

September 8, 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 arrived at 7:03 PM
 Councilwoman Standaert
 Councilman Romano
 Councilwoman Walowit
 Town Clerk Brobston

Also Present: Town Attorney McCarthy
 Mark Heggen, Comptroller
 Michael O'Brien, Collection Systems Manager

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the August 17, 2020 meeting as presented.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Whalen

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATION

Supervisor Barrett offered the Platukis family the town's condolences on the passing away of Joseph Platukis, age 90, who volunteered for 16 years as a member of the Historic Preservation Committee and held numerous volunteer positions throughout the town.

Councilman Romano announced his retiring from the Town Board effective the end of September 2020. He thanked the Town Board and the constituents of Clifton Park that he has had the privilege to work for. He thanked the town employees for the quality of work they have performed and the willingness to go out of their way to help residents of the town. Mr. Romano thanked the volunteers who hold positions on committees and boards representing the town.

Supervisor Barrett thanked Councilman Romano for his long-time involvement in serving the Town of Clifton Park in many capacities for decades in the town. He is wished all the best in the future in the next chapter of his life.

Supervisor Barrett gave an update on the Sitterly Road corridor project which is moving along nicely. The intersection of Sitterly and Woodin Roads will be closed for a week starting September 21, 8:00 A.M.

Supervisor Barrett explained the two county projects that were to take place in Clifton Park this year, a traffic signal study at the intersection of Vischer Ferry and Grooms Roads and reconstruction and repaving of Main Street, Jonesville, will move forward without the offer of Clifton Park loaning the money. He stated both projects will be completed by the end of 2020.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 153 of 2020, a resolution adopting Local Law No. 6 of 2020, amending Chapters 152, 153, and 92 of the Town Code relative to the categorization of certain violations of animal control and parks laws and the resolution and acceptance of pleas for citations written by town staff for such violations.

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

WHEREAS, Chapters 152 and 153 of the Town Code, contain prohibitions against certain activities and actions within the town's parks, pools and preserves, including violations of park hours, having dogs off leash in the parks, vandalism and other actions harmful to the administration of the town's parks and public spaces, and

WHEREAS, Chapter 92 of the Town Code, authorizes the Animal Control Office to enforce certain prohibitions including those requiring dogs to be licensed, allowing dogs to be off leash, and against attacks upon another animal or person, and

WHEREAS, on August 17, 2020, the Town Board held a public hearing on a proposal to amend these chapters of the code to categorize violations of the prohibitions contained in these chapters as civil offenses and to allow for the resolution of citations written by Town Security and Animal Control staff to be resolved by mail in appropriate cases, and

WHEREAS, by Local Law No. 4 of 2019, the town amended and updated Chapter 194 of the Town Code to provide for the efficient resolution of parking violations via mail or through a web-based solution, and

WHEREAS, it is the policy of the Town Board to provide for the most efficient and least time-consuming methods for residents and visitors to Clifton Park to resolve such violations whenever possible; now, therefore, be it

RESOLVED, that the Town Board hereby adopts Local Law No. 6 of 2020, pursuant to which, it is hereby

RESOLVED, that Chapter 152 of the Town Code is hereby amended as attached, and be it further

RESOLVED, that Chapter 153, of the Town Code is hereby amended, as attached, and be it further

RESOLVED, that Chapter 92 of the Town Code is hereby amended, as attached.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 154 of 2020, a resolution appointing Keith D. Martin as an Alternate member of the Planning Board.

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

WHEREAS, a vacancy exists for an Alternate member of the Planning Board, and

WHEREAS, Keith D. Martin, 8 Wall Street - #211, Clifton Park, is recommended by the Supervisor to fill the vacant position; now, therefore, be it

RESOLVED, that Keith Martin is hereby appointed Planning Board Alternate Member for the remainder of 2020, term to expire December 31, 2020; and be it further

RESOLVED, that this appointment shall take effect immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 155 of 2020, a resolution changing the location of the September 21, 2020 Town Board meeting to the Clifton Park Senior Community Center.

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

WHEREAS, by Resolution No. 1 of 2020, the Town Office Building (Vernon Wood Memorial Town Meeting Room) was designated as the official regular meeting place for the Town Board, and the official regular meetings were established as the first, second, and third Monday of each month at 7:00 PM, and

WHEREAS, by Resolution No. 152 of 2020, the Town Board scheduled a public hearing to be held on a proposal to amend or replace the Edison Club Planned Development District, and

WHEREAS, the potential number of participants at the public hearing being held on September 21, 2020 would require more space per distancing guidelines due to COVID-19; now, therefore, be it

RESOLVED, that the location for the Town Board meeting for September 21, 2020 is hereby changed to the Clifton Park Senior Community Center at 7:00 pm to allow proper social distancing during public participation; and be it further

RESOLVED, that the Town Clerk is directed to publish notice of the change of meeting place for the September 21, 2020 Town Board meeting.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 156 of 2020, a resolution accepting the quote of M.J. Engineering and Land Surveying, P.C. for a map, plan and report for a potential extension of the Clifton Park Sewer District #2 for Tremont Estates.

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

WHEREAS, by Resolution No. 101 of 2020, the Town Board retained M.J. Engineering and Land Surveying to prepare a map, plan and report for the establishment of Clifton Park Sewer District #2 based on responses to a request for proposal, and

WHEREAS, the Town Board wishes to consider extending the Clifton Park Sewer District #2 to include the Tremont Estates neighborhood, which is not currently within any special district, and

WHEREAS, M.J. Engineering has submitted a quote of \$2,000 for engineering fees associated with the preparation of a map, plan and report necessary for a potential extension of the sewer district for Tremont Estates; now, therefore, be it

RESOLVED, that the Supervisor is authorized to accept the attached quote of M.J. Engineering and Land Surveying in an amount not to exceed \$2,000 to be paid from G11-8111-135 (CP Sewer District #2 – Sewer Contractual – Engineering).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Supervisor Barrett stated Tremont Estates has no ownership of the sewer that the town can find. He explained perhaps it was or should have been abandoned to the town years back. No definitive trail or paperwork is clear. Now that the town has established the CP Sewer System #2 and Tremont connects to that system, it would make sense to accept ownership to the sewer in that area.

Collection System Manager Michel O'Brien explained the homes are all on grinder pumps and the town has helped the residents in the past. Now is the time to include them into the new system.

Mr. O'Brien stated, pertaining to CP Sewer System #2, the sewer department has been cleaning pipes and performing general maintenance on the acute problems identified by the previous owner. The pump stations have been upgraded.

Resolution No. 157 of 2020, a resolution authorizing the Supervisor to sign permanent and temporary construction easements to National Grid for the purpose of the installation of a natural gas distribution pipeline along NYS Route 146.

Introduced by Councilman Romano, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, National Grid has advised the town of its intention to construct a new natural gas distribution line along the south side of NYS 146, from Nott Road to the new traffic circle at Rt. 146, and

WHEREAS, National Grid has requested an easement equal to .25 acres of lands east of Sterling Heights Drive for the installation and maintenance of the pipeline and related infrastructure, as depicted in the map, attached hereto as Exhibit A, along with temporary rights for construction equipment in the same vicinity during the installation project, and

WHEREAS, National Grid has offered the town the sum of \$516 in exchange for the grant of easement necessary for construction of the infrastructure at the above-referenced location, and

WHEREAS, the Town Board finds the project to be in the public interest and is working with National Grid on various aspects of the project; now, therefore, be it

RESOLVED, that the Town Board accepts National Grid's offer of compensation as indicated; and be it further

RESOLVED, that the Supervisor is authorized to execute the attached easement documents, conveying temporary and permanent rights to National Grid.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 158 of 2020, a resolution approving a memorandum of understanding with National Grid for vegetative screening and mitigation for the natural gas regulator station at the intersection of New York State Route 146 and 146A.

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

WHEREAS, in connection with National Grid’s gas pipeline project along the south side of NYS Route 146, National Grid plans to construct a natural gas regulator station in the northwest quadrant of the intersection of Routes 146 and 146A, and

WHEREAS, it is the town’s position that the visual impacts of the station should be mitigated with vegetative screening, and

WHEREAS, National Grid has offered the town the sum of \$6,490 to be used for such vegetative screening with plantings, and for the plantings design to be determined by the town, and

WHEREAS, Planning staff are in consultation with New York State Department of Transportation regarding permitting for the plantings, and

WHEREAS, the Town Board wishes to accept the National Grid proposal to permit, design and maintain the appropriate vegetative screening for the gas regulator station consistent with the surrounding environment; now, therefore, be it

RESOLVED, that the Town Board hereby accepts the sum of \$6,490 for vegetative screening of the gas regulator station at NYS Route 146 and 146A, and be it further

RESOLVED, that the Supervisor is authorized to sign the attached memorandum of understanding with National Grid to accept funding for the aesthetic mitigation according to town designs and installation; and be it further

RESOLVED, that the Comptroller is authorized to deposit the funds into A-2770 (Miscellaneous Income) with an increased budget and the corresponding expenditure shall be allocated to A-8510-90 (General Fund – Community Beautification – Trees).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 159 of 2020, a resolution hiring Michael Kelly as a Golf Course Attendant for the Barney Road Golf Course for the 2020 season.

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

WHEREAS, the Town Board wishes to hire an additional seasonal staff member for the 2020 season at the Barney Road Golf Course, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that Michael Kelly, 35 Moon Drive, Colonie, be hired to fill the position; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Michael Kelly as an attendant for the Barney Road Golf Course, effective immediately through the 2020 golf season, at \$9.75 per hour to be paid from A-7190-E4000 (Barney Road Golf – Assistants).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 160 of 2020, a resolution authorizing Paul Van Alstyne to work as a part-time armed Court Officer, as needed.

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

WHEREAS, a need exists for part-time court officers, and

WHEREAS, Paul Van Alstyne, a current part-time guard working for the town, has the necessary experience and has been recommended to fill the position; now, therefore, be it

RESOLVED, that authorization is hereby given to appoint Paul Van Alstyne as a part-time armed Court Officer at Grade 6, Step 1, to work as needed, retroactive to August 3, 2020, to be paid \$25.47/ hour from A-3120-E4030 (General Fund -Security-Part Time Court Officer).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 161 of 2020, a resolution recognizing the 200th Anniversary of our neighbor, the Town of Glenville.

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

WHEREAS, the Town of Glenville was officially established by the New York State Legislature on April 14, 1820, and the Town Board held its first meeting on January 2, 1821, and

WHEREAS, for 200 years, Glenville has shared a border with the lands now known as the Town of Clifton Park, and

WHEREAS, both towns share a similar geography, with both heavily wooded and agricultural lands including Native Americans and early American Settlers among the people who lived in this area and influence its history and culture, and

WHEREAS, in the mid-20th Century, as many United States Veterans returned from World War II, the towns experienced exponential growth and development and the population began to climb with school districts transitioning from one-room schoolhouses to centralized school districts and investments were made in public infrastructure such as sewer, water, and new town roads and highways, and

WHEREAS, the Town of Glenville has become a diverse, vibrant and growing community of nearly 30,000 residents with a great school system, recreational opportunities in its parks, and is home to the Schenectady County Airport, the 109th Air National Guard Unit and the Naval Reserves Unit, and

WHEREAS, on behalf of all residents of the Town of Clifton Park, the Town Board wishes to congratulate the Town of Glenville, and all its residents, on the bicentennial celebration; now, therefore, be it

RESOLVED, that the Town Board recognizes the Town of Glenville on the occasion of the 200th anniversary, and for making Glenville a great place to live, work and play for its residents and the Town of Clifton Park are proud to have you as a neighbor.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 162 of 2020, a resolution authorizing Kate Johnson to serve alcoholic beverages at a gathering to be held at Collins Park and Pavilion on September 19, 2020.

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

WHEREAS, Kate Johnson, 29 Northcrest Drive, Clifton Park, is hosting a gathering on September 19, 2020 from 2:00 - 6:00 P.M., and

WHEREAS, Kate Johnson has requested permission to serve alcohol in the form of beer and wine at the event; now, therefore, be it

RESOLVED, that Kate Johnson is hereby authorized to serve beer and wine at a gathering at Collins Park on September 19, 2020 from 2:00 - 6:00 P.M.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 163 of 2020, a resolution authorizing Fei Fei Huang to serve alcoholic beverages at a gathering to be held at Collins Park and Pavilion on September 11, 2020.

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

WHEREAS, Fei Fei Huang, 72 Gloucester Street, Clifton Park, is hosting a gathering on September 11, 2020 from 1:00 - 4:00 P.M., and

WHEREAS, Fei Fei Huang has requested permission to serve alcohol in the form of beer and wine at the event; now, therefore, be it

RESOLVED, that Fei Fei Huang is hereby authorized to serve beer and wine at a gathering at Collins Park on September 11, 2020 from 1:00 - 4:00 P.M.

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 COUNCILWOMAN STANDAERT TO MOVE INTO EXECUTIVE SESSION TO DISCUSS POSSIBLE LITIGATION. MOTION CARRIED AT 7:48 PM

NO ACTION TAKEN IN EXECUTIVE SESSION.

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 8:16 p.m.

Teresa Brobston
Town Clerk