

TOWN OF CLIFTON PARK TOWN BOARD MEETING

August 6, 2018

- I. Call to Order/7:00 P. M.**
- II. Pledge to Flag**
- III. Roll Call**
- IV. Approval of Town Board Minutes**
- V. Communications/Announcements**
- VI. Business**
 - **Presentation by Arena Realty Group and Clifton Park Family Arena Management on plans for operation of ice arenas**
 - **Resolutions for Consideration**
 - **Other Business**
- VII. Open Public Privilege**

NOTE:

Each speaker shall state name and address prior to addressing the Board and shall be granted the floor for a single time frame of up to five minutes. The Board asks that members of the public respect the opportunity of the speaker at the podium to be heard, and asks that the public refrain from conducting side meetings within the meeting room. In an effort to ensure that the widest number of community viewpoints are heard, the Board asks members of groups or the public to withhold comment, if their viewpoints have already been presented. The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the Town decision making process.

- VIII. Adjournment**

Resolutions for Consideration
Clifton Park Town Board Meeting

August 6, 2018

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Supervisor	Authorize step adjustments for certain employees at Town Pools	P. Barrett
2. Supervisor	Authorize the hiring of WSI and YSI Instructors for individual swim lessons at Town Pools	P. Barrett
3. Supervisor	Resolution Declaring Vehicles and Equipment to be Surplus Items and authorizing sale by Auction	P. Barrett
4. Supervisor	Authorizing Town Historian to attend Association of Public Historians Conference	P. Barrett
5. Supervisor	Accept proposal from ABS solutions for contract for Email hosting for the Town and migrating existing data.	P. Barrett
6. Supervisor	Adopt Local Law No. ___ of 2018 to amend residency requirements for ESAB members	P. Barrett
7. Supervisor	Award contract for triploid grass carp for weed control at the Clifton Knolls Ponds to Northeastern Aquatics	P. Barrett
8. Planning	Retain Greenman-Pederson, Inc. as consultants to assist with an application for federal funding under the Transportation Alternative and Congestion Mitigation program for improvements at Clifton Country Road and Route 146	P. Barrett
9. Planning	Schedule a Public Hearing on applications for conservation easements for properties in the Grooms Road area in Rexford.	P. Barrett
10. Planning	Authorize additional scanning services through NYSID/Focused technologies to complete the conversion of historical planning records to digital format	P. Barrett

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|----------------|--|------------|
| 11. Planning | Retain MJ Engineering for the design of the Moe Road Gap Closure Trail project and create capital budget. | P. Barrett |
| 12. Supervisor | Approve assignment of Ground Lease and management agreement for the occupation of the Clifton Park Ice Arena | P. Barrett |
| 13. Supervisor | Accept proposal from Prime A.E. for Engineering Services to evaluate options for the rehabilitation or replacement of the Riverview Landing Wastewater treatment Plant | P. Barrett |
| 14. Supervisor | Authorize Change Order #1 for the Wellhouse Roof Replacement Project on Vischer Ferry Road | P. Barrett |

Resolution No. _____ of 2018, a resolution correcting the Employment Step of lifeguards at the Clifton Park Town Pools.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Town Board wishes to make step adjustments for several guards, reflecting their start and rehire dates for the pool season; and,

WHEREAS, the Supervisor recommends changes to the employment steps of the following Lifeguards and Head Lifeguards as listed below:

Name	Pool	Step	Rate	Org. Hire Date	Lump Sum Payments
Samuel Radley	Barney Road	4	\$10.00	5/22/2015	\$64.38
Brenden Pickel	Barney Road	4	\$10.00	5/22/2015	\$73.13
Kerriann Rizzo	Barney Road	3	\$9.75	7/31/2016	\$33.50
Morgan Luibrand	Locust Lane	4	\$10.45	6/23/2015	\$65.75

Now, therefore be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the correction of the employment steps for the above employees as they were listed in Resolution No. 114 of 2018 and Resolution No. 138 of 2018 and be it further

RESOLVED, that that they be paid the corrected rates for the 2018 pool season, and, retroactively with lump sum payments, authorized as listed, to be paid from line A-7150-E4690 (Barney Road Lifeguards) and line A-7152-E4690 (Locust Lane Lifeguards).

Resolution No. _____ of 2018, a resolution hiring WSI and YSI Instructors for individual swim lessons at Town Pools effective June 30, 2018

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Town Board wishes to hire instructors to teach individuals swim lessons at Town Pools; and,

WHEREAS, the Supervisor recommends that the following instructors be paid at the lesson unit rate of \$17.00 per half hour lesson,

Name

Alaina Martin	2 Juniper Drive	Clifton Park, New York 12065
Amanda Pendergast	8 Nottingham Way North	Clifton Park, New York 12065
Meghan Pendergast	8 Nottingham Way North	Clifton Park, New York 12065
Elisabeth Schanz	4 Peck Lane	Clifton Park, New York 12065
Madeline Schanz	4 Peck Lane	Clifton Park, New York 12065
Victoria Silaika	39 Addison Way	Rexford, New York 12148

Now, therefore be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the hiring of the above employees as individual swim instructors and be it further

RESOLVED, that that they be paid the unit rate of \$17.00 per lesson from Budget Line A-7310-E4575

Resolution No. _____ of 2018, a resolution authorizing the sale of equipment declared surplus by the Town Board and authorizing the Clifton Park Highway Department to sell the surplus equipment at public auction.

Introduced by _____, who moved its adoption, seconded _____.

WHEREAS, Dahn Bull, Superintendent of Highways, has identified vehicles/equipment per the attached, as surplus property, and

WHEREAS, based upon the recommendation of Mr. Bull, the Town Board declares the items on the attached list used by the Highway Department as surplus; now, therefore, be it

RESOLVED, that the Town Board authorizes the Highway Department to sell the surplus equipment, as is, through an upcoming online public auction.

Resolution No. _____ of 2018, a resolution authorizing Town Historian John Scherer, to attend the Association of Public Historians Annual Conference.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, recommended that Town Historian John Scherer be authorized to attend the Association of Public Historians Conference in Rochester, New York, October 1- October 3, 2018, at a cost not to exceed \$675.00, and

WHEREAS, John Scherer's attendance at the Association of Public Historians Conference would confer a benefit to the Town;

WHEREAS, Ms. Kramer recommends that John Scherer also be allowed to attend the annual association board meeting held one day earlier on September 30, 2018, now therefore be it

RESOLVED, that John Scherer is authorized to attend the Association of Public Historians Conference in Rochester, New York, September 30 - October 3, 2018 at a total cost not to exceed \$675.00 including registration, meals, lodging and transportation, to be paid from budget line item A-7510-001 (Historian-Training/Conferences).

Resolution No. _____ of 2018, a resolution awarding the contract for Email Hosting Services per Request for Proposals.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, on June 27, Icom Tech Services, notified the Town that they would cease operations, including the Email hosting services on September 1, 2018, and

WHEREAS, the Town published a Request for Proposals on in the Schenectady Gazette, NYS Contract Reporter, and on the Town's website, seeking qualified proposals from qualified entities for the hosting of all Town Email accounts on a Microsoft Exchange Business Class hosting service with migration of existing data, and

WHEREAS, (13) proposals were received by the July 25 deadline for responsive proposals, and

WHEREAS, the proposals were reviewed by a committee consisting of Mark Heggen, Tom McCarthy, and Matt Andrus for responsiveness to the RFP, price, level of service and support provided, experience and familiarity with the Town's existing systems and

WHEREAS, the Committee recommended that the Proposal from ABS Solutions, be accepted as most responsive to the needs expressed in the Request for Proposals and based on price, service, and migration capabilities; now, therefore be it

RESOLVED, that the Town Board hereby accepts the recommendation of the evaluation committee, and be it further,

RESOLVED, that the Supervisor is authorized to execute an attached engagement letter from ABS Solutions, 30 Corporate Circle, Ste. 107, Albany, New York 12203, for email hosting services for Town employees in the amount of \$16,200 annually, as well as \$4,545.00 in one-time charges for the migration of all existing data onto the new server and storage systems and activation fees, with a transfer from contingency with a total amount for 2018 of \$9,945.00 to [A-1620-4]

Resolution No. _____ of 2018 a resolution adopting Local Law No. ____ of 2018 amending Sections 11-4 and 5-6 of the Town Code.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, provisions within chapters 5 and 11 of the Town Code provide that all members of the Town's emergency Services Advisory Board shall be residents of the Town of Clifton Park, and

WHEREAS, members of the Board, as well as Fire Marshal Sheryl Reed recommend the elimination of the residency requirement to enable member companies and Districts with responsibilities within multiple municipalities to appoint senior members to the Advisory Board, and ,

WHEREAS, on July 16, 2018, the Town Board held a Public Hearing to receive comment from members of the public on a proposal to eliminate the residency requirement for the Emergency Services Advisory Board, and

WHEREAS, the Town wishes to adopt amendments to the Town Code to ease the appointment of Senior members of the Districts and Companies comprising the First Responder Community to the Board, NOW THEREFORE, BE IT

RESOLVED, that the Town Board hereby adopts Local Law No. _____ of 2018, a local law amending Sections 11-4 and 5-6 of the Town Code, as attached, and be it further

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

Resolution No. _____ of 2018, a resolution awarding a contract for weed control of the Clifton Knolls ponds.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Town Stormwater Technician issued a request for proposals for triploid grass carp from DEC approved suppliers for weed control of the three Town owned ponds in Clifton Knolls.

WHEREAS, Scott Reese, Stormwater Technician, has reviewed the proposals submitted for the purchase and stocking of 190 triploid grass carp and recommends that Northeastern Aquatics be awarded the contract; now therefore be it

RESOLVED, that the contract to perform professional services relating to the purchase and stocking of weed controlling triploid grass carp for the Clifton Knolls ponds is hereby awarded to Northeastern Aquatics, Inc., Rhinebeck, NY with funds not to exceed \$2,425.00 for stocking and delivery, \$1,925.00 to be paid from [SP3-7131-024] and \$500.00 to be paid from [A-7190-24].

Resolution No. _____ of 2018, a resolution to authorize a professional services agreement for preparing an application for Grant Funding under the New York State Department of Transportation Alternatives and Congestion Mitigation Air Quality Program.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Town Board wishes to seek funding for pedestrian enhancements to improve the Town Center's walkability under the federally funded TAP/CMAQ Program administered by NYS DOT, and

WHEREAS, on July 16, 2018, the Planning Department distributed a request for expressions of interest from qualified engineering and consulting firms for assistance in identifying potential projects and analyzing data and to support an effective application under the program, and

WHEREAS, pursuant to the request for expressions of interest, the initial work performed to support the Town's application under the TAP/CMAQ Program will be performed without cost to the Town, and

WHEREAS, Greenman-Pedersen, Incorporated has submitted a qualifying expression of interest which demonstrates familiarity with the funding program and its qualifying criteria as well as a track record of successful engineering, design and construction support for pedestrian and bicycle mobility projects under this and similar programs; now therefore, be it

RESOLVED, that the Planning Director is authorized to retain Greenman-Pedersen Inc. to assist the Town in preparing an application for funding The Clifton Country Road Pedestrian Enhancements Transportation Alternatives Project under the NYSDOT TAP/CMAQ Program.

Resolution No. 27 of 2004, a resolution scheduling a public hearing to consider applications for the Conservation Easement program.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Town Board wishes to schedule a Public Hearing pursuant to Section 125-6 of the Town Code to hear public comment on applications by Edward Krawiecki for the inclusion of two properties within the Town's Conservation Easement term program and

WHEREAS, the applicant has requested term conservation easement status for the following properties: have requested inclusion in the program;

Conservation Easement	67.46 Acres behind 929 Grooms Rd. (SBL 276.-1-80)
Conservation Easement	20.30 Acres behind 937 Grooms Rd. (SBL-276.-1-65)

now, therefore, be it

RESOLVED, that a public hearing is scheduled for September 4, 2018, in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, at 7:05 PM to consider the above properties for inclusion in the Conservation Easement program, and be it further

RESOLVED, that each of the proposed property owners give the notice to their neighbors and other entities as provided in the Town's Conservation Easement legislation in advance of the public hearing, and the Town Clerk is directed to publish appropriate notice of the same.

Resolution No. _____ of 2018 a resolution authorizing the retention of Focused Technologies to complete digital scanning services for Planning Department historical records,

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Planning Department acquired new records management software and scanning services with the assistance of Grant funding through the Local Government Records Management Improvement Fund (LGRMIF), and

WHEREAS, all grant project goals have been met with planning and zoning files dated between 1960 and 2008 electronically and digitally searchable, and

WHEREAS, The Planning Department wishes to complete the electronic scanning and storage of certain outstanding historical files, utilizing Focused technologies, as a NYS preferred Source Vendor, and

WHEREAS, Focused Technologies has proposed completing the work in partnership with New York State Industries for the Disabled, at a contract price of \$5,045, and

WHEREAS, Planning Director John Scavo recommends proceeding with the electronic scan and storage of the remaining Planning Board files; now, therefore be it

RESOLVED, that the proposal and quote from Focused Technologies, through NYSID, for the digital scanning and storage services be accepted in an amount not to exceed \$5,045.00, to be paid with a transfer of that amount from the Contingency account [A-8021-15].

Resolution No. _____ of 2018, a resolution authorizing an Engineering/Design Contract with MJ engineering for the Moe Road Gap Closure Trail Project.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Town has received a Transportation Alternatives Program and Congestion Mitigation/Air Quality Grant (TAP/CMAQ) Grant for the Design and construction of the Moe Road Trail Southern Gap Closure project for the design and construction of a multi-use path extending from Okte Elementary School on Crescent Road to the intersection of Sugarbush Road and Moe Road in the Southern Part of Clifton Park, and

WHEREAS, the project will be a federally funded project administered through New York State Department of Transportation, and contemplates an 80% federal commitment with a 20% local match, with the Town paying all contractors invoices in the first instance, and

WHEREAS, the Town wishes to engage MJ Engineering to prepare design drawings and as engineer on the project, and

WHEREAS, NYS DOT has recommended that the Town's design engineer be compensated on a fee plus cost consultant basis to ensure eligibility for federal reimbursement per program guidelines; now, therefore be it

RESOLVED that the Supervisor is authorized to execute the attached Engineering Consultant Agreement with MJ Engineering for the design of the Moe Road Gap Closure Trail Project; and be it further

RESOLVED, that the comptroller is authorized to create a Capital Project Fund in the amount of \$181,000 for engineering/design services for the project.

Resolution No. _____ of 2018, a resolution authorizing the assignment of Ground Lease and Management Agreement for the Ice Arena's at The Clifton Common,

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, by resolution No. 71 of 2001, the Town Board authorized the execution of a Ground Lease with Clifton Park Ice Arena LLC, (CPIA) which provided for the construction of a second Ice Arena at the Common, and for its occupancy and operation by CPIA for a term of 30 years, with an option to extend for an additional 10 years,

WHEREAS, resolution No. 71 of 2001 also authorized and execution of a management agreement with Arena Management Group, LLC (AMG), a related entity, for the management of the Town's adjacent Ice Arena, and the administration of the various hockey and ice skating programs at the existing facility, and

WHEREAS, by its terms, the Lease term commenced upon issuance of all municipal approvals allowing for the construction and occupancy of the new arena building, which occurred with the issuance of the Certificate of Occupancy on August 22, 2002, and

WHEREAS, the Ground Lease provided for an initial rental payment of \$450,000, a \$500,000 payment at the 15 year point within the Lease, and also provided for a \$300,000 option payment in exchange for a ten year extension of the initial term, and

WHEREAS, revenues from agreements with AMG and CPIA, including \$428,684 in operating profits from the management of the original Arena helped the Town to retire over \$1.4 million of outstanding bonded debt for the construction of the original Arena that existed at the inception of the agreements, and

WHEREAS, pursuant to the management agreement, AMG provides staff, maintenance and supplies for the administration of programs for Clifton Park Youth Hockey, Adult Hockey, the hosting of Shenendehowa High School competitive hockey, at a secure and stable facility that is properly equipped to provide a comfortable experience for players, fans and family throughout the Fall and winter months, and

WHEREAS, the existing lease and management agreement with Arena Management and Clifton Park Ice Arena have resulted in expanded opportunities for recreational and competitive hockey at all levels for youth and adults, including programs for figure skating and learn-to-skate lessons on a year-round basis, as well as seasonal availability for expanded ice time for public skating, at the second rink that was constructed, and

WHEREAS, the variety of activities has also expanded, with the Prestige Arena managed by Arena Management now hosting Shen lacrosse club during spring and summer months, the Town's full day Camp, operating throughout the summer months, and

WHEREAS, the availability of dual ice arena facilities has allowed for ice access for recreational as well as competitive skating on a twelve-month basis, including skating days for full

day campers, public skating, Figure skating, and skill development for competitive hockey players at all levels, while additional recreational programs occur in the spring and summer months, and

WHEREAS, The Ground Lease and Management Agreement provide that the agreements may be assigned to successor entities only with Town Board approval, and

WHEREAS CPIA has submitted a proposed assignment agreement by which CPIA proposes to assign its rights under the Ground Lease to occupy the Arena which was constructed pursuant to that lease, to Arena Realty Group LLC (ARG) for the remaining term of years, as well as the option to extend, and

WHEREAS, the agreement between AMG and ARG provides that ARG will make the outstanding rent payment of \$500,000 to the Town of Clifton Park, as well as any option payments, and

WHEREAS, the proposed agreement also provides for the assignment of AMG's rights and responsibilities under the management agreement for the administration of programs and activities at the Prestige Services Arena to Clifton Park Family Sports Arena, LLC, at a monthly management fee of \$5,000, fixed for 7 years, and

WHEREAS, ARG also proposes to Lease space in the former concession area /storage room at the Prestige Arena for the sum of an additional \$1,066.66 to provide enhanced fitness training and skills training for competitive hockey programs, and

WHEREAS, the Town Board is willing to consent to the Assignment of the existing Ground Lease and Management Agreement under terms and conditions that will provide for the continued operation and growth of these and other programs, now therefore be it

RESOLVED, that the Town Board consents to the Assignment of the Rights to the remaining term of Years under the Existing Ground Lease for the Clifton Park Ice Arena from CPIA to Arena Realty Group, and agrees to accept \$500,000 in rent payment for the remaining term of years, through August 21, 2032, from ARG, and be it further

RESOLVED, that the Town Board consents to the assignment of the May 21, 2001 Management Agreement for the operation and management of the Prestige Ice Arena, as amended, to Clifton Park Family Sports Arena, LLC., and be it further

RESOLVED, that the Supervisor is authorized to sign the attached Commercial Lease Agreement for 1600 sq. ft. of space in the former concession area at the Prestige Ice Arena at a rent of \$1066.66 per month.

Resolution No. ____ of 2018, a resolution awarding the bid a feasibility study for remedial actions at the Riverview Landing Wastewater Treatment Plant.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, On April 10, 2018, The Town's Collection Department solicited proposals from consulting engineering firms for a feasibility study to evaluate and provide initial cost estimates for potential corrective actions to correct deficiencies in the operation of the plant, and

WHEREAS, Prime Engineering has submitted a responsive proposal in the amount of \$9,970.00, and

WHEREAS, Mike O'Brien, Collections System manager, recommends that the proposal from Prime Engineers be accepted, and

WHEREAS, Prime Engineering, formerly JME engineers, has demonstrated familiarity with the plans and operation of the Wastewater treatment Plant and has assisted the Town in the operation and maintenance of the system and plant to date; now, therefore be it

RESOLVED, that the Proposal of Prime AE 100 Great Oaks Blvd. Ste. 114, Albany, New York is accepted, in an amount \$9,970.00; and be it further

RESOLVED, that the Comptroller is authorized to transfer \$9,790.00 from assigned fund balance to [G3-914] to [G3-8111-135] for the project.

Resolution No. _____ of 2018, a resolution authorizing the Supervisor to sign a Change Order for the Wellhouse roof replacement project on Vischer Ferry Road Electrical.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Resolution No. 2 of 2018 authorized a contract for the replacement of the roof at the Wellhouse on Vischer Ferry Road in the amount of \$39,875 to Stephan Miller General Contractors and

WHEREAS, the project is complete, and Prime AE recommends release of outstanding contract retainage funds and execution of a change order, and

WHEREAS, the Change Order represent an overall reduction of \$1,912.00 in the contract price bringing total project cost to \$37,963.00; now, therefore be it

RESOLVED, that the Supervisor is hereby authorized to sign Change Order No. 1, dated June 1, 2018 to Stephen Miller General Contractors; and be it further

RESOLVED, that the amount of \$ 1,898.15 be released from encumbrances and paid per the contract.