

April 17, 2017

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: Supervisor Barrett
Councilman Whalen
Councilman Romano
Councilwoman Walowit
Town Clerk O'Donnell

Absent: Councilwoman Standaert
Town Attorney McCarthy

Also Present: Assistant Town Attorney Morelli
Dahn S. Bull, Superintendent of Highways
Mark Heggen, Comptroller
Michael Handerhan, Supervisor of Buildings and Grounds

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the April 3, 2017 meeting as presented.

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Standaert

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett reminded residents of the Spring Clean Up Day on April 22nd, noting over 500 residents have volunteered.

The Supervisor announced Shredding Day is planned for April 30th from 1 to 3 pm at Clifton Park Center. Donations for the Jonesville Food Pantry are requested for each bag to be shred.

Supervisor Barrett reported the town is looking at new technology available for pedestrian crossing areas; e.g. Vischer Ferry Road. Pedestrians can activate the sign that will then flash lights when someone wants to cross the road. There should be pricing information at the next Town Board meeting.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 96 of 2017, a resolution accepting the conveyance of a portion of roadways, stormwater management area, and bicycle/pedestrian/access easements within The Vistas subdivision, subject to easements retained for driveway access.

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

WHEREAS, as a condition of approval for the The Vistas subdivision on January 8, 2008, the Town of Clifton Park Planning Board required that the applicant convey lands to the Town of Clifton Park for such purposes as are incidental thereto and for the benefit of the grantee; now, therefore, be it

RESOLVED, that the Town Board hereby accepts the conveyance of a portion of roadways and easements from The Vistas, briefly described as follows:

- 30 Foot Wide Pedestrian Easement
SBL: 270.8-4-4.2, portion of
- Vista Drive
SBL: 270.8-4-99, portion of
- Vista Court
SBL: 270.8-4-99, portion of
- Ingress/Egress Easement for Emergency Service and Multi-Use Trail
SBL: 270.8-4-8, portion of
- Temporary Turnaround Easements
SBL: 270.8-4-1.1 & 270.8-4-13.1, portions of
- Stormwater Management Area Easement
SBL: 270.8-4-10 & 270.8-4-14.1, portions of
- 20' Wide Drainage Utility and Access Easement
SBL: 270.8-4-3.1 & 270.8-4-2.2, portions of
- 15' Wide Bicycle Path Easements
SBL: 270.8-4-12 & 270.8-4-10, portions of

and be it further

RESOLVED, that this conveyance is expressly conditioned upon receipt of an approval by the Town Attorney of all necessary documents including review of the recorded deed in the Saratoga County Clerk's office, metes and bounds description of the conveyance and retained easements, provision of title report, provisions for payment of all taxes, recording fees and assessments which are acceptable to the Town Attorney; and be it further

RESOLVED, that there be appended to the within resolution a copy of the recorded conveyance after it has been filed with the Saratoga County Clerk.

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Standaert

DECLARED ADOPTED

Resolution No. 97 of 2017, a resolution awarding the bid for pool chemicals for the Barney Road, Locust Lane and Burning Bush pools for the 2017 Season.

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

WHEREAS, on March 3, 2017 bids were received for the above referenced contract, and

WHEREAS, the Supervisor has recommended that the bid for pool chemicals for the three town pools be awarded to Surpass Chemical Co. Inc., of Albany, New York, for the following amounts:

•	Hypochlorite	Per Gallon	Sodium \$1.208/gal
•	Boy	5 Gallon Container	Car \$1.35/gal
•		Per Gallon	Muriatic Acid \$3.75/gal
•	Acid	4/1 Gallon	Muriatic \$15.00
•	Deposit		Drum \$8.00

Now, therefore, be it

RESOLVED, that the Town of Clifton Park hereby accepts and awards the above referenced bid to Surpass Chemical Co. Inc. of Albany New York, for an estimated cost of \$13,504, to be paid as follows; \$5,537 from line A-7150-045 (Barney Road Pool – Supplies), \$3,511 from line A-7152-045 (Locust Lane Pool – Supplies) and \$4,456 from line SP5-7151-045 (Country Knolls Pool – Supplies), in accordance with the amount used at each pool.

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Standaert

DECLARED ADOPTED

Resolution No. 98 of 2017, a resolution authorizing Locust Lane Pool Manager Bruce Sutphin to attend the Certified Pool Operator Certification Program.

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

WHEREAS, according to Department of Health Regulations, all municipal pools must have a Certified Pool Operator and certifications must be renewed every five years, and

WHEREAS, Supervisor Barrett has recommended that Pool Operator Bruce Sutphin attend a course being held in Albany, New York, May 6th-7th, 2017 to update his certification as a Pool Operator, at a cost of \$305, and

WHEREAS, Bruce Sutphin’s attendance at the seminar would confer a benefit to the residents of the Town of Clifton Park; now, therefore, be it

RESOLVED, that Bruce Sutphin, 5 Granada Dr., Clifton Park, is authorized to attend the course being offered by Pool Operation Management, May 6th-7th, 2017 in Albany, New York, at a cost not to exceed \$305 for registration and workbook costs, to be paid with from (A-7512-001) Locust Lane Pool Training.

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Standaert

DECLARED ADOPTED

Resolution No. 99 of 2017, a resolution retaining Michael Stone to conduct a Water Safety Instructor course for summer pool staff.

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

WHEREAS, the Town Board wishes to retain an American Red Cross Certified Water Safety Instructor Trainer to conduct a Water Safety Instructor Certification course for lifeguards and qualified pool staff for the 2017 season, and

WHEREAS, Supervisor Barrett has recommended that Michael Stone, 315 Kings Road, Schenectady, be retained for the Water Safety Instructor Certification for summer pool staff; now, therefore, be it

RESOLVED, that authorization is hereby granted to hire Michael Stone, Schenectady, as the Instructor for a Water Safety Instructor Course for summer pool staff, with compensation of \$1,000 effective immediately through December 31, 2017, to be paid \$700 from A-7150-001 (Training, Barney Road Pool) and \$300 from SP5-7151-001 (Travel/Conference, Burning Bush Blvd Pool).

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Standaert

DECLARED ADOPTED

Resolution No. 100 of 2017, a resolution authorizing the Highway Superintendent to install stop signs at the intersection of Princess Pine Drive & Bittersweet Lane.

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

WHEREAS, at the request of a concerned resident regarding a recent motor vehicle accident and conflicts with sight distance at the intersection, the Highway Safety Committee and Town Planning Department studied an area in and around the Princess Pine Drive & Bittersweet Lane intersection to determine if additional traffic control measures and treatments were warranted, and

WHEREAS, upon completion of their study the Town Board seeks to advance the following recommendations provided by the Highway Safety Committee, and

WHEREAS, the Manual of Uniform Traffic Control Devices (MUTCD) provides guidance on the installation of multi-way stop signs which includes locations where a road user, after stopping, cannot see conflicting traffic and is not able to reasonably safely negotiate the intersection unless conflicting cross traffic is also required to stop, and

WHEREAS, visual observation by town Planning Department staff and the Highway Safety Committee has confirmed limited sight distance at the intersection due to existing residential driveways with curb cuts onto Princess Pine Drive that limit site distance from the intersection when vehicles and seasonal obstructions are present within the driveway; now, therefore, be it

RESOLVED, that the installation of stops signs at the following locations are authorized in accordance with MUTCD guidance to address motorists who cannot reasonably see or anticipate conflicting traffic at an intersection:

- The east approach on Princess Pine Drive at the intersection with Bittersweet Lane.
- The west approach on Princess Pine Drive at the intersection with Bittersweet Lane.

And, be it further

RESOLVED, that the Superintendent of Highways is hereby authorized to install the aforementioned stop signs (MUTCD R1-1 Signs).

Highway Superintendent Bull said stop signs will be up in the morning.

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Standaert

DECLARED ADOPTED

Resolution No. 101 of 2017, a resolution authorizing the transfer of up to \$600,000 from Unassigned General Fund to Highway Paving Account for 2017 paving projects.

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

WHEREAS, Dahn Bull, Superintendent of Highways, has increased the number of paving projects planned for 2017, and

WHEREAS, Highway Superintendent Bull has requested that \$600,000 be transferred from Unassigned General Fund which will increase the budget to the Highway Tax Stabilization payment for the additional paving projects; now, therefore, be it

RESOLVED, that authorization is hereby granted to the Comptroller to transfer an amount not to exceed \$600,000 from Unassigned General Fund Balance (A-909) to Highway Tax Stabilization Payment (A-1972-131) into Highway Paving (DA-5110-00030), and increasing the Highway Interfund Transfer (DA-5032) by the same amount, for the additional paving projects planned for 2017.

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Standaert

DECLARED ADOPTED

Resolution No. 102 of 2017, a resolution authorizing 2016 Final Budget Adjustments as specified in Exhibit A.

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

WHEREAS, the Comptroller has recommended that certain budget adjustments contained in Exhibit A be made to address the needs of all funds as well as other miscellaneous expenditures as set forth in Exhibit A; now, therefore, be it

RESOLVED, that the budget adjustments specified in Exhibit A be adopted per the Comptroller's recommendations.

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Standaert

DECLARED ADOPTED

Resolution No.103 of 2017, a resolution authorizing the Supervisor to sign a Letter of Agreement between the Town of Clifton Park and the Center for Initiatives in Pre-College Education of Rensselaer Polytechnic Institute for joint sponsorship of a program to provide an educational opportunity in the field of Junior LEGO Robotics Engineering and Animation and Gaming to be held during the 2017 summer season.

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

WHEREAS, the town recognizes that the field of Robotics provides an excellent educational environment which helps to introduce young minds to fields encompassing science and engineering, and

WHEREAS, the center is a pre-eminent educational institute with particular expertise and experience in these fields, with nationally recognized robotics teams and competitors, and

WHEREAS, the town and the center wish to cooperate in a program which provides an opportunity for students ages 8-10 to learn in a unique environment which enables them to interact with and learn from college level mentors and facilitators in the field of advanced LEGO Robotics and Gaming/Animation; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the attached Letter of Agreement between the Town of Clifton Park and the Center for Initiatives in Pre-College Education of Rensselaer Polytechnic Institute for joint sponsorship of a program to provide an educational opportunity in the field of Junior LEGO Robotics Engineering and Gaming/Animation.

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Standaert

DECLARED ADOPTED

Resolution No. 104 of 2017, a resolution authorizing alcoholic beverages to be served at a family gathering to be held at Collins Park Pavilion on July 16, 2017.

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

WHEREAS, Nora Murphy is hosting a gathering at Collins Park on July 16, 2017 from 12:00 - 6:00 P.M., and

WHEREAS, a request has been received for permission to serve alcohol in the form of beer and wine at the event; now, therefore, be it

RESOLVED, that Nora Murphy is hereby authorized to serve beer and wine at a gathering at Collins Park Pavilion on July 16, 2017 from 12:00 - 6:00 P.M. consistent with the terms of the permit application received in the office of Parks, Recreation and Community Affairs.

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Standaert

DECLARED ADOPTED

Resolution No. 105 of 2017, a resolution hiring returning Camp Counselors for the 2017 full day and four half day Summer Day Camp Program.

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

WHEREAS, the Town Board wishes to hire returning staff members for operation of the town's Summer Day Camp Program, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that the individuals listed in the attached Schedule A be rehired; now, therefore, be it

RESOLVED, that the individuals listed in the attached Schedule A be rehired as staff for the town's 2017 Summer Day Camp Program, effective May 29th through August 18, 2017; and be it further

RESOLVED, that the returning Camp Counselors be paid as indicated on Schedule A.

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Standaert

DECLARED ADOPTED

Resolution No. 106 of 2017, a resolution authorizing the Town Supervisor to sign Change Order No. 1, Contract No. 2 regarding the Barney Road Culvert Project.

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

WHEREAS, by Resolution No. 110 of 2016, the Town Board awarded the construction Contract No. 2 for the Barney Road Culvert Project to Pollard Excavating, Inc. in the amount of \$91,583, and

WHEREAS, while executing the culvert project, Pollard Excavating discovered other infrastructure issues that required replacement, and

WHEREAS, such additional repairs as were discovered were approved by John M. McDonald Engineering and Clifton Park Water Authority and construction including additional repairs is substantially complete, and

WHEREAS, on February 23, 2017, John M. McDonald Engineering prepared Change Order No. 1 to reflect increased costs of final completion, and

WHEREAS, McDonald Engineering, construction inspectors and consultant on the project recommends approval of Change Order No. 1, and

WHEREAS, the net effect of the change order is a net increase of \$23,259.49 in the final construction costs; now, therefore, be it

RESOLVED that the Supervisor is authorized to sign the attached paperwork for Change Order No. 1 Contract No. 2; and be it further

RESOLVED, that final construction costs for the Barney Road Culvert Project is \$114,842.49 to be taken from H44-8340-200 (Drainage Projects-Equipment).

Supervisor Barrett, referring to both change order resolutions, explained the reason for the increase is due to other conflicting drinking water infrastructure and this was also replaced. The town is working with CPWA regarding sharing some of the costs but it is important that these charges be paid. He noted these are important projects that are key portions of the stormwater system and deteriorated pipes have been replaced.

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Standaert

DECLARED ADOPTED

Resolution No. 107 of 2017, a resolution authorizing the Town Supervisor to sign Change Order No. 1, Contract No. 1 regarding the Nottingham Way Culvert Replacement.

Introduced by Councilman Whalen, who moved its adoption, seconded by Councilman Romano.

WHEREAS, by Resolution No. 109 of 2016, the Town Board awarded the Construction Contract No. 1 for the Nottingham Way Culvert Replacement to Rifenburg Construction, Inc. in the amount of \$106,750, and

WHEREAS, while executing the culvert project, Rifenburg Construction discovered other infrastructure issues that required replacement, and

WHEREAS, such additional repairs, as were discovered, were approved by John M. McDonald Engineering and Clifton Park Water Authority and construction including additional repairs is substantially complete, and

WHEREAS, on November 10, 2016, Mc Donald Engineering prepared Change Order No. 1 to reflect increased costs of final completion, and

WHEREAS, McDonald Engineering, Construction Inspectors and Consultant on the project, recommends approval of Change Order No. 1, and

WHEREAS, the net effect of the change order is a net increase of \$23,000 in the final construction costs; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the attached paperwork for Change Order No. 1, Contract No. 1; and be it further

RESOLVED, that final construction costs for the Nottingham Way Culvert Replacement is \$129,750 to be taken from H44-8340-200 (Drainage Projects-Equipment).

ROLL CALL VOTE

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

Noes: None

Absent: Councilwoman Standaert

DECLARED ADOPTED

Supervisor Barrett reviewed his memo to the Town Board regarding commercial permits for disposal of yard waste at the Transfer Station as follows:



Town of Clifton Park

One Town Hall Plaza • Clifton Park, New York 12065 • (518) 371-6651 • FAX: (518) 371-1136

MEMO

To: Town Board
FROM: Phil Barrett, Supervisor
SUBJECT: Commercial Permits for Yard Waste
DATE: April 17, 2017

Landscaping businesses have been inquiring about using the yard waste facility at the Transfer Station. It is imperative at this point we establish a policy for this purpose or disallow this activity. Based on the amount of material that is being disposed at the facility, we can accept more through a limited amount of commercial permits. This new process will increase the disposal of material at the facility, although minimally based on the total material accepted. County Waste has also purchased a larger machine that will process more material in less time.

I would propose the following rules and regulations in establishing commercial permits:

1. Commercial permits will be \$250/year
2. A limit of 20 permits will be sold. Any consideration of increasing the limit will be reviewed carefully and must be approved by the Town Board.
3. Commercial Permits will only be sold to:
 - a. Clifton Park based companies
 - b. Companies owned by Clifton Park residents
 - c. Companies that perform landscaping work through contracts with the Town.

The current yard waste program is invaluable to the Town and the residents of Clifton Park. The important benefits of the current program include:

1. Free curbside pick-up available for all residents.
2. The Town realizes revenue through the program. (\$60,000)
3. The Town does not need to handle, process or dispose of the unwanted material.
4. The program is a very large and valuable recycling process.
5. The program has reduced the amount of yard waste disposed in prohibited areas.

Since my last correspondence on this issue, I have asked Jeff to begin thinking about the logistics of the proposed program from the Transfer Station's standpoint. He is pleased that the Town is considering establishing a policy for this activity.

PHILIP C. BARRETT
Supervisor

LYNDA M. WALOWIT
Councilwoman

JAMES M. WHALEN
Councilman

AMY J.H. STANDAERT
Councilwoman

JAMES J. ROMANO
Councilman

Councilmen Whalen and Romano, as well as Councilwoman Walowit, spoke in favor of the Supervisor's proposal.

MOTION BY Councilman Whalen to establish commercial permits for yard waste disposal at the Transfer Station per the above proposal, seconded by Councilwoman Walowit.

Motion unanimously carried.

PUBLIC PRIVILEGE

Jim Baisley, Barkwood Lane, asked how the \$250 commercial permit fee was determined. Supervisor Barrett responded he didn't come up with any formula but thinks this is a fair price for service being rendered. Mr. Baisley asked how much is set aside in the budget for paving. Supervisor Barrett responded \$850,000 and this evening's resolution will bring it up to \$1.5 million.

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 7:43 p.m.

Patricia O'Donnell
Town Clerk