

September 3, 2019

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  
John Scavo, Director of Planning

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the August 19, 2019 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett reminded residents of Hazardous Waste Day September 7<sup>th</sup> and Farm Fest scheduled for September 14 and 15. He noted the importance of supporting farmers year around.

The Supervisor thanked all who worked at the pools and summer programs noting the hard work resulted in the successful year.

Supervisor Barrett reviewed details for the construction of the roundabout regarding road closings the weekends of September 13-15 and 20-22. He reported Blue Spruce Lane sewer project has been completed and paving has begun. He asked that Blue Spruce Lane be avoided until paving is done.

Councilwoman Standaert announced Youth Court informational meeting for grades 7-12 is planned for September 18<sup>th</sup> in High School East Little Theater.

Councilwoman Standaert reported the Repair Café will be open in the Library on September 21<sup>st</sup> at 10:00 a.m. for items needing repair.

Councilwoman Walowit announced as part of Farm Fest, Fur Fest will be held at Riverview Orchards on September 14<sup>th</sup>. There will be canine demonstrations, as well as microchipping, pet vendors and the Saratoga County Animal Shelter with dogs and cats for adoption.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 202 of 2019, a resolution accepting dedication of sewer systems from the Hatlee Road subdivision along a portion of Hatlee Road.

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

WHEREAS, GJA&S, LLC wishes to dedicate certain sanitary sewer improvements within the Hatlee Road Subdivision along 993 Hatlee Road to the Town of Clifton Park Sewer Department, and

WHEREAS, GJA&S, LLC has provided as-built drawings, inventory and related documentation certifying the construction of the improvements in conformance with Saratoga County Sewer District standards; now, therefore, be it

RESOLVED, that the Town Board hereby accepts the dedication of certain sanitary sewer improvements, and easements per the inventory letter from Lombardi, Walsh, Davenport & Amodeo, P.C. dated July 1, 2019, attached, subject to final review of deeds, title insurance and related transfer documents by the Town Attorney.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 203 of 2019, a resolution authorizing the Supervisor to sign an Outside User Agreement for the Rexford Water District No. 2, Extension No. 1 for property located at 966 Grooms Road.

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

WHEREAS, the Town Board as Commissioners of the Rexford Water District No. 2, Extension No. 1 has received a request to extend service to land owned by Harry C. Stants III at 966 Grooms Road, Rexford, more particularly identified as SBL: 276.-1-50 and

WHEREAS, the real property is located outside the current service area of the Rexford Water District No. 2, Extension No. 1, and

WHEREAS, the Clifton Park Water Authority has determined that sufficient capacity exists within the Rexford Water District No. 2, Extension No. 1 to provide service to the property, and

WHEREAS, the Town Board recognizes the environmental, planning and policy objectives met by approving water service over alternative plans; now, therefore, be it

RESOLVED, that the Town Board as Commissioners of Rexford Water District No. 2, Extension No. 1, hereby approves an outside user connection to the District's facilities for property located at 966 Grooms Road, Rexford, NY and be it further

RESOLVED, pursuant to Resolution No. 208 of 2005, that the fee for connection to the facilities of the Rexford Water District No. 2 is \$800 per lateral, which fee will be used to pay down remaining bonded debt associated with the infrastructure; and be it further

RESOLVED, that the Outside User Agreement shall be assigned to the property at 966 Grooms Road, Rexford SBL: 276.-1-50, and connected to the Rexford Water District No. 2 Extension No. 1 facilities, the agreement to run with the land.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 204 of 2019, a resolution extending an Intermunicipal Agreement between the Town of Halfmoon and the Town of Clifton Park for the provision of Animal Control Service.

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

WHEREAS, pursuant to Section 119-0 of the General Municipal Law of the State of New York, the parties are authorized to enter into binding agreements for the cooperative performance of various municipal projects, contracts and functions, and

WHEREAS, the Towns of Clifton Park and Halfmoon recognize the benefit to both municipalities that arise from the cooperative provision of service to their residents, and

WHEREAS, Resolution No. 15 of 2014 authorized an agreement between the Town of Halfmoon and the Town of Clifton Park for shared services in the area of animal control, and

WHEREAS, Clifton Park and Halfmoon wish to extend an existing agreement whereby Clifton Park will provide on call and sick/vacation coverage for the Halfmoon Animal Control Department, and

WHEREAS, Clifton Park has the personnel and equipment to provide on call and sick/vacation coverage for the Halfmoon Animal Control Department; now, therefore, be it

RESOLVED, that the Town Board approves extending the Intermunicipal Agreement between the Town of Halfmoon and the Town of Clifton Park for the provision of Animal Control Services, per the attached agreement; and be it further

RESOLVED, that the Intermunicipal Agreement between the Towns of Clifton Park and Halfmoon is hereby extended for the period commencing September 1, 2019 through December 31, 2020.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 205 of 2019, a resolution authorizing the Supervisor to sign an Agreement with Brycer, LLC for a no-cost web-based tool for tracking fire and safety code compliance.

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

WHEREAS, Sheryl Reed, Fire Marshall, has requested a database for tracking periodic safety inspections, and

WHEREAS, Steven Myers, Director of Building and Development recommends that The Compliance Engine from Brycer, LLC to provide an internet-based tool to track and drive code compliance, at no cost to the town; now, therefore, be it

RESOLVED, that the Town Board hereby accepts the recommendation of Mr. Myers, and be it further,

RESOLVED, that the Supervisor is authorized to execute the attached 3-year agreement letter from Brycer, LLC, 4355 Weaver Parkway, Suite 330, Warrenville, IL 60555 at no cost to the Town.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 206 of 2019, a resolution authorizing the hiring of Emily Del Grosso and Chad Burks for the end of the 2019 Summer Recreation Full Day Summer Camps.

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

WHEREAS, vacancies in staffing were created due to employees returning to college prior to the end of the summer camp, and

WHEREAS, the Town Board wishes to maintain staffing levels for the Department of Parks and Recreation throughout 2019 Summer Recreation Full Day Camp season, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that Emily Del Grosso, 698 Tanner Road, Clifton Park, and Chad Burks, 483 Miller Road, Clifton Park, be hired to fill the vacancies; now, therefore, be it

RESOLVED, that Emily Del Grosso and Chad Burks, be hired as staff for the town's Summer Recreation Full Day Camp, retroactively effective August 19 through 23, 2019, to be paid \$9.75/hr.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 207 of 2019, a resolution authorizing Amy McGeady to serve alcoholic beverages at a gathering to be held at Collins Park on September 14, 2019.

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

WHEREAS, Amy McGeady is hosting a gathering at Collins Park and has requested permission to serve alcohol in the form of beer and wine at the event, and

WHEREAS, Amy McGeady has submitted a permit application for use of the Pavilion at Collins Park on September 14, 2019 from 2:00pm to 7:00pm for a gathering; now, therefore, be it

RESOLVED, that Amy McGeady, 3 Mystic Lane, Clifton Park, is hereby authorized to serve beer and wine at a gathering to be held at Collins Park on September 14, 2019 from 2:00pm to 7:00pm.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 208 of 2019, a resolution authorizing Ken Wei and GE Energy Consulting to serve alcoholic beverages at a gathering to be held at Collins Park on September 6, 2019.

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

WHEREAS, Ken Wei and GE Energy Consulting are hosting a gathering at Collins Park and have requested permission to serve alcohol in the form of beer and wine at the event, and

WHEREAS, Ken Wei of GE Energy Consulting has submitted a permit application for use of the Pavilion at Collins Park on September 6, 2019 from 2:00pm to 7:00pm for a gathering; now, therefore, be it

RESOLVED, that Ken Wei of GE Energy Consulting, 5 Fairhill Road, Clifton Park, is hereby authorized to serve beer and wine at a gathering to be held at Collins Park on September 6, 2019 from 2:00pm to 7:00pm.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 209 of 2019, a resolution adopting Local Law No. 7 of 2019 to repeal and replace Chapter 156 of the Town Code relative to Door-to-Door Solicitations and Peddlers Licenses.

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

WHEREAS, Chapter 156 of the Town Code provides for the issuance and administration of licenses to peddlers and door to door solicitors within the town, as authorized by Section 136 et seq. of the New York State Town Law, and

WHEREAS, on August 19, 2019, the Town Board held a public hearing on a proposal to update and modernize the chapter by increasing license fees, provide for a more comprehensive license administration system within the Town Clerk's office, and to provide an administrative appeal of license denials and revocations to the Town Board for good cause shown, and

WHEREAS, the proposal also repeals unused sections of the former chapter, updates existing provisions, and renumbers sections of the chapter, resulting in a complete rewriting of Chapter 156 of the Town Code relative to Peddling and Soliciting for commercial purposes within the town; now, therefore, be it

RESOLVED, that the Town Board hereby adopts Local Law No. 7 of 2019, pursuant to which, it is hereby

RESOLVED, that Chapter 156 of the Town Code is hereby repealed, and be it further

RESOLVED that the new Chapter 156, attached, is hereby adopted to replace the section and chapter repealed.

Town Attorney McCarthy reviewed the proposed law, noting it was more efficient to repeal the current legislation and replace with the proposed.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 210 of 2019, a resolution awarding a contract for construction management and inspection for the Sitterly Road at Woodin Road and Crossings Boulevard TIP #1759.84 Project.

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

WHEREAS, by Resolution No. 5 of 2016, the Town Board authorized the Supervisor to execute an application for “Beyond Pavement” funding for traffic and pedestrian improvements at the intersection of Sitterly and Woodin Roads, and

WHEREAS, by Resolution No. 290 of 2017, the Board authorized funding in the first instance for the Sitterly Road improvements and traffic signals improvement project, under Marchiselli funding, requiring a 20% local match, and

WHEREAS, Clifton Park has been designated as local grant administrators for the combined Sitterly Road Improvement and Traffic Signal Improvement Project, hereafter referred to as “The Project”, identified as (Capital Pin #1759.84), and

WHEREAS, the project will improve transportation and safety within the Sitterly Road Corridor for vehicles, pedestrians, and cyclists, and will be administered in partnership with the Town of Halfmoon, and

WHEREAS, by Resolution No. 206 of 2015 the Town Board awarded a contract to MJ engineering for the project, based on a solicitation for Expressions of Interest to all the engineering firms and consultants approved by New York State Department of Transportation Region 1, for the design and engineering for the project, and

WHEREAS, the Comptroller has previously established a Capital Projects Fund, H36 to account for the costs of the project, and

WHEREAS, MJ Engineering has provided a Consultant Agreement for construction inspection services in an amount not to exceed \$229,000 based on the total estimated costs of the project per NYSDOT regulations and guidelines, and

WHEREAS, the town is eligible to seek 100% reimbursement from NYS DOT for eligible Construction Inspection Costs associated with the combined project under PIN #1759.84; now, therefore, be it

RESOLVED, that the Town Board accepts the proposal from MJ Engineering, Clifton Park, NY, for construction management and inspection services for the project; and be it further

RESOLVED, that the Comptroller is directed to increase the Capital Projects Fund by \$229,000 to pay costs associated with the contract in the first instance, and be it further

RESOLVED, that the Supervisor is authorized to sign the attached contract with MJ Engineering for Construction Inspection and Estimating Services. Supervisor Barrett said there will be an extension of sidewalks, crossing pattern and new turning lanes at Sitterly and Woodin Roads, as well as traffic light improvements at Crossing Boulevard. Planning Director Scavo reported the interconnection signals operate independently based on stacking and actual traffic conditions.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 211 of 2019, a resolution authorizing the sale of equipment declared surplus by the Town Board and authorizing departments to sell the surplus equipment at public auction.

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

WHEREAS, department heads have identified vehicles/equipment per the attached, as surplus property, and

WHEREAS, based upon the recommendation of Highway Superintendent Bull and department heads, the Town Board declares the items on the attached list 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.

Highway Superintendent Bull reported the Highway Automobile Mechanics were able to save one sweeper by combining parts.

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, adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of Town business.

Motion carried at 7:53 p.m.

Patricia O'Donnell  
Town Clerk