

October 19, 2020

The regular meeting of the Town Board of the Town of Clifton Park was held in the Clifton Park Senior Community Center at 7:00 p.m. Supervisor Barrett presiding.

Town Clerk Brobston read the legal notice advertised in the 10/15/2020 edition of the Gazette regarding the change of address of the Town Board meeting.

Clerks note: This meeting was moved to the Senior Community Center due to the potential public participation at public presentations at this meeting and more space required per social distancing guidelines due to state requirements.

Present: Supervisor Barrett
 Councilman Whalen
 Councilwoman Standaert
 Councilman Morelli
 Councilwoman Walowit
 Town Clerk Brobston

Also Present: Town Attorney McCarthy
 Dahn Bull, Superintendent of Highways
 Mark Heggen, Comptroller
 Daniel Clemens, Supervisor of Buildings and Grounds
 John Scavo, Director of Planning
 Michael O'Brien, Collection System Manager
 Myla Kramer, Director Parks, Recreation & Community Affairs

ANNOUNCEMENTS AND COMMUNICATION

Supervisor Barrett invited residents to an 11 AM public Zoom meeting to be held tomorrow, Tuesday, October 20 on updating the town seal with the original artist Cory Kirchert. The seal was created in 1981. All are welcome to participate.

PRESENTATIONS

Elizabeth Andrus, Girl Scout Cadette, explained the process of achieving the Silver Award and her Silver Award project at the Millious Cemetery located on the south side of Clifton Park Center Road. A PowerPoint presentation was viewed of the restoration and clean-up of mowing and raking, digging, cleaning, repairing, and assembling of stone markers. She explained her project took a year for research, fundraising and the clean-up. She hired a professional restoration expert Joe Ferrannini of Grave Stone Matters. Ms. Andrus thanked the Historic Preservation Commission for a grant received for the project.

Linda Seymour, Historic Preservation Commission Chair, thanked Ms. Andrus for her hard work on the cemetery. She stated this is an on-going type of project and is the responsibility of the community to make sure these places are not forgotten. Mrs. Seymour thanked Commission members, workers, family members, Buildings & Grounds and Highway Departments and Mr. Ferrannini who came and worked on the project as well as taxpayers and Town Board members. She explained more needs to be done in this cemetery. They are also looking for help on the restoration of the Garnsey Cemetery.

Everette Noakes, Eagle Scout Troop 4042, explained his project of improving the landscaping at the Locust Lane park area. A PowerPoint presentation was viewed. His project included fencing, a perennial garden with mulch, along with picnic tables. Fundraising efforts included a plant sale. He invested over 350 hours in planning, drawings, fundraising and actual work.

John Scherer, Town Historian, authored and presented a new book "More Bits of Clifton Park History". The book is the second in this series. The book includes a lot of oral histories. Both books are on sale in the Parks and Recreation Department. Proceeds for the book sales go toward the Grooms Tavern.

William Tierney, Clifton Park Elks Exalted Ruler, explained Red Ribbon Week celebrates the oldest and largest drug prevention program. Originated in 1985 and became nationwide in 1988. The program continues today supported by the Elks by wearing the red ribbons during October representing their pledge to live drug free and to honor the sacrifice of all those individuals who have lost their lives fighting drugs of all kinds.

Supervisor Barrett presented a proposed 2021 Transfer Station plan. A PowerPoint presentation was viewed. Current situation is that the general permits continue to decline. The town subsidizes the Transfer Station approximately \$150K annually over a three-year period. Additional revenue sources include County Waste yard waste collection of \$60K, Saratoga County Recycling of \$35K, and Solar Farm lease of \$8.4K. Adjusted operating hours. Objectives include reduce operating costs, streamline operations, remove silos between town departments, invest in equipment for a larger department with budgetary savings for the town. Transfer Station Supervisor Jeff Vedder retiring. Supervisor Barrett suggested not replacing the CTS Supervisor position. Consolidating the department to come under Dan Clemens, Buildings & Grounds Supervisor. A proposed organizational chart was viewed. Department heads increase in pay. New employees would be expected to work possibly on Saturdays. Sell all permits by mail. Eliminate annual permits. New 33-gallon \$4 bag system. Open to all residents. Proposed action items were discussed.

Councilwoman Standaert questioned the work distribution for employees, the proposed individual and department titles, salary increases and current increase of workloads. Councilwoman requested more time to consider the changes.

Councilwoman Walowit stated she would like to have discussions with the departments staff.

Councilwoman Standaert questioned if residents would be spending more for the bag system.

Supervisor Barrett stated it would depend on each individual situation.

Supervisor Barrett stated he is trying to come up with ideas to change the current situation from a fiscal standpoint and improve operations.

Councilman Whalen requested more time to consider the proposal. He requested an analysis be done with the new bag system.

Discussion was held on the Transfer Station proposals. Attached. No action was taken.

Supervisor Barrett announced proposed preliminary budget adjustments as a result of the budget workshops.

Discussion was held on the preliminary budget adjustments. Attached. No action was taken.

Councilwoman Standaert, Councilwoman Walowit and Councilman Whalen requested time to review the proposed adjustments.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 196 of 2020, a resolution designating the Chauncey and Ruth Brockway House to be placed on the Clifton Park Town Register of Historic Places.

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

WHEREAS, the Historic Preservation Commission has recommended that the Chauncey and Ruth Brockway House, 589 Grooms Road, Clifton Park, (SBL: 277.-3-17), be added to the Town Register of Historic Places, and

WHEREAS, the Brockway House was built in 1837 at 589 Grooms Road, Chauncey Brockway lived there with his wife Ruth Ann (née Manning), and raised 10 children there until 1852, when they sold their farmhouse and 77-acres, when Chauncey headed west with dreams of striking it rich in the California gold fields and Ruth remained in Clifton Park, and

WHEREAS, the Brockway House was acquired by Orville and Maggie Ostrom by 1883 and remained in the Ostrom family until 1971, and

WHEREAS, the home retains some of its original features including original windows, door, chair rail, baseboard moldings, stairway, doors, and hardware still exist. A large two-story rear wing was probably added by the Ostrom family after 1883 and still has original features typical of the late nineteenth century that include oak wainscoting, door, and window frames as well as an early 20th century columned room divider, and

WHEREAS, structures placed on this register will be given historic status for purposes of town-wide recognition and as such shall be provided with appropriate marker and inclusion in a town brochure identifying all sites so designated; now, therefore, be it

RESOLVED, that the Town Board hereby adds the Chauncey and Ruth Brockway House, 589 Grooms Road, Clifton Park, to the Town Register of Historic Places.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Town Historian John Scherer and the Historic Preservation Commission Chair Linda Seymour presented the owner of the Brockway House, Raymond Marcucci, a plaque. Supervisor Barrett presented the owner with the resolution.

Resolution No. 197 of 2020, a resolution proclaiming the week of October 23-31, 2020 as Red Ribbon Week in Clifton Park.

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

WHEREAS, alcohol and drug abuse in this nation have reached epidemic stages, and

WHEREAS, it is imperative that visible, unified prevention education efforts by community members be launched to eliminate the demand for drugs, and

WHEREAS, the National Red Ribbon Campaign offers citizens the opportunity to demonstrate their commitment to drug-free lifestyles, which means no use of illegal drugs, no illegal use of legal drugs, and

WHEREAS, the National Red Ribbon Campaign will be celebrated in every community in America during Red Ribbon Week, October 23-31, and

WHEREAS, business, government, parents, law enforcement, media, medical institutions, religious institutions, schools, senior citizens, service organizations, and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying red ribbons during this week-long campaign, and

WHEREAS, the community of Clifton Park further commits its resources to ensure the success of the Red Ribbon Campaign; now, therefore, be it

RESOLVED, that the Town Board does hereby proclaim October 23-31, as Red Ribbon Week, and encourages its citizens to participate in drug prevention education activities, not only during Red Ribbon Week, but all year long, making a visible statement that we are strongly committed to a drug-free town.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 198 of 2020, a resolution scheduling a public hearing regarding the Establishment of Clifton Park Sewer District No. 2, Extension No. 1.

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

WHEREAS, by Resolution No. 120 of 2020, the Town Board established Clifton Park Sewer District No. 2, encompassing, generally, the area bounded by Huntwood Drive on the north, Westchester Drive and Grissom Drive on the south, Bonneau Road and Foxwood Drive to the west and Interstate 87 to the east, to operate and maintain sewer infrastructure and facilities abandoned to the town by the Crescent Waste Treatment Corporation, and

WHEREAS, approximately 48 residential homes within the Tremont Estates Subdivision are served by sewer infrastructure and improvements without benefit of a sewer district or extension for the maintenance or repair of main and non-privately owned infrastructure, and

WHEREAS, by Resolution No. 156 of 2020, the Town Board retained MJ Engineering to prepare a map, plan and report to determine the engineering details necessary for the establishment of an extension of Clifton Park Sewer District No. 2 to encompass the Tremont Estates area of the town, and

WHEREAS, a map, plan, and report (the "Maps and Plans") have been prepared by MJ Engineering, dated October 15, 2020, in a manner and detail as determined by the Town Board regarding the proposed sewer district, and

WHEREAS, the Map, Plan and Report has been filed in the Town Clerk's office and are available for public inspection during regular business hours, and

WHEREAS, the boundaries of the proposed district are generally described as:

Princess Pine, Bittersweet Lane, and Durham Way, as well as 3 properties on Crescent Road west of Bonneau Lane, more particularly described within the Map, Plan and Report which is on file in the Town Clerk's office and available for review and downloading at <https://cliftonpark.org/departments/sewer.html>, and

WHEREAS, the sewer system improvements proposed to be incorporated within Clifton Park Sewer District No. 2, Extension No. 1, consist of all of the pipes and conduits, pumps, pumphouses, and their related infrastructure, and parts, and apparatus, together with all interests in rights-of-way and other real property interests associated with the sewer infrastructure within the Tremont Estates Subdivision, and on and along the streets identified above, and

WHEREAS, the estimated maximum amount to be expended for the improvements, including design, construction and administrative costs, is estimated to be \$2,000, consisting of engineering costs associated with the development of the Map, Plan and Report and will be borne by the homeowners within the new extension, and

WHEREAS, the proposed method of financing the cost of the improvements consists of payment of engineering costs associated with district extension formation by the town and repayment by users through operating and maintenance charges, and

WHEREAS, the annual cost of the proposed extension to the typical property in the sewer district will consist of a \$175 annual sewer use charge to Clifton Park Sewer District No. 2, and a \$255.50 sewer charge payable to the Saratoga County Sewer District pursuant to published rates, for a total estimated annual cost to the typical property of \$430.50, and

WHEREAS, the estimated cost of the hook-up fees to the typical property for any new users within the sewer district boundaries is anticipated to be \$1,000, and

WHEREAS, grinder pumps existing within the boundaries of the new district will continue to be owned and maintained by sewer users within the district; now, therefore, be it

RESOLVED, that the Town Board will hold a public hearing to hear all persons interested in the establishment of Clifton Park Sewer District No. 2, Extension No. 1, and the maintenance and operation of the improvements and facilities existing within the boundaries of the extension as described to be held at the Clifton Park Senior Community Center, 6 Clifton Common on November 2, 2020 at 7:05 P.M.; and be it further

RESOLVED, and ordered that the Town Clerk give notice of such hearing by publishing the attached notice in the official town newspaper and by posting a copy of the attached notice on the town's official sign board not less than ten nor more than twenty (20) days before such hearing.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 199 of 2020, a resolution approving award recommendations from the Community Action Fund.

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

WHEREAS, by Resolution No. 46 of 2019, the Town Board established the Community Action Fund Committee to offer opportunities to non-profit community programs and organizations that support people of Clifton Park, and

WHEREAS, by Resolution No. 92 of 2019, the Town Board approved the criteria for selecting and granting awards, which may range from a minimum of \$250 to a maximum of \$1,000, and funding is generated by the donation of bottles and cans redeemed for a deposit, and

WHEREAS, applications for Community Action Fund grants were received by September 30, 2020 and on October 13, 2020, the Community Action Fund Committee, consisting of Supervisor Barrett and committee members Alicia Jacobs, Janine Mika, Matt Grattan and Greg Szczesny, met to review all applications and make recommendations to award the funds totaling \$15,415, and

WHEREAS, the awards will be presented at the upcoming November 2, 2020 Town Board meeting to be held at the Clifton Park Senior Community Center; now, therefore, be it

RESOLVED, that the Comptroller is authorized to increase A-2707 (Community Action Revenues) in the amount of \$15,415 and to issue checks totaling \$15,415, per the attached list, to be paid from A-7309-76 (Community Programs - Community Action Fund).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 200 of 2020, a resolution authorizing the purchase of field grooming equipment for town owned ballfields.

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

WHEREAS, the Clifton Park Baseball League has asked the Town Board to acquire field grooming equipment necessary for the efficient preparation of baseball fields for recreational league play, and

WHEREAS, Grassland Equipment & Irrigation Corporation, Troy-Schenectady Road, Latham, as an authorized Toro Dealer, has the field groomer and accessories, per the attached quote, at a total cost not to exceed \$22,893.79 for purchase under New York State Contract #PC68896, and

WHEREAS, Supervisor Barrett recommends purchase of the equipment from available state contract for possible future sale to the baseball league; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the town to purchase the field grooming equipment from Grassland Equipment & Irrigation Corp., in a total amount not to exceed \$22,893.79, from A-7112-200 (Clifton Common-Equipment), to be paid with a transfer from A-914 (Unassigned Fund Balance) to A-7112-200.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 201 of 2020, a resolution scheduling a public hearing to consider the 2021 Preliminary Budget.

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

WHEREAS, the Town Board wishes to obtain comment regarding the 2021 Preliminary Budget, and

WHEREAS, salaries of the town’s elected officials as proposed are attached; now, therefore, be it

RESOLVED, that a public hearing is hereby scheduled for Thursday, November 5, 2020 at 7:01 p.m. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, to consider the 2021 Preliminary Budget; and be it further

RESOLVED, that the Town Clerk publish appropriate notice of same.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 202 of 2020, a resolution authorizing the Town Supervisor to file commitment documents with Saratoga County for collection of the town’s share of the 2021 Sales Tax Revenues.

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

WHEREAS, the Town of Clifton Park is required to file commitment papers regarding the collection of sales tax revenue for 2021; now, therefore, be it

RESOLVED, that the Clifton Park Town Board hereby authorizes the collection of sales tax revenue, to be paid in cash for 2021, from Saratoga County; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to file the appropriate documents of commitment with Saratoga County.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 203 of 2020, a resolution allocating funds to allow for the repair/replacement of bay doors and the salt shed roof at the Highway Department facilities.

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

WHEREAS, Highway Superintendent Dahn Bull, has solicited quotes for the repair or replacement of the overhead doors for the Highway facilities, and

WHEREAS, Adirondack Overhead Door Co., Inc., 10 South Western Avenue, Queensbury, has submitted the sole responsive quote for the replacement and repairs of the door components, in an amount not to exceed \$ 19,829; now, therefore, be it

RESOLVED, that Superintendent Bull is authorized to accept a quote from Adirondack Overhead Door Co., Inc. 10 South Western Avenue, Queensbury, NY, for \$19,829 to be paid from A-5132-200 (Highway Garage-Equipment); and be it further

RESOLVED, that the comptroller is authorized to transfer \$125,000 from A-914 (Unassigned Fund Balance) to A-5132-200 (Highway Garage-Equipment) to include potential replacement of the roof of the salt shed.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 204 of 2020, a resolution declaring a public emergency pursuant to General Municipal Law Section 103(4) for a repair to a sewer main break along Route 146, and to authorize a transfer from contingency.

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

WHEREAS, on September 17, 2020, the Clifton Park Sewer Department identified a broken force main located approximately 35 feet north of Route 146 and approximately 600 feet to the east of Waite Road within the Corporate Commerce Sewer District, and

WHEREAS, repairs entailed the acquisition of an appropriate permit from NYSDOT to perform excavation along State Highway 146, and

WHEREAS, the repairs were completed on September 19, 2020 following issuance of the state permit, 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 property or the health and safety of the public, the Town Board may authorize the purchase of service, material and equipment without competitive bids, and

WHEREAS, Michael O'Brien, Collection Systems Manager, engaged Drilling Technologies Inc. for the repair work at the sewer main break on an emergency basis, pursuant to an invoice for \$14,250 dated 9/20/2020 attached, and estimates that septic services and sand invoices totaling an additional \$1,800 will be forthcoming; now, therefore, be it

RESOLVED, that the Town Board determines that the resulting damage to the sewer main break within the Corporate Commerce Sewer District, as determined on September 17, 2020, 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 the amount of \$14,250 to Drilling Technologies, Inc., from G6-8111-21 (Corporate Commerce-Emergency Repair), and be it further

RESOLVED, that the Comptroller is authorized to transfer \$16,050 from G6-915 (Corporate Commerce Sewer Fund-Fund Balance) to G6-8111-21 (Corporate Commerce-Emergency Repair) for repairs related to the September 17, 2020 sewer main break.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 205 of 2020, a resolution extending the waiver of permit fees for bars and restaurants to utilize tents and other temporary modifications to allow for outdoor seating during the Covid-19 pandemic.

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

WHEREAS, Resolution No. 116 of 2020, allowed business owners in Clifton Park a streamlined process for bars and restaurants to utilize tents and other temporary modifications to allow for outdoor seating during Phase II re-opening of the Capital Region as the area was emerging from the restrictions on economic activity imposed through Governor Cuomo's Executive Orders 202.1 et seq. related to the COVID-19 emergency through October 15, 2020, and

WHEREAS, pursuant to Executive Order 202.38, and consistent with guidance issued by the New York State Department of Health on June 4, 2020, restaurants and bars within the county were allowed to open with indoor capacity limited, and

WHEREAS, the state is still issuing executive orders containing changing rules and restrictions against operations due to New York State assessments of the COVID-19 pandemic, and

WHEREAS, the Town Board wishes to encourage business within the town and to offer assistance by streamlining local procedures to increase capacity through outdoor seating to the maximum extent practicable; now, therefore, be it

RESOLVED, that the Director of Building & Zoning is authorized to issue and extend temporary authorization for tents or canopies to enable outdoor seating capacity consistent with the New York State Fire & Building Codes, through December 31, 2020; and be it further

RESOLVED, that the permit fees for tents contained in Section 103-16 are hereby waived for existing bar and restaurant establishments through December 31, 2020.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Morelli,
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 10:00 p.m.

Teresa Brobston
Town Clerk