

TOWN OF CLIFTON PARK TOWN BOARD

September 12, 2022

The 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
Councilwoman Flood
Councilwoman Standaert
Councilman Morelli
Councilwoman Walowit
Town Clerk Brobston

Also Present: Town Attorney McCarthy
Mark Heggen, Comptroller
Matt Andrus, Information Specialist
Michael Woerner, Director of Parks, Recreation & Human Services
Daniel Clemens, Buildings, Parks & Recreation Director
Michael O'Brien, Collection System Manager

MINUTES APPROVAL

August 15, 2022 Minutes

MOTION by Councilman Morelli, seconded by Councilwoman Walowit, to remove from the table the minutes of the August 15, 2022, meeting.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

MOTION by Councilman Morelli, seconded by Councilwoman Walowit, to approve the amended August 15, 2022, meeting minutes as presented.

ROLL CALL VOTE

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

Noes: None

MOTION APPROVED

September 6, 2022 Minutes

MOTION by Councilman Morelli, seconded by Councilwoman Walowit, to approve the September 6, 2022 minutes as presented.

ROLL CALL VOTE

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

Noes: None

MOTION APPROVED

ANNOUNCEMENTS AND COMMUNICATION

Supervisor Barrett reminded residents about the upcoming Farm Fest to be held Saturday & Sunday, September 17 & 18. Additional information can be found on cliftonpark.org.

Councilwoman Flood announced the information about the Tag Sale at the Grooms Tavern are correct in the brochure, Saturday, 10am-4pm and Sunday, 10am-3pm.

PRESENTATION SARATOGA COUNTY INFRASTRUCTURE RESILIENCY REPORT

Supervisor Barrett explained, the presented report is on the Saratoga County website, as well as the Town of Clifton Park's website. Saratoga County chose SEDC to perform this report.

Dennis Brobston, SEDC President, presented the 2022 Assessment and Report, RISC Project. Mr. Brobston explained the CDRPC received a grant from the Federal Government, after COVID, to evaluate public infrastructure resiliency. He stated, Saratoga County focused on the impact to businesses and the regional economy. Focus was on what exactly happened because of COVID during service reductions on the infrastructure scope including gas, electricity, water, sewer, cell & landline, internet/cable, vehicles and trains. The deliverables were really a deeper understanding of risks and their potential impacts by business sector, leverage recent County hazard and emergency plans, projects and action items that can be pursued to improve resilience, proactive plan for identifying, communicating, and resolving issues and summary report shared with regional stakeholders. Assessments and reports are proposed to be updated each year. He explained personal resilience relies on economic continuity for employment, services, food, supplies, housing, health & safety, education and transportation. He explained the infrastructure risks varied by sector and how the impact affected their business. Observations from research and interviews were explained. Business stakeholders appreciate the opportunity to provide input, openness and interest in looking forward to solutions and opportunities, the economy is very interconnected so lasting issues can cascade, working together and improving resilience locally supports region growth, capacity building helps to improve resiliency for businesses and residents, and ongoing opportunities to expand the impact from this project. He stated over 100 projects were reviewed and prioritized, recent and current projects, resilience focus areas and capacity building opportunities. He stated regional infrastructure maps were created for RISC planning. Energy risks were reviewed.

Supervisor Barrett stated the importance of having everyone in the same place going through the process. Strengthening partnerships and increasing communication, identifying priorities and future needs, and how the energy policies of today and the future are going to affect the businesses and residents. Regular meetings and updates of the report will be necessary and important.

RESOLUTIONS

No one wished to be heard.

Resolution No. 231 of 2022, a resolution authorizing the Supervisor to sign Outside User Agreements for properties within the first phase of the Miller Road Residential Subdivision, to provide service from the Corporate Commerce Sewer District.

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

WHEREAS, the Town Board, as Commissioners of the Corporate Commerce Sewer District No. 1, has received a request to extend service to (47) residential lots out of (79) lots approved for subdivision by the Planning Board on December 11, 2018, and

WHEREAS, the real property is located outside the current service area of the Corporate Commerce Sewer District, and requires an outside user agreement for services consistent with notice to the developer, dated April 17, 2018, and

WHEREAS, the Sewer Department has determined that sufficient capacity exists within the Corporate Commerce Sewer District to provide service to the properties, and

WHEREAS, the Corporate Commerce Sewer District was established pursuant to a map, plan and report prepared by McDonald Engineering, as revised in February 2003, and

WHEREAS, some lots within the subdivision have been conveyed to buyers who have signed the agreements, while the agreement has been signed by developer Bella Homes for all remaining lots pending sale to homeowners; now, therefore, be it

RESOLVED, that the Town Board, as Commissioners of Corporate Commerce Sewer District No. 1, hereby approves an outside user connection to the District facilities for property located within the Miller Road residential subdivision on Tisdale Lane and Bismarck Lane, also known as lots (EX-27,EX-28,EX-30,EX-37,EX-45,EX46) and consecutive lots (C-1 through C-44 inclusive), as more particularly described in the attached map and description by Gilbert VanGuilder Land Surveyors, dated March 16, 2022, as revised, and be it further

RESOLVED, that the Outside User Agreement shall be assigned to all the residences to be built on the described property under the terms of the agreement, and connected to the Corporate Commerce Sewer District facilities, and be it further

RESOLVED, that the Outside User Agreements for each property on the Final Subdivision stamped plan, shall be uploaded to the file maintained in the parcel management database; and be it further

RESOLVED, that the applicable hookup fee of \$1,000 per home, will be due and payable to the Town upon application for building permits for each lot.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 232 of 2022, a resolution appointing a Hearing Officer, pursuant to Civil Service Section 75.

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

WHEREAS, on April 27, 2022, the Supervisor served a Notice of Discipline upon a Town employee, alleging incompetence arising from neglect of job duties, and

WHEREAS, on May 5, 2022, the employee so noticed served an answer, through counsel, demanding a hearing on the charges, and

WHEREAS, the Supervisor has referred the charges and the employee's demand for a hearing to the Town Board for action; now, therefore, be it

RESOLVED, that pursuant to Section 75 of the New York State Civil Service Law, the Board hereby appoints Carolyn George, Cooper Erving, as Hearing Officer to conduct a full hearing on the disciplinary charges, to make a record, and to make recommendations to the Board for disposition on the charges so made.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Councilwoman Standaert stated, when this resolution came before the Town Board for approval in June, she voted no because at that time she was not clear on the Section 75 request made by the employee was for two notices of discipline and this resolution hiring for a hearing officer is for just one notice. She has since realized this would give the employees their due process so at this time, she does support this resolution. She questioned when the second notice of discipline comes up, is there a reason why we are not consolidating it now to be more efficient.

Town Attorney McCarthy stated the notices of disciplines need to be kept separate because they are two completely different cases, factual scenarios, witnesses, etc. This one is the more substantive one that affects Town Hall. He stated it would be difficult to try the cases together.

Councilwoman Standaert questioned, when this hearing officer is done with this particular situation, will we be going through this same procedure again for the second notice of discipline?

Attorney McCarthy answered, presumably, there is always the potential that these things can be resolved before the hearing.

Councilman Morelli stated, his understanding for the second notice of decision is that one board member is allegedly involved, and one board member is a witness, so taking action on the second notice of decision would not have five board members to vote on it.

Resolution No. 233 of 2022, a resolution authorizing Town Historian John Scherer to attend the Association of Public Historians of New York State Annual Conference.

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

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

WHEREAS, Councilwoman Flood, Town Board Liaison to the Historic Preservation Commission, recommends that Town Historian John Scherer be authorized to attend the Association of Public Historians Conference in Kingston, New York, September 19-21, at a cost not to exceed \$675, and

WHEREAS, John Scherer's attendance at the Association of Public Historians Conference would confer a benefit to the Town, and

WHEREAS, Councilwoman Flood recommends that John Scherer also be allowed to attend the annual association board meeting held one day earlier on September 18, 2022; now, therefore, be it

RESOLVED, that John Scherer is authorized to attend the Association of Public Historians Conference in Kingston, New York, September 18-21, 2022, at a total cost not to exceed \$675 including registration, meals, lodging and transportation, to be paid from budget line-item A- 7510-001 (Historian-Training/Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 234 of 2022, a resolution authorizing the Supervisor to sign a Lease Agreement with De Lage Landen Financial Services, Inc. (through Electronic Business Products), for a digital copying system for use by the Town Courts.

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

WHEREAS, Town Justice Rybak has requested that a new digital printer/copier/scanner be leased for use by the Justice Court, and

WHEREAS, the proposed cost for leasing the copier has been budgeted, per the attached schedule, and

WHEREAS, quotes were received with Electronic Business Products submitting the lowest quote of \$143.24 per month, for sixty months, and

WHEREAS, the Town Board finds that the use of an installment purchase contract to finance the digital copying system is a cost-effective method of acquisition, and is authorized by General Municipal Law Section 109 (B); now, therefore, be it

RESOLVED, that the Town Supervisor is authorized to enter into a Lease Agreement with De Lage Landen Financial Services, Inc. (through Electronic Business Products), for a Lanier IM C3500 Digital Printer/Copier/Scanner System with print/scan/fax modules, for sixty (60) months, at a cost not to exceed \$143.24 per month, plus \$.0082 for black and white copies and \$.054 for color copies, to be paid from A-1110-0009 (Justice Court – Contractual – Leases/Rentals).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 235 of 2022, a resolution authorizing the purchase of a Bobcat Utility Vehicle for the Buildings and Grounds Department from Clark Equipment Co., under New York State Contract#PC69396.

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

WHEREAS, Director of Buildings, Parks, and Recreation Daniel Clemens, has requested authorization for the purchase of a utility vehicle for the Buildings and Grounds Department, per the attached, and

WHEREAS, the equipment is available under New York State Contract# PC69396, in an amount not to exceed \$20,824.60, and

WHEREAS, Mr. Clemens has recommended that the gas powered 4-wheel drive utility vehicle be purchased to best meet the needs of the Department, and

WHEREAS, the equipment is available from Clark Equipment Company, dba Bobcat Company, Govt Sales, West Fargo, ND; now, therefore, be it

RESOLVED, that the Buildings and Grounds Department is authorized to purchase one Bobcat UV34, per the attached; and be it further

RESOLVED, that the Town Board hereby authorizes the purchase under State Contract # PC69396, in an amount not to exceed \$20,824.60, to be paid with funds from A-7629-200 (Parks – Trails – Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 236 of 2022, a resolution authorizing the purchase of an equipment trailer for the Department of Buildings & Grounds.

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

WHEREAS, Daniel Clemens, Director of Buildings, Parks, and Recreation, requested authorization to purchase an equipment trailer, and

WHEREAS, Outdoor Motor Sports & Trailer Sales, 3953 St. Hwy. 30, Amsterdam, NY, provided the lowest responsive quote for the trailer, per the attached quote, at a total cost not to exceed \$9,999, 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 Director of Buildings, Parks, and Recreation to purchase a 2023 Big Tex 140A trailer from Outdoor Motor Sports & Trailer Sales, Amsterdam, NY, in a total amount not to exceed \$9,999, from A-7110-200 (Buildings & Grounds-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 237 of 2022, a resolution authorizing an agreement for the replacement of the HVAC fan coil at Town Hall by Postler & Jaeckle Corp.

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

WHEREAS, the Director of Buildings, Parks, and Recreation Daniel Clemens, requested quotes for the replacement of one fan coil unit and for the HVAC system at One Town Hall Plaza, and

WHEREAS, two quotes were received by September 6, 2022, and

WHEREAS, Postler & Jaeckle Corp Mechanical Contractors, 9 Krey Blvd. Rensselaer, NY, submitted the lowest conforming quote for the contract for a fan coil unit, in the amount of \$5,903, and

WHEREAS, Mr. Clemens recommends the project be completed by Postler & Jaeckle, as lowest quote; now, therefore, be it

RESOLVED, that the Director of Buildings, Parks, and Recreation is authorized to sign an agreement for the project in an amount not to exceed \$5,903, to be paid from A-1620-0024 (Town Hall Operations – Repair & Maintenance).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Darlene McGraw, Northpointe, would like to see the Town create a Disabilities Committee. Concerns were voiced about security issues around the community.

MOTION BY Councilwoman Walowit, seconded by Councilman Morelli to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of town business.

Motion carried at 8:08 PM.

Teresa Brobston
Town Clerk