

January 21, 2020

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 Brobston

Also Present: Town Attorney McCarthy
Mark Heggen, Comptroller
Daniel Clemens, Supervisor of Buildings and Grounds
Steven Myers, Director of Building and Zoning
John Scavo, Director of Planning

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the January 6, 2020 Organizational and Regular Town Board meetings as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

PUBLIC PRIVILEGE ON RESOLUTIONS

Resolution No. 12 of 2020, a resolution supporting legislation to protect first responders from unintended consequences of NYS Bail Reform and criminal discovery changes, and in support of amendments to the radical changes to the state's criminal procedures statutes.

Introduced by Supervisor Barrett, who moved its adoption, seconded by the entire Town Board.

WHEREAS, the State of New York enacted widespread changes to the state's criminal justice system, in measures inserted into the Fiscal Year 2020 Budget bill, which eliminated a judge's discretion to set bail in a wide variety of cases including those involving dangerous crimes, and the imposition of stringent discovery mandates for police and prosecutors, and

WHEREAS, under these "Bail Reform" measures, the crimes for which judges can no longer set bail include those that result in the injury and property loss of innocent people as well as those involving making a terroristic threat, promoting child pornography and endangering the welfare of a vulnerable elderly person, releasing those accused of such crimes back into the midst of crime victims and their families, and

WHEREAS, the discovery mandates imposed by the State of New York requires that police and prosecutors turn over voluminous trial related materials to defense attorneys within 15 days of arraignment, creating a paperwork mandate which cannot be met in all cases, which will inevitably result in the inability to prosecute cases against dangerous criminal defendants, in some cases, and

WHEREAS, these sweeping changes were enacted without public hearings, without consultation among law enforcement or the judiciary, and without warning to crime victims' advocates, communities, or any other stakeholders in the Criminal Justice System, and

WHEREAS, among the unintended consequences of these sweeping changes, is a risk that home address information for firefighters, EMS workers and other first responders will be disclosed to criminal defendants in cases where they became witnesses as a result of first responder duties, and

WHEREAS, Senator James Tedisco has introduced legislation contained in Senate Bill 7280 to require that the home addresses of first responder witnesses need not be disclosed to criminal defense attorneys, absent a court order, in cases where personnel become involved as witnesses in the criminal justice process by virtue of their first responder duties and activities; now, therefore, be it

RESOLVED, that the Town Board supports Senator Tedisco's bill to protect firefighters, first responders and EMS workers from home address discovery in criminal cases, and urges passage of S-7280; and be it

RESOLVED, that the Town Board supports the amendment of New York State's Bail and Discovery Reforms through a legislative process which includes public hearings and consultation with law enforcement and the judiciary so that a fair set of reform measures can be enacted, for the benefit of crime victims, law enforcement and public safety.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Senator James Tedisco presented the Emergency First Responders Privacy and Protection Act S.7280. He explained as part of the NYS Bail Reform Law, the law also overhauled the discovery process to require an expedited timeline to provide police reports, radio transmissions, body-worn and dish-cam video, and witness names and contact information related to the prosecution of a crime to defendants within 15 days of arraignment. He explained this bill, which he authored, will protect the privacy of all emergency first responders such as firefighters and EMS workers from having their personal information shared during discovery. See attached proposed Emergency First Responders Privacy and Protection Act S.7280.

Resolution No. 13 of 2020, a resolution hiring Wild Goose Chase NE, New Lebanon, New York, to rid the Clifton Knolls ponds of Canada geese.

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

WHEREAS, the Canada geese continue to be a problem in the Clifton Knolls ponds, and

WHEREAS, the Town Board, as Commissioners of both the Clifton Knolls/Mill Creek Park District, has received a request from the Building and Grounds Department to authorize the hiring of Wild Goose Chase NE to chase the geese away before they lay their eggs, and

WHEREAS, the company utilizes border collies to herd and deter the birds until they leave, and

WHEREAS, the town has been pleased with the service and commitment of Wild Goose Chase NE and their results in keeping the areas clear of Canada geese; now, therefore, be it

RESOLVED, that the Town Board, acting as Commissioners of the Clifton Knolls/Mill Creek Park District, hereby authorizes the hiring of Wild Goose Chase NE, New Lebanon, New York, to reduce the Canada geese from taking root in the Clifton Knolls ponds at \$65 per visit and a total cost not to exceed \$7,000 for the season, to be paid from SP37131-24 (Clifton Knolls/Mill Creek Park District-Contractual-Maintenance).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 14 of 2020, a resolution hiring seasonal laborers for the Barney Road Golf Course for the 2020 season.

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

WHEREAS, the Town Board wishes to hire seasonal laborers for the season at the Barney Road Golf Course, and

WHEREAS, Daniel Clemens, Supervisor of Buildings and Grounds, has recommended that Christopher Daniels, 2C Cinnamon Dr., Ballston Lake, and Richard Stern Jr., 14 Cloverleaf Drive, Ballston Lake, be hired as laborers for the golf course; now, therefore, be it

RESOLVED, that authorization is hereby given to retain Christopher Daniels (\$13.00/hour), and Richard Stern (\$14.50/hour) as laborers for the Barney Road Golf Course, effective February 1, 2020 through the remainder of the 2020 season, to be compensated from A-7190-E4000 (Golf Course-Part-time Employee).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 15 of 2020, a resolution authorizing the hiring of a Laborer for the Buildings and Grounds Department.

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

WHEREAS, an opening exists for a Laborer in the Buildings and Grounds Department, due to the retirement of Thomas Nadler, and

WHEREAS, Daniel Clemens, Buildings and Grounds Supervisor, has recommended that Jacob Michael Palmateer, 768 Arnold Street, Ballston Spa, is qualified and should be hired to fill the full-time position; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Jacob Michael Palmateer as a Laborer for Buildings and Grounds Department at Grade 3, Step 1, \$18.87/hour, effective immediately, with an estimated amount to the end of the year of \$37,589 to be transferred from A7110-E387 (Buildings & Grounds-Thomas Nadler) to A-7110-Exxxx (Buildings & Grounds-Employee).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 16 of 2020, a resolution authorizing the purchase of replacement parts for golf course lawn mowing equipment.

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

WHEREAS, Daniel Clemens, Supervisor of Buildings and Grounds, requested authorization to purchase replacement blade cutting units for town owned mowing equipment, and

WHEREAS, Grassland Equipment & Irrigation Corporation, Troy Schenectady Road, Latham, NY, as an authorized Toro Dealer, has the replacement parts per the attached quote, at a total cost not to exceed \$7,605.53 for purchase under New York State Contract #PC68896, and

WHEREAS, Mr. Clemens has recommended the equipment be purchased from Grassland Equipment & Irrigation pursuant to the New York State Contract identified above; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor of Buildings & Grounds to purchase the lawn mowing equipment from Grassland Equipment & Irrigation Corp., in a total amount not to exceed \$7,605.53, from A-7190-200 (Golf Course-Equipment).

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett
 Noes: None

DECLARED ADOPTED

Resolution No. 17 of 2020, a resolution accepting the bid for town buildings cleaning and maintenance and to authorize the town to enter into an agreement with WJS Ultimate Cleaning & Floors for said services.

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

WHEREAS, bids for the cleaning contract for Town Hall and other town-owned facilities were solicited and opened on December 27, 2019, and

WHEREAS, WJS Ultimate Cleaning and Floors, LLC, 323 Linden Street, Schenectady, New York, submitted the low bid in an amount not to exceed \$55,252.13 for cleanings, per the attached bid documents, and

WHEREAS, Daniel Clemens, Buildings & Grounds Supervisor, recommends that WJS Ultimate Cleaning & Floors be hired as cleaners for town owned buildings; now, therefore, be it

RESOLVED, that WJS Ultimate Cleaning and Floors is awarded the bid to provide janitorial services for town owned buildings, per the attached breakdown by building, in a total amount not to exceed \$55,252.13, for cleanings beginning February 1, 2020 until January 31, 2021, to be paid as follows:

Town Hall	\$14,337.96	A-1620-23
Public Safety	\$15,440.96	A-1621-23
Sewer Building	\$ 1,102.92	G-78111-23
Buildings & Grounds	\$ 4,963.14	A-7110-23
Grooms Tavern	\$ 1,654.38	A-1627-23
Highway Dept.	\$ 5,790.33	A-5010-23
Sheriff's Dept.	\$ 1,654.38	A-1622-23
Locust Lane Clubhouse	\$ 381.78	A-1625-23
Locust Lane Maint. Bldg	\$ 1,654.38	A-1625-23
C.P. Senior Center	\$ 8,271.90	A-1624-23

and be it further

RESOLVED, that the Supervisor is authorized to sign the attached contract for cleaning services for the Town-owned facilities, as listed, and be it further

RESOLVED, that the contract may be extended upon mutual consent of the parties involved.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 18 of 2020, a resolution awarding a contract for landscape work for the Stony Creek II Park District.

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

WHEREAS, quotes were received by the Town Board, as Commissioners of the Stony Creek II Park District, for seasonal landscape work, as per the attached quote, including the Parklane Estates entrances and medians, and

WHEREAS, the lowest conforming quote for the landscaping services was submitted by GPM, 2 Progress Dr. #4398, Clifton Park; now, therefore, be it

RESOLVED, that the Town Board, as Commissioners of the Stony Creek II Park District, hereby awards the contract to GPM for landscape services in the Stony Creek II Park District, at a cost not to exceed \$15,750 for the 2020 season, to be charged from SP07120-24 (Park Lane Estates-Maintenance).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 19 of 2020, a resolution authorizing the purchase of a 7-ton equipment trailer for the Department of Buildings & Grounds.

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

WHEREAS, Daniel Clemens, Supervisor of Buildings and Grounds, requested authorization to purchase a replacement equipment trailer for one that the town has owned since 1985, and

WHEREAS, Versatile Trailer, Saratoga Road, Gansevoort, NY, provided the lowest responsive quote for the replacement trailer per the attached quote, at a total cost not to exceed \$5,116, and

WHEREAS, Mr. Clemens has recommended the equipment be purchased from Versatile Trailer; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor of Buildings & Grounds to purchase the 7-ton equipment trailer from Versatile Trailer, Saratoga Road, Gansevoort, NY, in a total amount not to exceed \$5,116, from A-7110-200 (Buildings & Grounds-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 20 of 2020, a resolution authorizing the purchase of a dump trailer for the Department of Buildings & Grounds.

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

WHEREAS, Daniel Clemens, Supervisor of Buildings and Grounds, requested authorization to purchase a dump trailer, and

WHEREAS, Outdoor Motor Sports & Trailer Sales, 3953 St. Hwy. 30, Amsterdam, NY, provided the lowest responsive quote for the replacement trailer, per the attached quote, at a total cost not to exceed \$8,299, and

WHEREAS, Mr. Clemens has recommended the equipment be purchased from Outdoor Motor Sports & Trailer Sales; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor of Buildings & Grounds to purchase a 14' 14K Big Tex scissor lift dump trailer with roll tarp from Outdoor Motor Sports & Trailer Sales, Amsterdam, NY, in a total amount not to exceed \$8,299, from A-7110-200 (Buildings & Grounds-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 21 of 2020, a resolution approving a memorandum of understanding with Northeast Organic Farming Association of Connecticut (CT NOFA) for a 30-hour NOFA accreditation course in Organic Land Care.

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

WHEREAS, the town has accepted an award for a 2019-2020 community grant from the New York State Pollution Prevention Institute in the amount of \$14,978 to provide professional education and training services for chemical and pollution free lawn care strategies, and

WHEREAS, the Town Board and G.R.E.E.N. Committee have selected CT NOFA to present a 30-hour accreditation course as part of its "Healthy Lands, Healthy Landscapes" program initiative with funding from the grant, and

WHEREAS, the Town Board wishes to enter into a memorandum of understanding with the Northeast Organic Farming Association of Connecticut for the development and presentation of an educational training course for landscape workers, companies, managers and staff to implement grant program objectives; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the attached memorandum of understanding with CT NOFA for the development and delivery of a 30 hour NOFA accreditation course in Organic Land Care, at a cost not to exceed \$14,578 to be paid from A-8055-15(G.R.E.E.N. Committee – Other Contractual).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 22 of 2020, a resolution authorizing the implementation, and funding in the first instance, 100% of the federal-aid and state "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds, therefore.

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

WHEREAS, a project for the Sitterly Road and Traffic Signal Improvements Project, Town of Clifton Park, Saratoga County P.I.N. 1757.84 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, the Town Board of Clifton Park desires to advance the Project by making a commitment of 100% of the non-Federal share of the costs of design and ROW Acquisition & Incidentals and Construction/CI; now, therefore, be it

RESOLVED, that the Town Board hereby approves the above-subject project, and it is hereby further

RESOLVED, that the Town Board hereby authorizes the payment in the first instance 100% of the federal and non-federal share of the cost of work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$253,829 is hereby appropriated from H48-7629-200 (Sitterly & Wooden Roads Traffic Improvements-Trails Contractual-Equipment) and made available to cover the cost of participation in the above phase of the Project, and it is further

RESOLVED, that in the event the full federal and non-federal share of the costs of the project exceeds the amount appropriated above, the Town Board of the Town of Clifton Park shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Supervisor be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for federal aid and/or Marchiselli Program aid on behalf of the Town of Clifton Park with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and state aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 23 of 2020, a resolution authorizing personnel from the Building & Development Department to attend the annual conferences necessary to complete New York State requirements for Code Enforcement Officers in 2020.

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

WHEREAS, conferences are designed to give their members the needed hours to complete the New York State twenty-four hours requirement for in-service education for all Code Enforcement Officers per year, in order to maintain their certification, and

WHEREAS, the Procurement Policy 10 provides that all requests to attend classes, seminars or professional conferences involving overnight stays must be approved by the Town Board, and

WHEREAS, the conferences listed on Schedule A provide the classes for the acquisition of needed credits by Building & Development Department officials, and involve overnight stays, and

WHEREAS, attendance at these seminars would provide a benefit to the residents of the town and is necessary to maintain Building & Development Department officials' credentials, and

WHEREAS, the Town Board wishes that the Building & Development Department officials attend these conferences; now, therefore, be it

RESOLVED, that the Building & Development Department is authorized to send staff to conferences, as noted on Schedule A, at a total cost not to exceed \$4,940, as budgeted from A-3620-001(Building & Development-Travel/Conferences).

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 8:20 p.m.

Teresa Brobston
Town Clerk