

December 17, 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
Councilman Romano
Councilwoman Walowit
Town Clerk O'Donnell

Also Present: Town Attorney McCarthy
Dahn Bull, Superintendent of Highways
Mark Heggen, Comptroller
Myla Kramer, Director of Parks, Recreation and Community Affairs
Louis Pasquarell, Safety and Security Director

MOTION BY Councilwoman Walowit, seconded by Councilman Whalen, to approve the minutes of the December 3, 2018 meeting as presented.

ROLL CALL VOTE

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

Noes: None

Abstain: Councilman Romano

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett thanked the town staff and all volunteers, not only with the town, but throughout the town of Clifton Park for all their work throughout 2018.

PRESENTATION

Director of Planning Scavo reviewed the status of currently managed grant projects: LED Lighting projects on the Clifton Common; Enhance Clutes Dry Dock Vicinity; Sitterly Road improvements; Dwasskill Nature Preserve parking and trail improvements, Route 146 sidewalks northside Northcrest to Maxwell Drove; Clifton Park Pedestrian Safety Plan key intersections at Clifton Country and Clifton Park Center Roads; Multi-Modal PED Safety Moe Road Trail crosswalk over Grooms Road; Crescent Trail from Okte school to Moe Road intersection north to Sugarbush Road.

Mr. Scavo reviewed pending grant applications presented at the December 10th Town Board Meeting.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 293 of 2018, a resolution establishing an on-call stipend for part-time Clifton Park Animal Control Officers to include six major holidays (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas) plus the weekends.

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

WHEREAS, part-time Animal Control Officers are required to be on-call and available to respond to emergency calls within the Towns of Clifton Park and Halfmoon (per Inter-Municipal Agreement), and

WHEREAS, the town derives a benefit from having trained part-time Animal Control Officers available on-call basis for emergencies; now, therefore, be it

RESOLVED, that an on-call stipend of \$50 be paid to part-time Animal Control Officers for each weekend Saturday - Sunday and 6 major holidays or a portion of each weekend served on call.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 294 of 2018, a resolution authorizing the Supervisor to sign contracts with 2019 subcontract hires per Schedule "A".

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

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has requested that the Town Board authorize certain updated contracts for certain recreation programs, and

WHEREAS, the Town Board supports continuation of the listed recreation programs with the subcontractors listed on the attached Schedule "A"; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign contracts with 2019 recreation subcontractors, per Schedule "A".

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 295 of 2018, a resolution authorizing the installation of ten electrical disconnect/generator transfer switches for traffic signal lights in certain locations.

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

WHEREAS, the Public Safety Department requested quotes for the installation of ten electrical disconnect/generator transfer switches for traffic signal lights at the following locations:

1. Carlton Road
2. Clifton Country Road and Clifton Park Center Road
3. Clifton Country Road

4. Clifton Park Center Road and Moe Road
5. Crescent/Vischer Ferry Road and Lapp Road
6. Grooms Road and Lapp Road
7. Grooms Road and Moe Road
8. Grooms Road and Woodin Road
9. Kinns and Plank Roads
10. Maxwell Road and Park Avenue

WHEREAS, quotes were received on or before December 7, 2018, and

WHEREAS, CDE Electric, Inc., PO Box # 204, Cairo, NY, submitted the lowest conforming quote to install ten electrical disconnect/generator transfer switches for the traffic signal lights in an amount not to exceed \$7,200, and

WHEREAS, Louis Pasquarell, Director of Safety and Security, has also received quotes for purchase of generators to operate at these locations, and

WHEREAS, the lowest quoted is from SportLine Power Products, 38 E Quaker Service Rd., Queensbury, NY, at \$845 per generator, and

WHEREAS, the Town Board wishes to purchase generators and electrical switches to ensure continuing operation of traffic signal lights at these locations in the event of a power outage affecting one or all locations; now, therefore, be it

RESOLVED, that the Town Board hereby awards the contract to CDE Electric, Inc., PO Box # 204, Cairo, NY, for the installation of ten electrical disconnect/generator transfer switches for traffic signal lights, at a cost not to exceed \$7,200, from A-3010-200 (Safety Office-Equipment), and be it further

RESOLVED, that Louis Pasquarell, Director of Safety & Security, is authorized to purchase ten generators from SportLine Power Products, Queensbury, NY, at a total cost of \$8,450 to be paid from A-3010-200 (Safety Office-Equipment), and be it further

RESOLVED, that the Comptroller is authorized to transfer \$7,200 from A-1621-200 (Public Safety Building-Equipment) to A-3010-200 (Safety Office-Equipment).

Director of Safety and Security Pasquarell noted at the present time there are 18 transfer switches on roads in town and this will bring it up to 28 lights with this capability.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 296 of 2018, a resolution authorizing the Supervisor to sign the Master Multi-Modal #4 Capital Project Agreement for crosswalk capital improvements of the Moe Road trail at the Grooms Road/Moe Road intersection.

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

WHEREAS, the Town Board has been awarded grant funding for a Pedestrian Safety Improvement Project at the intersection of Grooms and Moe Roads pursuant to the New York State Department of Transportation Municipal Multi-Modal Capital Projects Program, and

WHEREAS, grant funding includes \$25,000 for the installation of a crosswalk, pedestrian signals and appropriate signage and markings for an ADA-compliant pedestrian crosswalk at the intersection, and

WHEREAS, the total project value is estimated to be \$33,600, including \$8,600 for engineering and construction inspection services to be funded separately by the town, and

WHEREAS, the Town Board wishes to fund the project in the first instance, with 100% of the cost reimbursable under the grant program; now, therefore, be it

RESOLVED, that the Town Board authorizes the Supervisor to sign the attached Master Multi-Modal Capital Projects Agreement with NYSDOT for the project, and be it further

RESOLVED, that the Town Board authorizes funding of \$25,000 in construction and acquisition costs in the first instance, subject to reimbursement through the NYSDOT Multi-Modal #4 Capital Projects grant program.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 297 of 2018, a resolution authorizing the Supervisor to sign a contract for engineering design and scope of work.

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

WHEREAS, by Resolution No. 37 of 2018, the Town Board authorized a professional services agreement with Greenman-Pedersen, Inc. for preliminary design work and preparation of an application for funding for a Pedestrian Safety Action Project in the vicinity of Route 146 and Clifton Park Center Road, and

WHEREAS, the town has been awarded grant funding of \$400,000 under the New York State Pedestrian Safety Action Plan, and

WHEREAS, the Town Board wishes to proceed with engineering and design services for the detailed design work, environmental analysis and right-of-way design, per the attached scope of work, and

WHEREAS, the Planning Director recommends that the engineering and design services contract be awarded to Greenman-Pedersen, Inc. based on their initial response to the town's request for expressions of interest and the preliminary design in support of the grant funding applications; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign a design services contract and scope of work in an amount not to exceed \$62,000 for the design phase of the project, and be it further

RESOLVED, the Comptroller is authorized to establish Capital Budget (H53 – Rt 146 and Clifton Park Center Road Pedestrian Upgrades); and be it further

RESOLVED, that the attached budget is hereby adopted.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,

Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 298 of 2018, a resolution authorizing a no cost time extension to Contract #C010174 with New York State Canal Corporation for funding for the Mohawk River – Vischer Ferry Preserve Improvements Project.

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

WHEREAS, the Town of Clifton Park has an existing grant contract with the New York State Canal Corporation #C010174, for funding towards the Mohawk River – Vischer Ferry Preserve Improvements Project, and

WHEREAS, the town has been reimbursed for eligible engineering design costs, which allowed for up to 10% of the grant award, and the remaining eligible cost must be related to construction contract cost, and

WHEREAS, the project experienced a longer than anticipated approval process due to the historic and environmental sensitivities of the project site within the Vischer Ferry Nature & Historic Preserve, and

WHEREAS, final design work has now been completed, with construction anticipated for 2019, and

WHEREAS, the Town Board wishes to extend the funding agreement with the NYS Canal Corporation to provide additional time to complete the construction phase, and sufficient time to submit all eligible reimbursement claims under the grant contract with NYS Canal Corporation; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the attached no-cost time extension with the NYS Canal Corporation to provide additional time for the construction and funding mechanism.

Director of Planning Scavo reported in 2016 the state put a protection on the Northern Long-eared Bat regulating any project receiving state and federal funding from tree cutting from April 1st to October 31st which pushed projects back.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 299 of 2018, a resolution accepting the funds generated from the auction of surplus highway equipment and allocation of said funds.

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

WHEREAS, the Superintendent of Highways recently held two auctions through Auctions International, one ending in October and the other ending in December, and

WHEREAS, these auctions generated \$42,352.90 for the Highway Department and \$6,240 for Town Hall, and

WHEREAS, the Superintendent of Highways requests authorization to reinvest these funds into new equipment as well as parts and repairs important to the day-to-day operations of the Highway Department; now, therefore, be it

RESOLVED, that the revenue for the Highway Fund shall increase the overall budget by \$48,592.90 in account DA-2665- (Highway – Sale of Equipment), and be it further

RESOLVED, that the Clifton Park Town Board accepts the funds generated by the two auctions for a total of \$48,592.90, and be it further

RESOLVED, that \$6,995 be transferred to DA-5130-219 (Highway-Machinery-Truck), and \$9,000 be transferred to DA-5130-231 (Highway-Machinery-Parts), and \$26,357.90 be transferred to DA-5142-138 (Highway-Snow Removal-Salt); and be it further

RESOLVED, that the Town Hall portion of the auction proceeds totaling \$6,240 be allocated to the General Fund.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 300 of 2018, a resolution authorizing the Highway Superintendent to purchase a 2016 Bandit Model 150XP Wood Chipper.

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

WHEREAS, the Superintendent of Highways, Dahn Bull, wishes to purchase an additional wood chipper for highway purposes, and

WHEREAS, the Highway Department received proposals for a wood chipper capable of handling the day-to-day objectives of the department's tree crews, and

WHEREAS, the Superintendent of Highways recommends the purchase of a used 2016 Bandit Model 150XP Wood Chipper with 250 working hours and one year left on the manufacturer's warranty from Finke Equipment, Gansevoort, NY, at a price not to exceed \$32,500; now, therefore, be it

RESOLVED, that the Clifton Park Town Board authorizes the purchase of a used 2016 Bandit Model 150 XP Wood Chipper from Finke Equipment for \$32,500 to be paid from DA-5130-219 (Highway-Machinery-Truck).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 301 of 2018, a resolution authorizing the Highway Superintendent to purchase a fabricated Diamond 60" Flail Mower.

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

WHEREAS, the Superintendent of Highways, Dahn Bull, requests authorization to purchase a 60" flail mower for highway purposes, and

WHEREAS, the Highway Department received proposals for a flail mower with a fabricated frame for the existing 2000 John Deere tractor, and

WHEREAS, the Superintendent of Highway recommends the purchase of a Diamond 60" Flail Mower with a deck to be fabricated, from Stephenson Equipment Inc., Waterford, NY, at a price not to exceed \$23,093; now, therefore, be it

RESOLVED, that the Clifton Park Town Board authorizes the purchase of a Diamond Flail Mower from Stephenson Equipment for \$23,093 to be paid from DA-5130-219 (Highway-Machinery-Truck).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 302 of 2018, a resolution declaring a public emergency pursuant to General Municipal Law Section 103(4) for a repair to the current manhole on municipal grounds near the fueling station.

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

WHEREAS, in early December 2018 the Highway Superintendent was notified that the manhole cap at the fueling station had deteriorated and contamination of underground fuel tanks could result from infiltration of salt, water and debris without replacement, and

WHEREAS, Section 103(4) of the NYS General Municipal Law, provides that in cases of an emergency situation arising from unforeseen circumstances affecting public buildings or the health or safety of the public, the Town Board may authorize the purchase of service, material and equipment without competitive bids, and

WHEREAS, Dahn Bull, Highway Superintendent, recommends Northeast Petroleum Technologies, Inc. Schenectady, NY, be engaged for emergency repair work for the Highway Department on a time and materials basis, and

WHEREAS, Northeast Petroleum Technologies was contacted to perform excavation and repairs to the manhole on an emergency basis pursuant to correspondence dated December 7, 2018, attached; now, therefore, be it

RESOLVED, that the Town Board determines that the resulting damage to the manhole at the fueling station at One Town Hall Plaza as determined on December 7, 2018, constitutes an emergency for procurement purposes under Section 103(4) of General Municipal Law, and be it further

RESOLVED, that the Comptroller is authorized to pay to Northeast Petroleum Technologies Inc. an amount not to exceed \$6,477.01; and be it further

RESOLVED, that the Comptroller is authorized to transfer \$5,000 from A-1621-200 (Public Safety Bldg.-Equipment) to A-5132-24 (Highway Garage-General Maintenance) for the project.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 303 of 2018, a resolution authorizing the Town Supervisor to sign an agreement with the Saratoga County Sheriff’s Department for Specialized Law Enforcement Services.

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

WHEREAS, the Town of Clifton Park has found it to be effective and efficient to obtain law enforcement services within the town through the Saratoga County Sheriff’s Department, and

WHEREAS, the Town Board wishes to renew the existing agreement for Specialized Law Enforcement Services with the Saratoga County Sheriff’s Department, per the attached agreement; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the attached agreement with the Saratoga County Sheriff’s Department whereby the Sheriff’s Department shall provide Specialized Law Enforcement Services within the Town of Clifton Park for a one (1) year period from January 1, 2019 through December 31, 2019, for an amount not to exceed \$561,822.33, to be paid from A-3120-15 (General Fund-Security-Other Contractual).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 304 of 2018, a resolution referring the Peregrine Senior Living Company’s PDD Amendment application to the Planning Board for an advisory opinion.

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

WHEREAS, by Local Law No. 4 of 1997, the Town Board adopted a local law amending Local Law No. 10 of 1996 as amended by Local Law No. 11 of 1996, providing for the creation of a Planned Development District known as Verbeck Frank of Clifton Park, and

WHEREAS, Peregrine Senior Living operates a memory care and senior living facility at 1 Emma Lane within the Planned Development District, and has applied for an amendment to this zoning district to authorize a building addition and parking expansion at the facility, and

WHEREAS, the application seeks authorization for an addition of 7,035 square feet to the senior living facility and up to 12 new parking spaces, and

WHEREAS, applications to materially expand facilities within an existing Planned Development District require an amendment to the special zoning district pursuant to the PDD approval process contained within Chapter 208-71 of the Town Code, and

WHEREAS, the Town Board wishes to refer the Peregrine Senior Living application to the Planning Board for their advisory opinion; now, therefore, be it

RESOLVED, that the application of Peregrine Senior Living PDD is referred to the town's Planning Board for their advisory opinion pursuant to Chapter 208-71 et seq. of the Town Code.

Joseph Dannible, EDP, explained the project would consist of 13 new residents' bed single rooms, generate six new jobs, small addition will be to the front of the building, and some additional parking to the rear of the building.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Joe Nial, 8 Wall Street, noting the attractive landscaping surroundings of the new apartment complex on Clifton Country Road, as well throughout the malls, expressed concern with the condition and choice of plantings on the medians on Clifton Country Road. Supervisor Barrett said there is a plan and a grant application has been submitted and hopefully approved but, if not approved, there will still be upgrading and improvement to the median.

Supervisor Barrett, acknowledging the passing of Town Security Officer Bill Cassidy, noted he was a longtime member of the town security from the early 2000s and was instrumental in getting the town security force where it is today. He was also as retired Master Sergeant in the US Army. Mr. Cassidy was a mentor to all the new security officers and conducted their training. The Supervisor expressed thanks for Bill Cassidy's service to the country and town of Clifton Park.

The Supervisor noted today, December 17th, is the two-year anniversary of the town taking over and managing the Senior Center. He at that time there were 620 members and today over 1200.

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

Motion carried at 8:35 p.m.

Patricia O'Donnell
Town Clerk