

April 18, 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
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
Jennifer Viggiani, Open Space Coordinator

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the April 4 and 11, 2016 meetings 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 congratulated the Not So Common Players on a successful run.

The Supervisor thanked the over 350 people who volunteered for the annual Spring Cleanup of trails and parks, including Boy Scouts, Girl Scouts, corporate teams and neighborhood organizations.

Councilwoman Standaert thanked Supervisor Barrett and Dahn Bull for their work and Open Space Coordinator Jen Viggiani for their help in coordinating the event.

Supervisor Barrett reminded residents of the May 1st Shredding Day from 1–3 p.m. and reported Bulk Waste pickup is underway.

The Supervisor reported Home Rule legislation has been submitted to the Assembly and Senate with the hope that the town will take ownership of Kinns Road Park in the near future.

PRESENTATION BY OPEN SPACE COMMITTEE

David Miller, Co-Chair of Open Space Committee, thanked the Town Board for support of the Open Space Committee vital programs and specifically Jennifer Viggiani for her dedication. He acknowledged committee members in the audience this evening. He presented "A Vision for Clifton Park's Open Space: 2025, attached. Open Space Day is scheduled for May 14th. Supervisor Barrett and Mr. Miller commended Eagle Scout Chris Bell on the open space website he created as part of his Eagle Scout project.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 101 of 2016, a resolution hiring returning Camp Counselors for the 2016 full day and four half day Summer Day Camp Programs.

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

WHEREAS, it is necessary that returning staff be rehired by the Department of Parks, Recreation for the Town of Clifton Park Summer Day Camp Programs; 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 Town’s 2016 Day Camp Programs, effective May 30th through August 19, 2016; and be it further

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 102 of 2016, a resolution authorizing Tim Ward and “Dig Deep” to serve alcoholic beverages at a fundraising event to be held at Veteran’s Memorial Park on August 27, 2016.

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

WHEREAS, Tim Ward and “Dig Deep, Inc.” are hosting a fundraising softball tournament on August 27, 2016 from 1:30 P.M to 7:30 P.M.; and

WHEREAS, it is the town’s policy to require the using group to monitor the consumption of alcohol and be responsible for the group’s activities, and

WHEREAS, Tim Ward has requested permission to serve alcohol in the form of beer and wine at the event; now, therefore, be it

RESOLVED, that Tim Ward and “Dig Deep, Inc.” are hereby authorized to serve beer and wine at a fundraising softball tournament at Veteran’s Memorial Park on August 27, 2016 from 1:30 P.M. to 7:30 P.M., contingent upon the provision of a certificate of liability insurance naming the town as an additional insured and in a coverage amount acceptable to the town.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 103 of 2016, a resolution authorizing Alex Lushpinsky and the Clifton Park-Halfmoon Emergency Corps to serve alcoholic beverages at a fundraising event to be held at Collins Park pavilion on May 15, 2016.

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

WHEREAS, Alex Lushpinsky and the Clifton Park-Halfmoon Emergency Corps are hosting a gathering on May 15, 2016 from 12:00 P.M to 4:00 P.M.; and

WHEREAS, Alex Lushpinsky has requested permission to serve alcohol in the form of beer and wine at the event; and

WHEREAS, it is the town's policy to require the using group to monitor the consumption of alcohol and be responsible for the group's activities; now, therefore, be it

RESOLVED, that Alex Lushpinsky and the Clifton Park-Halfmoon Emergency Corps are hereby authorized to serve beer and wine at a gathering at Collins Park Pavilion on May 15, 2016 from 12:00 P.M. to 4:00 P.M., contingent upon the provision of a certificate of liability insurance naming the town as an additional insured and in a coverage amount acceptable to the town.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 104 of 2016, a resolution authorizing Michael Glasser and Larry Zotzman to serve alcoholic beverages at a fundraising event to be held at Collins Park Pavilion on June 12, 2016.

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

WHEREAS, Michael Glaser and Larry Zotzman are hosting a gathering on June 12, 2016 from 12:00 P.M to 5:00 P.M., and

WHEREAS, Michael Glasser and Larry Zotzman have requested permission to serve alcohol in the form of beer and wine at the event;

WHEREAS, it is the town's policy to require the using group to monitor the consumption of alcohol and be responsible for the group's activities; now, therefore, be it

RESOLVED, that Michael Glasser and Larry Zotzman are hereby authorized to serve beer and wine at a gathering at Collins Park pavilion on June 12, 2016 from 12:00 P.M. to 5:00 P.M., contingent upon the provision of a certificate liability insurance naming the town as an additional insured and in a coverage amount acceptable to the town.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 105 of 2016, a resolution authorizing the hiring of Camp Counselors and Alternates for the Full Day Camp and four Half-Day Camps for the 2016 Summer Season.

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

WHEREAS, it is necessary that new camp counselors and alternates be hired by the Office of Parks and Recreation for the Town of Clifton Park Summer Day Camp Programs; 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 2016 Day Camp Programs, effective May 30, 2016 through August 19, 2016; and be it further

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

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 106 of 2016, a resolution authorizing the hiring of summer help for the Buildings and Grounds Department.

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

WHEREAS, Michael Handerhan, Buildings and Grounds Supervisor, has identified a need for summer help to work in the Buildings and Grounds Department; and

WHEREAS, Michael Gillooley, 67 Esopus Drive, Clifton Park, has been recommended to fill the position; now, therefore, be it

RESOLVED, that Michael Gillooley is hired as part of the summer Buildings and Grounds staff for the summer of 2016, at \$9 per hour, to be paid from A7110-E4000 (Buildings and Grounds-summer hire), effective immediately.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 107 of 2016, a resolution authorizing Town Historian John Scherer to attend the Association of Public Historians Annual Conference.

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

WHEREAS, the Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that Town Historian John Scherer be authorized to attend the Association of Public Historians Conference in Syracuse, New York, September 15-17, 2016, at a cost not to exceed \$675.50; and

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

RESOLVED, that Town Historian John Scherer is authorized to attend the Association of Public Historians Conference in Syracuse, New York, September 15-17, 2016, at a cost not to exceed \$675.50 including registration, meals, lodging and transportation, to be paid from budget line item A-7510-001 (Historian-Training/Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 108 of 2016, a resolution authorizing notice to be served and a public hearing scheduled regarding the unsafe townhouse structure at 30B Woodcliffe Drive, Clifton Park, NY (Tax Parcel 265.19-1-28.1) owner of record, Joel Ross, deceased.

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

WHEREAS, Chapter 77 of the Town Code provides that the Town Board may order, after notice and hearing, the entry and remediation of an unsafe building or structure, upon a finding of dangerous conditions which pose an imminent danger to the health, safety or welfare of the public; and

WHEREAS, the Building Inspector has reported that the townhouse structure at 30B Woodcliffe Drive has become abandoned and has suffered structural damage, including openings which allow rodent infestation and internal water damage which will lead to unsafe mold, infestation, odors and a threat to health and safety of the immediate neighbors if left unattended; and

WHEREAS, the Town Board accepts the Building Inspector's report, dated April 11, 2016, pursuant to Chapter 77-4 of the Town Code, and hereby schedules a public hearing pursuant to Chapter 77-6 E of the code, to hear allow interested parties to show cause why an order of entry and repair should not be issued, and to determine such facts regarding the building and ownership thereof; now, therefore, be it

RESOLVED, that the owners of 30B Woodcliff Drive are hereby ordered to show cause at a hearing before the Town Board on May 2, 2016, at 7:05 PM in the Wood Memorial Meeting Room in the Clifton Park Town Hall why the townhouse at that location should not be entered, and water damage, structural damage, mold and mildew remediated within 30 days of service of the notice contained in Exhibit "A" ,with all costs assessed against the property pursuant to Chapter 77-11 of the Town Code; and be it further,

RESOLVED, that the Building Inspector is directed to serve the attached notice pursuant to Chapter 77-9 of the Town Code, and to file such notice with the Saratoga County Clerk; and be it further

RESOLVED that a public hearing is hereby scheduled for May 2, 2016, at 7:05 P.M. in the Wood Room, Clifton Park Town Hall, pursuant to Chapter 77 of the Town Code; and be it further

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

Supervisor Barrett noted since this is an attached unit, there is concern for the adjoining home. He said Director of Building and Development Myers will be at the public hearing to review the situation and give an update.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 109 of 2016, a resolution awarding a bid to complete a capital improvement project to replace an existing culvert and stormwater catch basin in-kind, along Nottingham Way South, and to create Capital Projects Fund 844.

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

WHEREAS, by Resolution No. 79 of 2016, the Town Board took lead agency status and declared proposed drainage infrastructure projects at Nottingham Way and Barney Roads to be an unlisted action pursuant to SEQRA, and issued a negative declaration regarding the same; and

WHEREAS, John M. McDonald Engineering has prepared bid documents for drainage improvement projects at Nottingham Way and Barney Road; and

WHEREAS, bids were received and opened April 11, 2016; and

WHEREAS, the low bidder for the contract was Rifenburg Construction, Inc., in the amount of \$106,750 for the correction of drainage issues at Nottingham Way; and

WHEREAS, McDonald Engineering has checked the references of Rifenburg Construction, Inc. on other similar projects and finds that they are qualified to perform the work for which they bid, and recommends the town award the contract to Rifenburg Construction, Inc.; now, therefore, be it

RESOLVED that the bid to repair and replace the Nottingham Way culvert is hereby awarded to Rifenburg Construction, Inc. of Troy, New York, in an amount not to exceed \$106,750 to be funded with bond proceeds from the Capital Projects Fund (H44-2016 Drainage Projects); and be it further

RESOLVED that the Supervisor is authorized to execute contract documents consistent with the bid documents.

Supervisor Barrett noted there will be traffic disruptions due to cutting across the roads but there will be signage and press alerts. The civic associations and park districts will be notified. The Supervisor stated if these repairs are not done, sink holes could occur.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 110 of 2016, a resolution awarding a bid to complete a capital improvement project to replace an existing culvert and stormwater catch basin in-kind, along Barney Road.

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

WHEREAS, by Resolution No. 79 of 2016, the Town Board took lead agency status and declared proposed drainage infrastructure projects at Nottingham Way and Barney Road to be an unlisted action pursuant to SEQRA, and issued a negative declaration regarding the same; and

WHEREAS, John M. McDonald Engineering has prepared bid documents for drainage improvement projects at Nottingham Way and Barney Roads; and

WHEREAS, bids were received and opened April 11, 2016; and

WHEREAS, the low bidder for the contract was Pollard Excavating, Inc., in the amount of \$91,583 for the correction of drainage issues at Barney Road; and

WHEREAS, McDonald Engineering has checked the references of Pollard Excavating, Inc. on other similar projects and finds that they are qualified to perform the work for which they bid, and recommends the town award the contract to Pollard Excavating, Inc.; now, therefore, be it

RESOLVED that the bid to repair and replace the Barney Road culvert is hereby awarded to Pollard Excavating, Inc. of Altamont, New York, in an amount not to exceed \$91,583 to be funded with bond proceeds from the Capital Projects Fund (H44-2016 Drainage Projects); and be it further

RESOLVED that the Supervisor is authorized to execute contract documents consistent with the bid documents.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 111 of 2016, a resolution authorizing the Receiver of Taxes and Assessments to attend the New York State Association of Tax Receivers and Collector's Seminar.

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

WHEREAS, Christine Pagniello, Receiver of Taxes & Assessments, has requested permission to attend the New York State Association of Town's Tax Collector's Seminar to be held at the High Peaks Resort in Lake Placid, New York, June 12-15, 2016, at a cost not to exceed \$721; and

WHEREAS, the amount has been budgeted for 2016 in budget line item A-1330-1 (Tax Collector Travel & Conferences); and

WHEREAS, attendance at the seminar would confer a benefit to the town's citizens; now, therefore, be it

RESOLVED, that Christine Pagniello, Receiver of Taxes & Assessments, is hereby authorized to attend the Tax Collector's Seminar in Lake Placid, New York from June 12-15,

2016, at a cost not to exceed \$721, includes registration fee, lodging and meals, to be vouchered appropriately, and to be paid from budget line item A-1330-1 (Tax Collector Travel & Conferences).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 112 of 2016, a resolution approving a Memorandum of Agreement between the Town and CSEA, expanding health coverage to employees pending NYS disability retirement determinations.

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

WHEREAS, by Resolution No. 213 of 2011, the town and CSEA, Inc. approved an agreement which provided for the consolidation of the town’s health insurance offering to a High Deductible HMO Plan through CDPHP; and

WHEREAS, the contract amendment also extended health insurance benefits to employees who had been determined to be eligible for disability retirement by the NYS Retirement System; and

WHEREAS, the Town Board recognizes that application for NYS Disability Retirement can take several months for resolution, and wishes to extend coverage to long time employees who may face a gap in coverage under certain terms and conditions; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the attached Memorandum of Agreement with CSEA, Inc. which will provide for the extension of health insurance benefits to employees with 10 years of service and at least 500 hours of sick time accrued as of the last day of work, upon execution by the town and by CSEA; and be it further

RESOLVED, that the agreement will be effective upon execution by both parties to the Agreement.

Supervisor Barrett explained this will avoid a possible gap in health care coverage while someone is waiting their disability designation from NY State. He said we don’t want to leave any employees in the lurch.

ROLL CALL VOTE

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

Noes: None

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 7:55 p.m.

Patricia O'Donnell
Town Clerk