

November 9, 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 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
 Steven Myers, Director of Building and Zoning
 Michael O'Brien, Collection System Manager

ANNOUNCEMENTS & COMMUNICATIONS

Supervisor Barrett gave an update on cases of COVID-19 in Clifton Park.

Supervisor Barrett thanked the Saratoga County Health Department in participating with the town at the 6th public mask distribution. Masks, COVID-19 information, and hand sanitizers were distributed.

Councilman Morelli announced a live stream Veterans Day commemoration to be held on the Clifton Common at 11AM, Wednesday, November 11, 2020.

PUBLIC PRIVILEGE

Resolution No. 214 of 2020, a resolution accepting two applications for inclusion in the Conservation Easement Historic Preservation program located in Clifton Park.

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

WHEREAS, a public hearing was held on November 2, 2020 to receive public comment regarding two applications for Conservation Easements for inclusion of parcels of land located at 989 Main Street and 393 Vischer Ferry Road into the Historic Conservation Easement program in accordance with Chapter 125 of the Town Code, as amended, and

WHEREAS, the Town Board has considered the applications and the comments received; now, therefore, be it

RESOLVED, that the application for a parcel of land located at 989 Main Street, Clifton Park, owned by Greg Carioto (SBL:259.9-1-20) is hereby accepted and is granted a 25 year Conservation Easement (Historic Preservation) in accordance with the provisions of Chapter 125 of the Town Code; and be it further

RESOLVED, that the application for a parcel of land located at 393 Vischer Ferry Road, Clifton Park, owned by Melanie Stackewicz (SBL:277.5-5-1) is hereby accepted and is granted a 25 year Conservation Easement (Historic Preservation) in accordance with the provisions of Chapter 125 of the town code; and be it further

RESOLVED, that said applicants whose parcels have been granted a conservation easement shall execute an agreement provided by the Town of Clifton Park.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 215 of 2020, a resolution determining that establishment of Clifton Park Sewer District No. 2, Extension No. 1, is an unlisted action for purposes of the New York State Environmental Quality Review Act.

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

WHEREAS, the Town Board is considering the establishment of Clifton Park Sewer District No. 2 Extension No. 1, to operate, maintain, and administer sanitary sewer improvements and facilities along 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 prepared by MJ Engineering dated October 14, 2020, and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations"), the town desires to review the proposed establishment of the sewer district extension pursuant to the SEQR Act and the Regulations, and

WHEREAS, MJ Engineering has prepared an Environmental Assessment Form to classify and to assess potential impacts of the project, and

WHEREAS, the provision of sanitary sewer service to residential homes is in the public interest and is consistent with environmental policy of the Town Board as expressed in all comprehensive planning documents; now, therefore, be it

RESOLVED, by the members of the Clifton Park Town Board as follows:

1. The Town Board adopts the Environmental Assessment Form prepared by MJ Engineering as consultants on the project, and
2. The Project constitutes an "Unlisted Action" under 6 NYCRR § 617.2(ak), as it constitutes a streamlined legislative procedure only, and
3. This resolution shall take effect immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 216 of 2020, a resolution establishing the Clifton Park Sewer District No. 2, Extension No. 1, in the Treemont Estates Subdivision of Clifton Park.

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

WHEREAS, by Resolution No. 120 of 2020, the Town Board established Clifton Park Sewer District No. 2 following the abandonment of the former Crescent Waste Transportation Corp. to the town under Section 119 (3) of the NYS Transportation Corporation Laws, and

WHEREAS, the Town Board now proposes to establish the Clifton Park Sewer District No. 2, Extension No 1 (The Extension) in the Treemont Estates Subdivision, to operate and maintain existing infrastructure adjacent to facilities now operated and maintained by the new sewer district, pursuant to Article 12-A of the town law to provide for the maintenance, operation and administration of the sanitary sewer systems within the area of Princess Pine, Bittersweet Lane, and Durham Way, as well as 3 properties on Crescent Road west of Bonneau Lane, and

WHEREAS, a map, plan, and report relating the establishment of the proposed sewer district extension dated October 14, 2020, has been prepared by MJ Engineering, competent engineers licensed by the State of New York, in the manner and detail required by the Town Board, has been filed with the Town Clerk in accordance with the requirements of Article 12-A of the Town Law, and

WHEREAS, Resolution No. 198 of 2020 called a public hearing to be held on November 2, 2020 at 7:05 p.m. to hear all persons interested in this matter and to take action as required by law, and

WHEREAS, the resolution was published and posted as required by law, and

WHEREAS, a public hearing on the matter was held by the Town Board on November 2, 2020 beginning at 7:05 p.m. and the matter was fully discussed, and all interested persons were heard; now, therefore, be it

RESOLVED, that the Town Board of the Town of Clifton Park hereby determines that:

1. The notice of hearing was published and posted as required by law and is otherwise sufficient, and
2. All the property and property owners within the proposed district extension are benefited thereby, and
3. All the property and property owners benefited are included within the limits of the proposed district extension, and
4. The establishment of this Extension of sewer service is in the public interest,

and be it further

RESOLVED, that the map, plan, and report prepared by MJ Engineering and dated October 14, 2020 be adopted; and be it further

RESOLVED, that the Town Board hereby approves the establishment of the Clifton Park Sewer District No. 2, Extension No 1, as the boundaries shall finally be determined, and approves of the acceptance of the sewer system improvements and facilities as set forth in the map, plan, and report, which improvements, including acquisition of pipes, pumps and material, acquisition of lands and easements, legal and engineering fees, shall be financed through the collection of sewer district assessments as detailed in Resolution No. 198 of 2020 and the map, plan, and report, dated October 14, 2020.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 217 of 2020, a resolution appointing Sheryl Reed as a part-time Building Inspector in the Building and Development Department.

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

WHEREAS, the Department of Building and Development has requested permission to retain retired Building Inspector and Fire Marshall, Sheryl Reed on a part-time, as needed basis, due to the volume of permit review and inspection requirements in the department, and

WHEREAS, Ms. Reed has extensive experience and expertise in both the state fire and building codes as well as town code requirements; now, therefore, be it

RESOLVED, Sheryl Reed, be appointed as a part-time Building Inspector to be used approximately 2 +/- days per week as needed, to be paid from A3620-E4000 (General Fund-Building & Development-part time employee), Grade 10, Step 11, \$53.21 per hour, with an estimated cost to the end of the year of \$3,100, to be paid with a transfer from A-3620-E116 (General Fund-Building & Development-S. Reed) to A-3620-E4000 (Building & Development-part time employee), effective immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 218 of 2020, a resolution authorizing the purchase of a 3.0 cubic yard stainless steel spreader for the Department of Buildings & Grounds.

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

WHEREAS, Daniel Clemens, Buildings and Grounds Supervisor, requested authorization to purchase a stainless-steel salt spreader, and

WHEREAS, T&T Sales, Inc., 411 Old Niskayuna Road, Latham, provided the lowest responsive quote for the spreader, per the attached quote, at a total cost not to exceed \$5,488, and

WHEREAS, Mr. Clemens has recommended the equipment be purchased from T&T Sales, Inc.; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Buildings & Grounds Supervisor to purchase the 9ft., 3.0 cubic yard stainless steel spreader from T&T Sales, Inc., Latham, in a total amount not to exceed \$5,488, from A-7110-200 (Clifton Common-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 219 of 2020, a resolution declaring a public emergency pursuant to General Municipal Law Section 103(4) for a repair to playground equipment at Collins Park, and to increase the budget.

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

WHEREAS, on October 7, 2020, a high wind event classified as a derecho caused significant tree damage in Clifton Park and the Buildings & Grounds Department subsequently identified a slide unit crushed by fallen trees at the Collins Park playground and reported it to Selective Insurance Company of America, and

WHEREAS, repairs entailed the acquisition of a replacement slide and its installation, 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 or safety of the public, the Town Board may authorize the purchase of service, material and equipment without competitive bids, and

WHEREAS, Daniel Clemens, Buildings & Grounds Supervisor, contacted JK Playgrounds and Playscapes for the replacement playground equipment, pursuant to an invoice for \$5,543 dated 10/30/2020 attached; now, therefore, be it

RESOLVED, that the Town Board determines that the resulting damage to the playground equipment at Collins Park, as determined on October 7, 2020, constitutes an emergency for procurement purposes under Section 103(4) of General Municipal Law, and be it further

RESOLVED, that Mr. Clemens is authorized to purchase the replacement slide from JK Playgrounds and Playscapes, 1222 Central Street, Bristol, CT, and be it further

RESOLVED, that the Comptroller is authorized to pay the amount of \$5,543 to JK Playgrounds and Playscapes, from A-7113-200 (Collins Park-Equipment); and be it further

RESOLVED, that the Comptroller is authorized to increase revenues, A-02680 (Insurance Recoveries) and increase expenditures A-7113-200 (Collins Park-Equipment) by \$5,543.

ROLL CALL VOTE

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

DECLARED ADOPTED

Resolution No. 220 of 2020, a resolution consolidating the town Transfer Station within the Department of Buildings & Grounds, adjusting job titles and providing salary adjustments for senior staff within the department.

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

WHEREAS, with the retirement of longtime Transfer Station Supervisor Jeff Vedder, the Supervisor has proposed consolidating the Transfer Station within the Buildings & Grounds Department, and

WHEREAS, the Town Board wishes to approve adjustment in the job descriptions and chain of reporting to accomplish the re-organization, and to provide salary adjustments for staff who are assuming additional duties and responsibilities; now, therefore, be it

RESOLVED, that the Town Board hereby establishes the title of Director of Buildings, Parks & Recreation per the attached duty statement and job description, and be it further

RESOLVED, that Daniel Clemens is promoted to Director of Buildings, Parks, & Recreation, with a salary adjustment to Grade 10, Step 10, Year 3, effective November 10, 2020, and be it further

RESOLVED, that the Town Board hereby establishes the position of Transfer Station Manager pursuant to the attached duty statement and job description, and be it further

RESOLVED, that Donald McCune is promoted to Transfer Station Manager at Grade 7, Step 8, Year 3, effective November 10, 2020, and be it further

RESOLVED, that Recreation Maintenance Supervisor Kieran Lynch, is hereby promoted to Grade 8, Step 2, Year 2, pursuant to the revised duty statement and job description effective November 10, 2020, and be it further

RESOLVED, that the Motor Equipment Operator (MEO), Maintenance Mechanic and Laborer staff within the departments will report to Daniel Clemens through Kieran Lynch, as outlined in the attached organizational chart; and be it further

RESOLVED, that the total increase in salary to the end of the year shall be \$2,127 for all 3 individuals and these funds shall be transferred from A-8160-50 (General Fund-Transfer Station-Bulk Collection) to their respective lines as attached.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 221 of 2020, 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 Councilman Morelli, who moved its adoption, seconded Councilwoman Standaert.

WHEREAS, Daniel Clemens, Buildings & Grounds Supervisor, has identified vehicles/equipment per the attached, as surplus property, and

WHEREAS, based upon the recommendation of Mr. Clemens, the Town Board declares the items on the attached list as surplus; now, therefore, be it

RESOLVED, that the Town Board authorizes the Buildings & Grounds Department to sell the surplus equipment, as is, through an upcoming online public auction.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 222 of 2020, a resolution authorizing the purchase of a new CAT 938M front wheel loader for use at the Transfer Station.

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

WHEREAS, Daniel Clemens, Buildings & Grounds Supervisor, has requested authorization to purchase a new CAT 938M front wheel loader to replace an aging 1999, 938A unit whose cab has deteriorated and requires replacement, and

WHEREAS, Milton CAT, Commerce Drive, Clifton Park, has the new 938M unit and associated work tools available from New York State Contract # PC66988, for a total sale price of \$178,568, and

WHEREAS, Milton CAT's quotation includes a trade-in allowance of \$20,000 for the 1999 unit; now, therefore, be it

RESOLVED, that the Town Board declares the Transfer Station's 1999, 938A front loader unit to be surplus property and authorizes its trade-in to Milton CAT, and be it further

RESOLVED, that the Buildings & Grounds Department is authorized to purchase the new front loader unit from Milton CAT pursuant to a total contract price of \$178,568 and authorizes the Comptroller to pay \$158,568 after applying the quoted trade allowance; and be it further

RESOLVED, that the Comptroller is authorized to solicit bids to enter into a capital lease to pay for the purchase.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 223 of 2020, a resolution creating the position of Senior Center Program Coordinator for the Clifton Park Adult Community Center.

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

WHEREAS, the membership, activities and programs offered by the town's senior community center have grown exponentially since the town assumed responsibility for the center in December of 2016, and

WHEREAS, Raina Munafo, who has been responsible for the implementation of many of the center's programs since 2017, has applied for and has accepted a position with the town's Highway Department, and

WHEREAS, the Supervisor has recommended the creation of a full-time program coordinator's position to help ensure the continued growth and success of the senior center's programmatic mission, based on minimum qualifications associated with the needs of the facility; now, therefore, be it

RESOLVED, that the position of Senior Center Program Coordinator is hereby established, per the attached job description and New Position Duty Statement, provided by the Saratoga County Human Resources Department; and be it further

RESOLVED, that the position will be a competitive position per New York State Civil Service, and will be compensated at Grade 4, Steps commensurate with experience.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

John Bologna, Goldfield Lane, expressed disagreement with comments by the Governor concerning the vaccine for COVID.

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 7:55 p.m.

Teresa Brobston
Town Clerk