Greg Szczesny, and the establishment of the position of Youth Court Director to manage day-to-day operations of the youth court, and

WHEREAS, Councilwoman Standaert has recommended the appointment of Melinda Acker to serve as Youth Court Director, and

WHEREAS, the Town Board wishes to re-appoint members of the Clifton Park Youth Court Community Board whose terms have expired; now, therefore, be it

RESOLVED, that the Town Board hereby reappoints, to the Clifton Park Youth Court Community Board, the following for two-year terms, terms to expire December 31, 2019,

Violet Palombo	312 Wolfe Rd, Latham	Youth Court Advisor
Steven Bayle	152 West High Street, Ballston Spa	Saratoga Co. Probation
Linda Campion	6 Englemore Court, Clifton Park	Victim Advocate
Pat Campion	24 West High Street, Ballston Spa	Saratoga Co. Assistant D.A.
Wes Car	152 West High Street, Ballston Spa	Saratoga Co. Youth Bureau Director

and be it further

RESOLVED, that Melinda Acker, 15 Forest Drive, Ballston Lake, be appointed as Youth Court Director, term to expire December 31, 2018; and be it further

RESOLVED, that Cynthia Scavo, 9 Rosewood Dr., Clifton Park, be appointed as Youth Court Program Coordinator, term to expire December 31, 2018.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilwoman Walowit,
Supervisor Barrett

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

PUBLIC PRIVILEGE

No one wished to be heard.

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

Motion carried at 8:39 p.m.

Teresa J. Brobston
Deputy Town Clerk