

April 10, 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
Councilwoman Standaert
Councilman Romano
Councilwoman Walowit
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy
Dahn S. Bull, Superintendent of Highways
Mark Heggen, Comptroller
Michael Handerhan, Supervisor Buildings and Grounds
Matthew Andrus, Information Specialist

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett announced the Barney Road Golf Course will be opening on April 14th.

The Supervisor announced the free yard waste pickup by County Waste has begun and will go through November.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 90 of 2017, a resolution authorizing the Town Supervisor to sign Change Order No. 1 and Change Order No. 2 regarding the Crescent Road Multi-Use Path construction.

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

WHEREAS, by Resolution No. 210 of 2015, the Town Board awarded the construction contract for the Crescent Road Multi-use Trail Project to James H. Maloy, Inc. in the amount of \$2,042,000, and

WHEREAS, construction is substantially complete, and

WHEREAS, on September 12, 2016, M.J. Engineering prepared Change Order No. 1 to reflect reduced costs of final completion, and

WHEREAS, M.J. Engineering has also prepared Change Order No. 2 to cover the costs of Stilsing Electric's conduit excavation and backfill costs in the amount of \$9,745.75, and

WHEREAS, M.J. Engineering, construction inspectors and consultant on the project, recommends approval of Change Orders No. 1 and 2, and

WHEREAS, the net effect of the two change orders is a net reduction of \$103,604.76 in the final construction costs; now, therefore, be it

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

RESOLVED, that final construction costs for the Crescent Road Multi-use Path are \$1,938,395.24.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 91 of 2017, a resolution requesting Home Rule Legislation to authorize the Town of Clifton Park to accept conveyance of a 63.54 acre parcel in the Town of Clifton Park known as the Kinns Road Park from the County of Saratoga.

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

WHEREAS, in 1938 the County of Saratoga, pursuant to New York State County Law §219, acquired title to Tax Parcel # 265.-2-9 on Kinns Road in the Town of Clifton Park through the County's tax foreclosure process, by deed recorded in the Saratoga County Clerk's Office in Book 401 of Deeds at Page 495, and

WHEREAS, pursuant to Resolution No. 264 of 1976, the Saratoga County Board of Supervisors authorized and directed the County's Forestry Department, subject to the approval of the New York State Department of Environmental Conservation, to create a recreational area upon the Kinns Road parcel, with certain improvements and recreational facilities authorized, and

WHEREAS, the County Board of Supervisors designated the lands as recreation lands open to the public for outdoor recreation, and the site became known as "Kinns Road Park", and

WHEREAS, the Kinns Road Park has been managed by the town since its designation as an outdoor recreation area, which has constructed a series of multi-use trails throughout the 63.54 acre parcel, and has maintained the trail system, a picnic area and a parking lot at the town's expense; allowing access to the park for use by residents of Saratoga County, the Town of Clifton Park, and others, and

WHEREAS, by Resolution No. 47 of 2016, the Town Board authorized execution of an inter-municipal agreement with the County of Saratoga which provided for the transfer of title to the "Lands of Kinns Road Park" to the Town of Clifton Park pursuant to Home Rule Legislation as necessary, and

WHEREAS, General Municipal Law §72-a authorizes a town to acquire tracks of land having forest or tree growth thereon, and

WHEREAS, NYSTL §64 (2) authorizes a Town Board to acquire real property for any public purpose, and

WHEREAS, County Law §219 authorizes reforested lands to be utilized for recreation and kindred purposes, consistent with the park's designation as an outdoor recreation area in 1977, and

WHEREAS, the Town Board wishes to acquire title to Kinns Road Park for the public trust, and to operate and manage the park for park purposes in perpetuity, and

WHEREAS, by Resolution No. 40 of 2017, the Town Board retained Environmental Design Partnership to survey the property and to prepare a legal description of the "Lands of Kinns Road Park" to facilitate legislation necessary for the conveyance, and

WHEREAS, by Resolution No. 46 of 2016, the Town Board adopted a Forest Stewardship Plan under the guidance of the town's licensed forester; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park hereby requests the enactment of state legislation authorizing the County of Saratoga to convey to the Town of Clifton Park reforested lands originally acquired by the county by deed dated June 20, 1938 and recorded in the Saratoga County Clerk's Office in Book 401 of Deeds at Page 495, said lands being also identified as Tax Parcel #265.-2-9, more particularly described in the survey description by Environmental Design Partnership, attached as Exhibit A; and be it further

RESOLVED, that the Town Attorney forward certified copies of this resolution to Senator James Tedisco and Assemblywoman Mary Beth Walsh, and to the Clerk of the Saratoga County Board of Supervisors.

Supervisor Barrett explained though this was submitted last year, the state requires an updated survey.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 92 of 2017, a resolution authorizing the Highway Superintendent to attend the 2017 Association of Towns Highway School in Ithaca, New York.

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

WHEREAS, Highway Superintendent Dahn Bull has requested authorization to attend the 2017 Highway School at Ithaca College in Ithaca, New York, June 12-14, 2017, at a cost not to exceed \$600, and

WHEREAS, Mr. Bull's attendance at the conference would confer a benefit to the town; now, therefore, be it

RESOLVED, that Highway Superintendent Bull is hereby authorized to attend the 2017 Association of Towns' Annual Highway School in Ithaca, New York, June 12-14, 2017, at a cost not to exceed \$600, to be paid from A05010-00001. (Highway Admin.-Training & Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 93 of 2017, a resolution authorizing the Southern Saratoga YMCA to use town roadways for their 23rd Annual Anyone Can Tri Triathlon and 3rd “Spring Has Sprung” 10-Mile Run.

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

WHEREAS, the Southern Saratoga YMCA has requested the use of the Town of Clifton Park roadways as specified in the attachment hereto for the purpose of holding their 23rd Annual Anyone Can Tri Triathlon and Spring Has Sprung 10-Mile Run on Sunday, May 7, 2017 from 7:30 AM until the last participant arrives back at the YMCA, and

WHEREAS, both events have the approval of the town’s Highway Superintendent; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park hereby authorizes the YMCA to use town roadways, as specified in the attachment hereto, May 7, 2017, at 7:30 AM, for the purpose of holding the 23rd Annual Anyone Can Tri Triathlon and 3rd Spring Has Sprung 10-Mile Run, and be it further

RESOLVED, that this approval is expressly conditioned upon receipt prior to May 7, 2017, in the Office of the Town Clerk, of an insurance certificate in the amount of \$1,000,000 naming the Town of Clifton Park as an additional insured; and be it further

RESOLVED, that this approval is expressly conditioned upon the roads not being closed but members of the YMCA are permitted to temporarily stop traffic at each end of the course in the event both a vehicle and race participant arrive at the same time.

Superintendent of Highways Bull reported the YMCA has contacted the Sheriff’s Department for assistance. Signs advising residents of Clifton Gardens of the race will be put out within the next few days. No roads will be closed.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 94 of 2017, a resolution authorizing the hiring of summer help for the Buildings and Grounds Department.

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

WHEREAS, Buildings and Grounds Supervisor Michael Handerhan has identified a need for summer help to work in the Buildings and Grounds Department, and

WHEREAS, Vincent Tricozzi, 2 North Carolina Court, Rexford, has been recommended to fill the position; now, therefore, be it

RESOLVED, that Vincent Tricozzi, 2 North Carolina Court, Rexford, be hired as part of the summer Buildings and Grounds staff for the summer of 2017, at \$10.50 per hour, to be paid from A7110-E4000 (Buildings & Grounds-Part Time Laborer), effective immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 95 of 2017, a resolution awarding a contract for landscape work for the Stony Creek Park District No. 1 entrances.

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

WHEREAS, quotes were received by the Town Board, as Commissioners of the Stony Creek Park District No. 1, for landscape work for the district, and

WHEREAS, the lowest conforming quote for the work to be done, which includes removal and disposal of debris, mulching and weeding the planting areas around the entrance signs to the Stony Creek Park District No. 1, was submitted by Greg's Seasonal in an amount not to exceed \$4,250; now, therefore, be it

RESOLVED, that the Town Board, as Commissioners of the Stony Creek Park District No. 1, hereby awards the contract to Greg's Seasonal for landscape work at the entrances of Stony Creek Park District, at a cost not to exceed \$4,250 for the 2017 season, to be budgeted from SP97116-24 (Stony Creek Park District No. 1-Maintenance).

ROLL CALL VOTE

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

Noes: None

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 7:28 p.m.

Patricia O'Donnell
Town Clerk