

March 21, 2016

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
Councilwoman Standaert
Councilwoman Walowit
Supervisor Barrett
Town Clerk O'Donnell

Absent: Councilman Romano

Also Present: Town Attorney McCarthy
John Scavo, Director of Planning

MOTION BY Councilwoman Walowit, seconded by Councilman Whalen, to approve the minutes of the March 7, 2016 meeting as presented.

ROLL CALL VOTE

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

Noes: None

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett reminded residents of the Bulk Waste pick up scheduled between April 18th through May 6th. He noted the town is divided into three segments for pick up and dates can be found on the town website. No hazardous waste or electronics will be accepted. He reiterated his comments from the March 14th meeting regarding the ReStore program with Habitat for Humanity.

The Supervisor announced Yard Waste pick up will begin April 4th. He asked that bags be kept out of the elements until pick up.

Supervisor Barrett commended the Shen Robotics Team on their excellent showing at the recent competition.

Councilwoman Standaert reminded residents of the Trails Cleanup Day April 16th, noting volunteers can call Town Hall to sign up.

Supervisor Barrett announced the Not So Common Players upcoming productions of *Forever Plaid* and *Marvelous Wonderettes* will be presented the weekends of April 8th and 15th.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 78 of 2016, a resolution scheduling a public hearing to consider renewing existing term easements pursuant to Section 125-10 Conservation Easements of the Town Code.

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

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 conservation easements to renew their existing conservation easements, per the attached list; and

WHEREAS, pursuant to Chapter 125-10 (C) the Town Board is required to hold a single public hearing on all applications for renewal annually, and act upon all applications for renewal of existing term conservation easements by April 10th; now, therefore, be it

RESOLVED, the Town Board hereby schedules a public hearing on April 4, 2016 at 7:05 P.M. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York, to consider all applications submitted for renewing expiring existing conservation easements, pursuant to Chapter 125-10 (C) of the Town Code; and be it further

RESOLVED, the Town Clerk is directed to publish appropriate notice of the same.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 79 of 2016, a resolution declaring the Town Board lead agency for SEQRA review for the financing, design and construction of a capital improvement project to replace and improve certain drainage infrastructure along Nottingham Way South and Barney Roads in the Town of Clifton Park.

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

WHEREAS, the Town of Clifton Park plans to complete a capital improvement project to replace an existing culvert and stormwater catch basin in-kind, along Nottingham Way South; and

WHEREAS, by Resolution No. 221 of 2015, the Town Board authorized McDonald Engineering to prepare bid documents for drainage improvement projects at Nottingham Way South and Barney Roads; and

WHEREAS, the projects are necessitated due to failing stormwater management, to improve water quality and to prevent impacts to traffic and safety; and

WHEREAS, John Scavo, Director of Planning, has recommended that both projects be classified as Type II actions under SEQRA; now, therefore, be it

RESOLVED that the Town Board declares itself lead agent pursuant to 6 NYC RR 617.3 et seq.; and be it further

RESOLVED, that the proposed drainage infrastructure projects at Nottingham Way and Barney Roads are determined to constitute Type II Actions pursuant to 6 NYC RR 617.5(c)(4) & (5) and will have no adverse environmental impact.

Supervisor Barrett explained there are three drainage projects and roads maybe closed at times. There will be notification of road closures.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 80 of 2016, a resolution appointing James P. Bridges to the Town of Clifton Park Highway Safety Committee.

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

WHEREAS, Highway Safety Committee Member Warren Shaw has relocated and resigned his membership; and

WHEREAS, James P. Bridges, 24 Sterling Heights Drive, Clifton Park, has been recommended by the Highway Safety Committee to become a member of the Committee; and

WHEREAS, Mr. Bridges' background and experience in civil and highway engineering will be an asset to the community; now, therefore, be it

RESOLVED, that the Town Board hereby appoints James P. Bridges, 24 Sterling Heights Drive, to the Town of Clifton Park Highway Safety Committee to replace and serve out the remaining term of Warren Shaw, term to expire December 31, 2017.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 81 of 2016, a resolution authorizing the Supervisor to sign a lease agreement with Fruitful Vine Christian Church for rental of the top floor of the Burning Bush Clubhouse.

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

WHEREAS, pursuant to Town Law 64 2 (a) the Town Board is authorized to lease town owned property; and

WHEREAS, Fruitful Vine Christian Church wishes to rent the top floor of the Burning Bush Clubhouse for a term of twelve (12) months, lease to expire on March 19, 2017, at an annual rent of \$21,600; and

WHEREAS, the tenant may elect to remain in possession of the property after March 19, 2017, as a month to month tenant, for up to twelve (12) consecutive months; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign the attached lease agreement with Fruitful Vine Christian Church for rental of the top floor of the Burning Bush Clubhouse, provided that the town is provided a Certificate of Insurance in the amount of \$1,000,000 naming the Town of Clifton Park as additionally insured.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

RESOLUTION NO. 82 of 2016

A BOND RESOLUTION DATED MARCH 21, 2016 OF THE TOWN OF CLIFTON PARK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$500,000 SERIAL BONDS TO FINANCE THE COST OF THE RECONSTRUCTION AND IMPROVEMENT OF STORM WATER DRAINAGE FACILITIES IN THE TOWN.

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

Section 1. The Town of Clifton Park, New York (the “Town”) is hereby authorized to undertake the reconstruction and improvement of storm water drainage facilities in the Town, including original furnishings, equipment, machinery or apparatus required in connection therewith, at an estimated maximum cost of \$500,000.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$500,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$500,000 in serial bonds (the “Bonds”) of the Town authorized to be issued pursuant to this resolution and the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty (40) years pursuant to paragraph 4 of Section 11.00(a) of the Local Finance law. The proposed maturity of the Bonds will not be in excess of five years measured from the date of the Bonds or from the date of the first bond anticipation note issued in anticipation of the Bonds, whichever date is earlier.

Section 4. Pursuant to Section 107.00(3)(1) of the Local Finance Law, no down payment is required prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is

hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution.

Section 6. The Bonds and any Bond Anticipation Notes issued in an anticipation of the Bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any Bond Anticipation Notes issued in anticipation of the Bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds and any Bond Anticipation Notes issued in anticipation of the Bonds. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to issue bonds providing for level or substantially level or declining annual debt service, is hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

Section 8. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the Town's General Fund. It is intended that the Town shall then reimburse such expenditures with the proceeds of the Bonds and bond anticipation notes authorized by this resolution and that the interest payable on the Bonds and any bond anticipation notes issued in anticipation of the Bonds shall be excludable from gross income for federal income tax purposes. This resolution is intended to constitute the declaration of the Town's "official intent" to reimburse the expenditures authorized by this resolution with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Regulation Section 1.150-2.

Section 9. The Serial Bonds and Bond Anticipation Notes authorized to be issued by this Resolution are hereby authorized to be consolidated, at the option of the Town Supervisor, the chief fiscal officer of the Town, with the serial bonds and bond anticipation notes authorized by other bond resolutions adopted by the Town Board for purposes of sale in one or more bond or note issues aggregating an amount not to exceed the amount authorized in such resolution. All matters relating to the sale of the Bonds, including the date of the Bonds, the consolidation of the Bonds and Bond Anticipation Notes with other issues of the Town, and the serial maturity of the Bonds, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

Section 10. The validity of the Bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of this resolution or a summary hereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 11. The Town Supervisor, as chief fiscal officer of the Town, is hereby authorized to enter into an undertaking for the benefit of holders of the Bonds from time to time, and any bond anticipation notes issues in anticipation of the sale of the Bonds, requiring the Town to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15(c)2-12.

Section 12. This resolution, or a summary of this resolution, shall be published in the official newspapers of the Town for such purpose, together with a notice of the Clerk of the Town in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. 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 Board hereby determines that the project authorized by this Resolution consists of the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site. Therefore, the project is a “Type II Action” under 6 NYCRR § 617.5(c)(2) and no further action under the SEQR Act and the Regulations is required.

Section 14. This Bond Resolution is not subject to a permissive referendum pursuant to Section 35.00(b)(1) of the Local Finance Law and shall take effect immediately upon its adoption.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 83 of 2016, a resolution hiring Amy Price as the Coordinator for the CPR Grant and as an instructor for advanced American Red Cross training for summer recreation staff.

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

WHEREAS, each year the Town of Clifton Park receives a CPR Grant from the New York State Office of Children and Family Services through the Saratoga Youth Bureau to hire a coordinator for the CPR Grant and as an instructor for advanced basic American Red Cross training for summer recreation staff; and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that Amy Price, 902 Solomon Avenue, Clifton Park, be hired as the coordinator for the CPR Grant and as an instructor for advanced and basic American Red Cross training for summer recreation staff; now, therefore, be it

RESOLVED, that authorization is hereby granted to hire Amy Price, 902 Solomon Avenue, as the coordinator for the CPR Grant and an instructor for advanced and basic American Red Cross training for summer recreation staff, to be paid at Grade 5, Step 5 (\$23.70 per hour) effective immediately through December 31, 2016, to be paid from A-7310-0001 (Summer Recreation-Training/Conference) and A-7320-001 (Summer Recreation Full Day – Training/Conference, and A-7309-83 (Community Programs-JR CPR Grant Expense).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 84 of 2016, a resolution authorizing the hiring of staff for the Clifton Park Action Park.

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

WHEREAS, an opening exists for an attendant for the Clifton Park Action Park; and

WHEREAS, Myla Kramer, Director of the Office of Parks, Recreation and Community Affairs, has recommended that Connor Peters, 20 Maplewood Dr., Ballston Lake, be hired to fill the position; now, therefore, be it

RESOLVED, that authorization is hereby given to hire Connor Peters, 20 Maplewood Drive, Ballston Lake, as an attendant for the Clifton Park Action Park, effective April 1, through October 31, 2016 at Step 1 (\$8.50/hour) to be paid from A-7200-E4000 (Action Park Staff).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 85 of 2016, a resolution awarding the bid for pool chemicals for the Barney Road, Locust Lane and Burning Bush pools for the 2016 season.

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

WHEREAS, on March 3, 2016, bids were received for the above referenced contract; and

WHEREAS, the Supervisor has recommended that the bid for pool chemicals for the three town pools be awarded to Surpass Chemical Co. Inc., of Albany, New York, for the following amounts:

- | | | |
|-----------------------|--------------------|-----------------|
| • Sodium Hypochlorite | Per Gallon | \$1.214 p/gal |
| • Car Boy | 5 Gallon Container | \$1.36 p/gal |
| • Muriatic Acid | Per Gallon | \$3.80 p/gal |
| • Muriatic Acid | 15 Gallons | \$1.72 p/gal |
| • Muriatic Acid | 4/1 Gallon | \$15.20 |
| • Drum Deposit | Car Boy/ 15 Gallon | \$8.00/ \$40.00 |

Now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid to Surpass Chemical Co. Inc. of Albany, New York, for an estimated cost of \$13,504.90, to be paid as follows; \$5,289.50 from line A-7150-045 (Barney Road Pool – Supplies), \$3,286.40 from line A-7152-045 (Locust Lane Pool – Supplies) and \$4,249 from line SP5-7151-045 (Country Knolls Pool – Supplies), in accordance with the amount used at each pool.

Communications and Technology Director, Dahn Bull, reported this is approximately \$3500 less than in the past.

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

Resolution No. 86 of 2016, a resolution authorizing the hiring of summer staff for the Parks and Recreation Department.

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

WHEREAS, an additional staff member is required to staff the Office of Parks and Recreation during the summer months; and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that MacKenzie Woods, 26 Garrison Lane, Ballston Lake, be hired as a summer office staff member; now, therefore, be it

RESOLVED, that the Director of Parks, Recreation and Community Affairs is hereby authorized to hire MacKenzie Woods as a member of the summer office staff, effective April 11, through August 5, 2016, at Grade 1, Step 1, \$14.49 per hour, to be paid from A7021-E4000 (Parks and Recreation-Administration).

ROLL CALL VOTE

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

Noes: None

Absent: Councilman Romano

DECLARED ADOPTED

PUBLIC PRIVILEGE

No one wished to be heard.

MOTION by Councilwoman Walowit, seconded 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 7:46 p.m.

Patricia O'Donnell
Town Clerk