

December 16, 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
Mark Heggen, Comptroller
Myla Kramer, Director of Parks, Recreation and Community Affairs
Steven Myers, Director of Building and Zoning

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the December 2, 2019 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATION

Supervisor Barrett noted this is the last meeting for the Town Clerk as she is retiring as of December 31, 2019.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 274 of 2019, a resolution approving a contract with New York State Electric & Gas Corporation (NYSEG) for the acquisition of streetlights within the Town and the related license and attachment agreement.

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

WHEREAS, on November 29, 2017, the Town published a Request for Proposals seeking proposals from interested entities for a performance-based energy contract to acquire existing street lighting from their respective utility company owners, and the procurement and installation necessary to upgrade all lighting fixtures to Light Emitting Diode (LED) lighting under the Town's ownership, and

WHEREAS, by Resolution No. 72 of 2018, the Town Board accepted the proposal submitted by Siemens Industry, Inc. which provides guaranteed savings from energy efficiencies resulting from the use of LED technology, reduced maintenance costs, and through the elimination of certain service and maintenance charges from existing utility owners, and

WHEREAS, Siemens Inc. has completed a field audit of all facilities owned by NYSEG within the Town, and has reconciled those findings against an inventory supplied by NYSEG, including a field determination of the type, wattage, location and pole number for each such street lighting facility per Schedule A to the attached Purchase and Sale Agreement, and

WHEREAS, the inventory results in a sale price for the existing luminaires listed in Schedule A offered to the Town by NYSEG of \$81,739 for such streetlights pursuant to regulations from the NYS Public Service Commission for the book value of such utility assets, and

WHEREAS, The Town Board wishes to purchase all streetlights owned by NYSEG within the Town pursuant to The New York State Streetlight Replacement and Savings Act, and related regulatory changes that authorized municipal acquisition of such utility owned streetlights, in order to replace and upgrade such equipment with new LED technology to achieve substantial energy savings associated with the more efficient LED lights pursuant to contract with Siemens, Inc., and

WHEREAS, NYSEG has also provided a detailed license and attachment agreement intended to govern the Town's rights and responsibilities in maintaining, replacing, and operating new LED streetlights and Nightwork Lighting Control Nodes to allow for "Smart Cities" applications and technology going forward; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute the attached for the Purchase and Sale Agreement with NYSEG for their utility-owned streetlights within the Town and related license agreement for Customer-owned Area Lighting attachments; and be it further

RESOLVED, that the Comptroller is authorized to transfer \$81,739 from A-914 (Unreserved Fund Balance) to A-5182-200 (Lighting District – Equipment) for the acquisition costs incurred by the agreement.

Supervisor Barrett noted there are a total of 620 streetlights, most of which are in National Grid service area but a few in the NYSEG area. Agreement has been approved with National Grid. See Town Board minutes of December 2nd for detailed information.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 275 of 2019, a resolution approving the provisional appointment of John DeSimone as a Building Inspector, per civil service classification, in the Building and Development Department.

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

WHEREAS, an opening exists in the Department of Building and Development for a Building Inspector due to the retirement of Derek Miller earlier this year, and

WHEREAS, the position was advertised since July 2019, and

WHEREAS, Mr. DeSimone has worked for the Town since 2005, and

WHEREAS, after interviewing Mr. DeSimone, 10 Edgewood Dr., South Glens Falls, NY, Steve Myers, Director of Building and Zoning has recommended that Mr. DeSimone fill the position of Building Inspector in the Department of Building and Development, and

WHEREAS, the appointment is provisional pending the next sitting for the civil service testing for this position; now, therefore, be it

RESOLVED, that the Town Board, hereby authorizes the transfer of John A. DeSimone, 10 Edgewood Dr., South Glens Falls, NY to fill the position of Building Inspector Grade 8, Step

2, Year 1 (\$35.86/hour - \$65,767/year) to be paid from A3620-E0275 (Building & Development), effective January 6, 2020; and be it further

RESOLVED, that all time accruals credited to Mr. DeSimone to date shall transfer to the Building and Development Department, and that Mr. DeSimone shall be credited with 25 leave with pay days for 2020.

Both Supervisor Barrett and Director of Building and Zoning Myers spoke in favor of Mr. DeSimone's appointment. Mr. Myers said it is hoped that Mr. DeSimone's training will be finished by summer.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 276 of 2019, a resolution authorizing the Supervisor to enter into a professional services agreement with Environmental Design Partnership for the preparation of a consulting services for the purpose of preparation of conceptual design of a trail connection in the Stony Creek Park District #1.

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

WHEREAS, the Town of Clifton Park has an existing trail system known as the Aspenwood Hayes Trail in Stony Creek Park District #1, and

WHEREAS, the Stony Creek Park District #1 Committee has identified a gap in the pedestrian pathway system between Mystic Lane and Thoroughbred Way, the completion of which would allow the District to meet its goal to connect all the neighborhoods on the east side of Moe Road to various destinations such as the Okte School, existing neighborhood pathways, Hayes Nature Park and destinations beyond, and

WHEREAS, in 2015, the Town of Clifton Park and the Stony Creek Park District #1 were awarded a \$12,500 County Trails Grant requiring a 50/50 match to design and construct such a route, and

WHEREAS, at its regular meeting on December 10, 2019, members of the Stony Creek Park District #1 recommended that the Town Board accept a proposal for engineering services offered by Environmental Design Partnership as outlined in the attached scope of services agreement, at a cost not to exceed \$7,500; now, therefore, be it

RESOLVED, the Town Board determines that it is in the public interest to undertake a survey and design analysis for the Mystic Lane to Thoroughbred Way connection in the Stony Creek Park District #1; and be it further

RESOLVED, that the Supervisor is authorized to execute an agreement with Environmental Design Partnership for professional design services for the trail connection between Mystic Lane and Thoroughbred Way; and be it further

RESOLVED, that the Comptroller is authorized to disperse \$7,500 for Engineering Services for the study and concept analysis for the trail connection, to be paid from SP9-7115-135 (Stony Creek I PD-Labor & Equipment-Engineering).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 277 of 2019, a resolution authorizing budget transfers for calendar year 2019 as specified in Exhibit A.

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

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 transfers specified in Exhibit A be adopted per the Comptroller's recommendations.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 278 of 2019, a resolution authorizing the Supervisor to sign contracts with 2020 subcontract hires.

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

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs has requested that the Town Board authorize certain 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 2020 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. 279 of 2019, a resolution authorizing the Clifton Park Baseball League to use Town roadways for the second annual CPBL Race to Cooperstown 5k Road Race.

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

WHEREAS, the Clifton Park Baseball League has requested the use of a portion of Clifton Common and Town of Clifton Park roadways, as specified in the attachment hereto, on Saturday, April 4, 2020 from 7:00 AM until 10:30 AM, for the purpose of holding their Race to Cooperstown 2020 5k Road Race and Kids' Fun Run, and

WHEREAS, the event has the approval of the town's Highway Superintendent, the Director of Parks, Recreation and Community Affairs, the Buildings and Grounds Supervisor, and the Public Safety Director; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the CPBL to use a portion of Clifton Common and Town roadways, as specified in the attachment hereto, April 4, 2020, for the purpose of holding the 2020 Race to Cooperstown 5k and Kids' Fun Run; and be it further

RESOLVED, that this approval is expressly conditioned upon receipt prior to March 28, 2020, in the Office of the Highway Superintendent and the Office of Parks, Recreation and Community Affairs, 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 CPBL 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.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett thanked everyone for all their efforts in 2019.

PUBLIC PRIVILEGE

No one wished to be heard.

Resolution No. 280 of 2019, a resolution recognizing Town Clerk Pat O'Donnell's retirement.

Introduced by Supervisor Barrett, seconded by the entire Town Board.

WHEREAS, Patricia "Pat" O'Donnell, a native of Mount Vernon, New York moved to Clifton Park fifty years ago and never once looked back; and

WHEREAS, Pat O'Donnell began her distinguished career in town government in the 1980's, serving first as the secretary for the Parks and Recreation Commission and later as the secretary for the Fire Advisory Board, and

WHEREAS, in 1989, Pat O'Donnell was appointed as Deputy Clerk to Town Clerk Millie Peck, the start of a new profession that would last for decades; and

WHEREAS, in 1992, Pat O'Donnell successfully sought the nomination for Clifton Park Town Clerk, won election, and has been reelected every two years since, and

WHEREAS, for over thirty years, Pat O'Donnell's smiling face has been the face of Town Hall, greeting residents when they visited the Town Clerk's office for a license, permit, or even a question about a Town service; and

WHEREAS, Pat O'Donnell has been the standard of public service, often the first person residents meet when they move into Town, with a warm welcome and willingness to fulfill any request; and

WHEREAS, Pat O'Donnell has helped to save and change lives for the better by organizing biannual blood drives at Town Hall for the American Red Cross; and

WHEREAS, Pat O'Donnell's love for the performing arts has made her a strong voice and a passionate advocate for the arts in Clifton Park, serving as a performer and driving force behind the success of the Clifton Park Community Chorus and the Not So Common Players; now, therefore, be it

RESOLVED, that I, Town Supervisor Phil Barrett and the entire Town Board on behalf of the Town of Clifton Park do hereby commend Patricia O'Donnell, our esteemed colleague and friend, for her service to the Town of Clifton Park and its residents. We are honored to have her in our community and look forward to her continued involvement toward the betterment of the Town of Clifton Park.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

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 7:40 p.m.

Patricia O'Donnell
Town Clerk