

April 9, 2012

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.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Present: Councilman Whalen  
 Councilman Hughes  
 Councilman Romano  
 Councilwoman Walowit  
 Supervisor Barrett  
 Town Clerk O'Donnell

Also Present: Town Attorney McCarthy  
 Mark Heggen, Comptroller  
 Myla Kramer, Director of Parks, Recreation and Community Affairs  
 Barbara McHugh, Director of Community Development  
 Michael O'Brien, Collection System Specialist  
 Walter Smead, Assessor

#### ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett reported on his meeting with the Town of Ballston Town Board regarding the establishment of the Ballston Lake Water District. In attendance other than himself were Town Attorney McCarthy and representative from McDonald Engineering. The proposed water district would run from Ashdown Road to the Town of Ballston town line which includes 30 plus parcels, including residences, Ballston Lake Ambulance and Ballston Lake Fire Department. The two emergency responders have requested town water and best way to provide water is to hook into the Town of Ballston's line. The Town of Ballston agreed to sell water at their inside user rate of \$3.30 per thousand gallons which will help the district financially. The affected landowners will pay the infrastructure cost of running the water line, hooking into the water pipe with the Town of Ballston. Supervisor Barrett thanked the Town of Ballston Town Board for their support of the residents and first responder agencies.

Supervisor Barrett announced the Not So Common Players production of "Jerry's Girl's" will be presented the last two weekends in April at Shen Little Theater.

#### PRESENTATIONS TO THE BOARD

Town Historian John Scherer presented his **2011 Town Historian Report**, attached. He noted this is the 184<sup>th</sup> Anniversary of the Town of Clifton Park. Mr. Scherer reported he has been notified of two coverlets and a tablecloth for sale by an antique dealer in Vermont. The coverlets are initialed HV and dated 1819 and 1827. He said the HV stands for Helena Vischer from Vischer Ferry, born in 1805 and died 1890. Her parents were Nicholas Vischer and Katherine Van Franken. Her home still stands at Grooms Corners and is now known as King Crest Farm and owned by the Eels family. Ms. Vischer married Lansing Van Aernum who lived on Droms Road and his house is still standing as well. Mr. Scherer is hoping to purchase the three items for \$1000 which is budgeted.

Supervisor Barrett said this is a worthwhile purchase.

**Logo for Barney Road Golf Course and Passport to Nature Program.** Director of Parks, Recreation and Community Affairs, Myla Kramer, explained the students in Sallie Way's Graphic Design class were asked to develop a design for the Barney Road Golf Course. Carlie Ortega's logo was chosen for the golf course and it was decided to use another student, Miranda Joly's design for the Passport to Nature program. Both logos were displayed. Miranda Joly, in attendance this evening, explained her design and was presented with Passport to Nature commemorative pin and passport.

Ms. Kramer thanked Sallie Way and the Graphics Design class for their participation.

Ms. Kramer presented the **Passport to Nature Program**, explaining this is part nature walk and part treasure hunt. There are hidden letter boxes containing a stamp in eight locations throughout town parks and once the passport has been completely stamped, the participant will receive a commemorative pin. She commended Assistant Director of Parks and Recreation, Robin Dutcher, and town Open Space Coordinator Jennifer Viggiani, for their work on the program.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 89 of 2012, a resolution authorizing John Scherer, Town Historian, to attend the Association of Public Historians Annual Conference.

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

WHEREAS, the Director of Parks, Recreation and Community Affairs, has recommended that John Scherer, Town Historian, be authorized to attend the Association of Public Historians Conference in Hauppauge, New York, April 23 - 25, 2012, and

WHEREAS, Mr. Scherer's attendance at the Association of Public Historian's Conference would confer a benefit to the town; now, therefore, be it

RESOLVED, that John Scherer is authorized to attend the Association of Public Historians Conference in Hauppauge, New York, April 23 - 25, 2012 at a cost not to exceed \$650 for registration, lodging, meals and mileage, to be paid from budget line item A-07510-001 (General Fund-Historian-Training/Conference) with a transfer of \$50 from A-7510-015 (Historian-Other) to A-7510-001.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 90 of 2012, a resolution awarding the bid for pool chemicals for the Barney Road, Locust Lane and Burning Bush pools for the 2012 season.

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

WHEREAS, on March 7, 2012, bids were received for the above referenced contract, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has reviewed the bids and has recommended that the bid for pool chemicals for the three town pools be awarded to ESC Environmental Inc., Glenville, New York, for the following amounts:

- Sodium Hypochlorite      Small Bulk      \$0.96/Gallon
- Muriatic Acid              15 Gallon Delboy      \$3.25 Gallon
- Drum Deposit      \$20.00 ea. (Refundable)

now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid to ESC Environmental Inc., Glenville, New York, in an amount as previously stated, to be paid

from A-7150-045 (Barney Road Pool-Supplies), A7152-045 (Locust Lane Pool-Supplies) and SP5-7151-045 (Country Knolls Pool-Supplies), in accordance with the amount used at each pool.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 91 of 2012, a resolution authorizing Bruce Sutphin to attend a Certified Pool Operator Training Course.

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

WHEREAS, according to the Department of Health regulations, all municipal pools must have a Certified Pool Operator, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has requested permission to have Pool Operator Bruce Sutphin attend a course being held in Albany, NY, April 28-29, 2012, to obtain his certification as a Pool Operator, at a cost of \$305, and

WHEREAS, Bruce Sutphin's attendance at the seminar would confer a benefit to the residents of the Town of Clifton Park; now, therefore, be it

RESOLVED, that Bruce Sutphin, 5 Granada Drive, Clifton Park, is authorized to attend the course being offered by Pool Operation Management and the National Swimming Pool Foundation, April 28-29, 2012 in Albany, NY at a cost not to exceed \$305, to be paid from SP5-7152-001 (Locust Lane Pool-Training).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 92 of 2012, a resolution authorizing the hiring of new Camp Counselors and Alternates for the Full Day Camp and four Half-Day Camps for the 2012 summer season.

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

WHEREAS, it is necessary that additional Camp Counselors and Alternates be hired by the Department of Parks and Recreation for the Town of Clifton Park Summer Day Camp Program, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that the individuals listed in the attached Schedule "A" be hired; now, therefore, be it

RESOLVED, that the individuals listed in the attached Schedule "A" be hired as Camp Counselors and Alternates for the town's 2012 Day Camp Program, effective June 2 , through August 17, 2012; and be it further

RESOLVED, that the new Camp Counselors be paid as indicated on Schedule "A".

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 93 of 2012 a resolution authorizing the hiring of new Water Safety Instructors, Lifeguards and Alternates for the three town owned pools for the 2012 summer season, per Schedule "A".

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

WHEREAS, it is necessary that additional Water Safety Instructors, Lifeguards and Alternates be hired by the Department of Parks and Recreation for the 2012 season; and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that the individuals listed in Schedule "A" be hired for such purpose; now, therefore, be it

RESOLVED, that the individuals listed in Schedule "A", attached hereto, shall be hired as Water Safety Instructors, Lifeguards and Alternates for the 2012sSeason, effective May 15 through September 23, 2012.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 94 of 2012, a resolution hiring returning pool staff and returning Clifton Park Action Park staff for the 2012 summer season.

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

WHEREAS, it is necessary that additional returning staff be rehired by the Department of Parks and Recreation for the Town of Clifton Park summer season, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that the individuals listed in the attached Schedule "A" be rehired; now, therefore, be it

RESOLVED, that the individuals listed in the attached Schedule "A" be rehired as staff for the Country Knolls Pool effective May 15, 2012 through September 23, 2012 and that the additional individual listed on Schedule "A" be rehired for the Clifton Park Action Park, effective retroactive to April 3, 2012 through October 31, 2012; and be it further

RESOLVED, that the returning pool staff and action park staff be paid as indicated on Schedule "A".

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 95 of 2012, a resolution renewing Existing Term Conservation Easements pursuant to Section 125-10 Conservation Easements of the Town Code.

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

WHEREAS, the town initiated a Term Conservation Easement Program in 1996, with term easements issued with a minimum 15 year term thereafter, and

WHEREAS, the first Term Conservation Easements issued pursuant to Town Code, Chapter 125 expired in 2011, and

WHEREAS, on February 6, 2012, the Town Board adopted Local Law No. 1 of 2012 providing for the streamlining of the process for holders of existing Term Conservation Easements to re-apply for terms of their choice, and

WHEREAS, applications were received from holders of existing Conservation Easements to renew their existing Conservation Easements, and

WHEREAS, pursuant to Chapter 125-10 (C), the Town Board conducted a public hearing on April 2, 2012 to consider all applications for renewal of Term Conservation Easements, and

WHEREAS, the public was given the opportunity to speak in favor of or against the renewal of expiring Term Conservation Easements; now, therefore, be it

RESOLVED, that all expiring renewals submitted per the attached Schedule "A" are hereby renewed effective March 2, 2012 through March 1, 2026.

Town Assessor Smead said there was a return of 21 out of 27 renewal applications and noted some original holders have passed away and it was difficult to track family members to advise them of the renewal process.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 96 of 2012, a resolution authorizing the Supervisor to execute a twelve month renewal contract with Public Sector HR Consultants LLC for human resource needs.

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

WHEREAS, by Resolution No. 131 of 2011, the Town Board authorized the retention of Public Sector HR Consultants LLC (PSHRC) to provide consulting services relative to human resources and benefit administration, and

WHEREAS, PSHRC provides cost effective services and expertise in areas of personnel management, employee recruitment and training, record keeping and benefits administration; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute a twelve month renewal contract with Public Sector HR Consultants LLC at the rate of \$1000 per month, to be paid from A-1220-15 (Supervisor-Other Contractual).

Supervisor Barrett said this is a renewal and a reduction per month of the current stipend. He reported Public Sector HR Consultants have worked with the town for the past year and have completely updated the Employee Manual which will be coming out in the near future.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 97 of 2012, resolution accepting the quote of Pump Service and Supply of Troy, Inc. for the purchase of a replacement pump for the Van Patten Drive pump station.

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

WHEREAS, a need exists for a replacement pump for the Van Patten Drive pump station, and

WHEREAS, the purchase of a new pump would allow a spare power head, and

WHEREAS, quotes were received, and the lowest quote was received from Pump Service and Supply of Troy, Inc., in an amount of \$6,381, and

WHEREAS, Michael O'Brien, Collection System Manager, recommends that the quote of Pump Service and Supply of Troy, Inc. be accepted for an amount not to exceed \$6,381; now, therefore, be it

RESOLVED, that the quote of Pump Service and Supply of Troy, Inc. is hereby accepted in an amount not to exceed \$6,381 for the purchase of a pump for the Van Patten Drive pump station, to be paid from G7-8111-200 (Equipment).

Collection System Manager O'Brien explained it cost less to replace than to repair.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 98 of 2012, a resolution awarding the bid for Emergency Home Restoration Work services due to water damage.

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

WHEREAS, it is necessary to have an emergency home restoration provider/s available to the Town's Sewer Department in case of exigent circumstances, and

WHEREAS, competitive bids were opened on March 14, 2012 for services to be used by sewer districts operated by the Town of Clifton Park, and

WHEREAS, Quick Response Restoration, 2077 Route 9, Round Lake, NY was the sole bidder, and

WHEREAS, McDonald Engineering has recommended that the bid be awarded to Quick Response Restoration in order to secure the maximum availability of emergency home restoration, and

WHEREAS, per McDonald Engineering, Quick Response Restoration has performed this same work for the town on other similar projects and they are qualified to perform the work for which they bid, and

WHEREAS, Michael O'Brien, Collection System Manager, has recommended that the bid for Emergency Home Restoration Work repairs due to water damage, be awarded to Quick Response Restoration, per Schedule "A"; now, therefore, be it

RESOLVED, that the bid for Emergency Home Restoration Work for home repairs due to water damage, be awarded to Quick Response Restoration, per Schedule "A", for 2012, with an option to renew for 2013.

Collection System Manager O'Brien reported there are occasions when it is necessary to do some home repairs due to sewer problems. Quick Response was the only respondent to the bid, the town has been working with them for years, they respond quickly and have a good reputation.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 99 of 2012, a resolution awarding the bid for Emergency Utility Repair Work contract for sewer districts operated by the Town of Clifton Park.

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

WHEREAS, it is necessary to have multiple emergency sewer repair service providers available to the Town's Sewer Department in case of exigent circumstances, and

WHEREAS, competitive bids were opened on March 14, 2012 for services used by sewer districts operated by the Town of Clifton Park, and

WHEREAS, McDonald Engineering has recommended that the bids be awarded to both responsive contractors, Keller & Sons Construction and TKC Construction Services, in order to secure the maximum availability of emergency sewer repair service, and

WHEREAS, McDonald Engineering has checked the references of both contractors and has determined each to be a responsible bidder, that they have provided similar services with satisfactory results in the past to other clients, and

WHEREAS, Michael O'Brien, Collection System Manager, has recommended that the bid for Emergency Utility Repair Work for repairs of all Town Utility Repairs (Substations) operated by the Town of Clifton Park be awarded to both competitive bidders, per Schedule "A",

in order to provide options and flexibility in the case of scheduling problems or equipment problems; now, therefore, be it

RESOLVED, that the bid for Emergency Utility Repair Work of sewer districts operated by the Town of Clifton Park be awarded to multiple contractors, Keller & Sons Construction 1435 Route 9, Castleton, NY and TKC Construction Services, Thousand Oaks Park, 1166 Route 9, Gansevoort, NY per Schedule "A", for 2012, with an option to renew for 2013; and be it further

RESOLVED, that both contractors have been listed on the emergency contact sheet and any one of them may be called in the event of a sewer emergency based upon availability.

Collection System Manager O'Brien explained this bid is put out every two years to responsible contractors to be available in emergencies and has worked very well in the past. Some emergencies are more than the sewer department can handle and these contractors can take care of the problem within hours and restore service and roadway.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 100 of 2012, a resolution authorizing CERT volunteers Colleen Butler, Traci McCumber and Barbara Eisenstadt to attend the 9<sup>th</sup> Annual Institute for Disaster Mental Health Conference at SUNY, New Paltz.

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

WHEREAS, the 9<sup>th</sup> Annual Institute for Disaster Mental Health Conference sponsored by the New York State Office of Emergency Services will be held on April 20, 2012, and

WHEREAS, Barbara McHugh, Director of Community Development, has recommended that Colleen Butler, Traci McCumber and Barbara Eisenstadt be authorized to represent the Town of Clifton Park Citizen Corp/CERT program at the annual conference and

WHEREAS, attendance at these seminars provide a benefit to the residents of the town, and

WHEREAS, the total cost for all three attendees which includes a registration fee of \$95 per person and reimbursement for mileage and tolls will not exceed \$480; now, therefore, be it

RESOLVED, that authorization is given for Colleen Butler, Traci McCumber and Barbara Eisenstadt to represent the Town of Clifton Park Citizen Corp/CERT program at the 9<sup>th</sup> Annual Institute for Disaster Mental Health Conference at SUNY, New Paltz, April 20, 2012.

Director of Community Development McHugh reported there is still funding from FEMA and Homeland Security.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilman Hughes, 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 Hughes, to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of Town business.

Motion carried at 8:03 p.m.

Patricia O'Donnell  
Town Clerk