

May 9, 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  
Michael Handerman, Supervisor of Buildings and Grounds  
Steven Myers, Director of Building and Zoning

**ANNOUNCEMENTS AND COMMUNICATIONS**

Supervisor Barrett announced the Clifton Park Community Chorus will be performing May 13<sup>th</sup> at Immaculate Conception Church in Glenville and on May 15<sup>th</sup> at Shenendehowa Methodist Church.

Councilman Romano reviewed events planned for Open Space Day on May 14<sup>th</sup>.

Councilman Whalen announced May 21<sup>st</sup> is Historic Preservation Day with various demonstrations in the Grooms Tavern from 11 am – 3 pm.

**PRESENTATION HISTORIC PRESERVATION AWARD**

Resolution No. 120 of 2016, a resolution announcing the 2016 Historic Preservation Annual Award.

Introduced by Supervisor Barrett, who moved its adoption, seconded by the entire Town Board.

WHEREAS, the Historic Preservation Commission annually presents an award to owners of residential and commercial structures that exemplify the commission's desire to preserve and protect our town's unique heritage; and

WHEREAS, the structure located at 357 Riverview Road in Rexford was built in 1787 and has served the local community for over two centuries, being recently severely damaged by fire in 2013; and

WHEREAS the property is currently the home of the Vischer Ferry General Store, the building being owned by Paul and Joanne Coons, Karan and George Donohue and Louise and Thomas McManus and the business being owned and operated by Louise McManus and Anouk Booneman; and

WHEREAS the owners of the building have meticulously saved and beautifully restored the original elements of this historic structure; now, therefore, be it

RESOLVED, that the Historic Preservation Commission and Clifton Park Town Board hereby award the 2016 Historic Preservation Award to Paul and Joanne Coons, Karan and George Donahue and Louise and Thomas McManus for their efforts in preserving and protecting the property located at 357 Riverview Road and helping to ensure protection of our town's heritage.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Councilman Whalen introduced Historic Conservation Commission members in attendance and Town Historian John Scherer. Mr. Scherer reviewed the history of the Vischer Ferry General Store and commended the Coons, Donohues and McManus for the dedication in rehabilitating the store and bringing it to what it is today.

Resolution No. 121 of 2016, a resolution designating the Cyrus Clark House to be placed on the Clifton Park Town Register of Historic Places.

Introduced by Supervisor Barrett, who moved its adoption, seconded by the entire Town Board.

WHEREAS, the Historic Preservation Commission has recommended that the Cyrus Clark House, 418 Vischer Ferry Road, Rexford, (SBL 288.-1-6.12), be added to the Town Register of Historic Places; and

WHEREAS, the Cyrus Clark house was built around 1843 by Cyrus and Nancy Clark who relocated to Clifton Park from Hardwick, Massachusetts; and

WHEREAS the couple raised five children on the farm which was once more than 100 acres and members of the Clark family resided in the home until 1922; and

WHEREAS, there is a rich historical heritage of the Clark family homestead captured in family photos, diaries, family interviews and antique furniture that has been donated to the town; and

WHEREAS, structures placed on this register will be given historic status for purposes of town-wide recognition and as such shall be provided with appropriate marker and inclusion in a town brochure identifying all sites so designated; now, therefore, be it

RESOLVED, that the Town Board hereby adds the Cyrus Clark House, 418 Vischer Ferry Road, Rexford, to the Town Register of Historic Places.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Town Historian Scherer reviewed the history of the Cyrus Clark House, noting many of the original elements have been kept. He reported the town now has some of the furnishings that were in the house; e.g. the 1810 grandfather clock that was acquired from a descendent in Connecticut and is now in Grooms Tavern, Victorian Parlor furnishings also in Grooms Tavern and original wedding invitations of the family now at the Library Mr. Scherer commended Paul Sczcesny commended for his great care of the house.

Councilman Whalen thanked member of the Historic Preservation Commission for their work, as well those whose properties have been recognized this evening.

Joann Coons thanked the town for the Historic Conservation Easement program. Supervisor Barrett responded this program gives historic home owners a bit of financial relief in restoring the properties.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 122 of 2016, a resolution proclaiming the month of May as Historic Preservation Month in the Town of Clifton Park.

Introduced by Councilman Whalen, who moved its adoption, seconded by the entire Town Board.

WHEREAS, local historic preservation is an effective tool for revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for the Town of Clifton Park as it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS the town encourages homeowners to preserve historically significant properties through participation in the town's Historic Preservation Easement Program; and

WHEREAS, the Town of Clifton Park Historic Preservation Commission is hosting the second annual Historic Preservation Day on May 21, 2016; and

WHEREAS, the Clifton Park community continues to demonstrate its commitment to preservation as it grows and develops, through the efforts of its individual citizens and community groups such as the Historic Preservation Commission which nominates historically significant properties for inclusion on the town's Historic Register now, therefore, be it

RESOLVED that the Town of Clifton Park proclaims May 2016 as Historic Preservation Month.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 123 of 2016, a resolution appointing Linda Seymour to the Historic Preservation Commission.

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

WHEREAS, an opening exists for a member to the Historic Preservation Commission; and

WHEREAS, Councilman James Whalen, Historic Preservation Commission Liaison, has recommended that Mrs. Seymour be appointed to the Historic Preservation Commission; now, therefore, be it

RESOLVED, that Linda Seymour, 7 Nadler Road, Clifton Park, is hereby appointed to the Historic Preservation Commission to serve at the pleasure of the Town Board.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 124 of 2016, a resolution authorizing the issuance of a Mass Gathering Permit to Shmaltz Brewing Company for an event to be held to celebrate the 3<sup>rd</sup> Anniversary of the operation of the brewery.

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

WHEREAS, Shmaltz Brewing Company has requested that the town issue a mass gathering permit for a party to be held at the brewery located at 6 Fairchild Square to celebrate the 3<sup>rd</sup> Anniversary of the operation of the brewery; and

WHEREAS, the celebration will be held on Saturday, June 25, 2016, from 1:00 P.M. to 5:00 P.M., with attendance estimated at 500± people in attendance; and

WHEREAS, a one day permit was issued to the brewery by the New York State Liquor Authority; and

WHEREAS, Section 64-3 of the Town Code requires a mass gathering permit for one day events where admission is charged; and

WHEREAS, the town has been provided with information concerning this activity; and

WHEREAS, the town has been named as an additional insured on the required insurance policy; now, therefore, be it

RESOLVED, that the Town Board is satisfied with the information provided and that the proposed public assemblage will have no effect upon the public health, safety and welfare of the people and property of the Town of Clifton Park; and be it further

RESOLVED, that the Town Board hereby directs that a permit be issued to Shmaltz Brewing Company to celebrate the 3<sup>rd</sup> Anniversary of the opening of the brewery, celebration to take place on June 25, 2016 from 1:00 P.M. to 5:00 P.M..

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 125 of 2016, a resolution authorizing alcoholic beverages to be served at a family gathering to be held at Collins Park pavillion on June 25, 2016.

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

WHEREAS, Sheila Barkevich and Lisa DiAcetis are hosting a gathering on June 25, 2016 from 3:00 P.M to 7:00 P.M., and

WHEREAS, a request has been received for permission to serve alcohol in the form of beer and wine at the event; now, therefore, be it

RESOLVED, that Sheila Barkevich and Lisa DiAcetis are hereby authorized to serve beer and wine at a gathering at Collins Park pavillion on June 25, 2016 from 3:00 P.M. to 7:00 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 Attorney.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 126 of 2016, a resolution authorizing alcoholic beverages to be served at a family gathering to be held at Collins Park pavillion on June 19, 2016.

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

WHEREAS, Bogdona Beregovska is hosting a gathering on June 19, 2016 from 3:00 P.M to 8:00 P.M.; and

WHEREAS, a request has been received for permission to serve alcohol in the form of beer and wine at the event; now, therefore, be it

RESOLVED, that Bogdona Beregovska, 42G Meyer Road, Clifton Park, is hereby authorized to serve beer and wine at a gathering at Collins Park pavillion on June 19, 2016 from 3:00 P.M. to 8:00 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 Attorney.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 127 of 2016 a resolution hiring summer help for the Barney Road Golf Course.

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

WHEREAS, a need has been identified for summer help to do maintenance work for the Barney Road Golf Course; and

WHEREAS, Supervisor of Buildings and Grounds Michael Handerhan recommends that David Bruce, 7 Christopher Way, Clifton Park, be hired for this position; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the hiring of David Bruce to do light landscaping for the Barney Road Golf Course at \$12 per hour, effective immediately, to be paid from A7190-24 (Barney Road Golf Course-Maintenance).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 128 of 2016 a resolution hiring summer help for the Buildings & Grounds Department.

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

WHEREAS, a need has been identified for summer help to work with the Buildings & Grounds Department; and

WHEREAS, Buildings and Grounds Supervisor Michael Handerhan recommends that Kerian Conner, 16 Eagle Trace, Ballston Lake, be hired for this position; now, therefore, be it

RESOLVED, that the Town Board authorizes the hiring of Kerian Conner for the summer season 2016 at \$9 per hour, effective immediately, to be paid from A7110-E4000 (Buildings and Grounds-Pt. Labor, Seasonal).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 129 of 2016, a resolution awarding a contract for landscape work for the Stony Creek Park District #1 entrances.

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

WHEREAS, quotes were received by the Town Board, as Commissioners of the Stony Creek Park District #1, for landscape work for the district; and

WHEREAS, the lowest conforming quote for the work to be done, which includes removal and disposal of debris, mulching and weeding the planting areas around the entrance signs, to the Stony Creek Park District #1 was submitted by Cliffside Services Inc. in an amount not to exceed \$3,900; now, therefore, be it

RESOLVED, that the Town Board, as Commissioners of the Stony Creek Park District #1, hereby awards the contract to Cliffside Services Inc., for landscape work at the entrances of the Stony Creek Park District #1, at a cost not to exceed \$3,900 for the 2016 season, to be budgeted from SP97117-24 (Stony Creek Park District #1-Maintenance).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 130 of 2016, a resolution hiring returning Camp Counselor Ryan Whimple for the 2016 full day camp program.

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

WHEREAS, it is necessary that returning staff be rehired by the Parks and Recreation Department for the Town of Clifton Park Summer Day Camp Program; and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that Ryan Whimple, 11 Barkwood Lane, Clifton Park, be rehired; now, therefore, be it

RESOLVED, Ryan Whimple be rehired as staff for the town's 2016 full day camp program, effective May 30<sup>th</sup> through August 19, 2016, to be paid Step 4 (\$8.75/hour) from A-7310-Exxxx (Summer Rec.-Employee) & A-7320-E4800 (Summer Rec Full Day-Staff/Counselors).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 131 of 2016, a resolution authorizing the hiring of Al Green as an Adventure Challenge Facilitator and Assistant.

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

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has identified the need for additional staff to conduct the Adventure Challenge Course for 2016; and

WHEREAS, Ms. Kramer has recommended that Al Green, 29 Michael Drive, Saratoga Springs, be hired as an Adventure Challenge Facilitator and Assistant for the 2016 Project Adventure Program; now, therefore, be it

RESOLVED, that Al Green be appointed to said positions, effective April 1, 2016 through October 31, 2016, to be paid from A-7621-E2350 (Facilitator - \$28/hour) and/or A7621-E2360 (Assistant - \$13.30/hour).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 132 of 2016, a resolution authorizing the Supervisor to sign a contract with 2016 subcontract hire Christian Bernd for Math Camp.

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

WHEREAS, Myla Kramer, Director of Parks and Recreation and Community Affairs, has requested that the Town Board authorize a contract for Math Camp as part of the recreation programs; and

WHEREAS, the Town Board supports the offering and expansion of educational recreation programs with the subcontractor Christian Bernd; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to sign a contract for 2016 with Christian Bernd for Math Camp.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 133 of 2016, a resolution declaring property to be unsafe pursuant to Chapter 77 of the Town Code and accepting bid for emergency remediation

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

WHEREAS, on May 2, 2016, the Town Board held a public hearing to develop information regarding conditions and ownership status of 30B Woodcliffe Drive, and

WHEREAS, based on information received from Director of Building and Zoning Steven Myers and from immediate neighbors, it appears to the Town Board that the home is abandoned, the last owner Joel Ross, having passed away in 2010, and the last occupant having abandoned the premises in 2015, providing the most immediate neighbor with a key to the premises; and

WHEREAS, investigation indicates that there is no bank or mortgagor with an interest in the property, and court records have not been located demonstrating any heirs with an ownership interest in the property; and

WHEREAS, the Town Board was advised that there was a pipe that burst in the home in February 2016, with standing water throughout the ground floor, with associated water damage and the danger of continued mold growth in the summer months; and

WHEREAS, bids for the remediation of water and visible mold damage have been received by the Building and Development Department; and

WHEREAS, the Town Board finds that the structure is a clear and imminent danger to the health and safety of inhabitants of immediately surrounding structures and to the neighborhood in general, and that conditions will deteriorate if unaddressed; now, therefore, be it

RESOLVED, that the Town Board finds and determines the structure at 30B Woodcliffe Drive to be unsafe pursuant to Chapter 77-5 of the Town Code; and be it further

RESOLVED, that the Board finds that the structure is abandoned, that further efforts to locate a responsible owner are not likely to be successful, and therefore that the notice provisions of Chapter 77-6 of the Town Code are hereby waived; and be it further

RESOLVED, that the that the bid of ServiceMaster Restore, Green Island, NY, for the removal of water and water-damaged carpet and underlayment and remediation of visible mold damage in the amount of \$21,092.14 be accepted, with estimates for additional mold remediation to be evaluated after interior demolition has begun; and be it further



RESOLVED, that expense incurred in the remediation of water and mold damage to the structure be assessed against the property pursuant to Chapter 77-11 of the Town Code.

The 30 day notice was waived by unanimous vote at the May 2, 2016 Town Board meeting.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 134 of 2016, a resolution approving a Memorandum of Agreement between the Town and CSEA Local 1000, AFSCME, AFL-CIO, relative to health insurance benefits for employees of the Highway Unit.

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

WHEREAS, by Resolution No. 112 of 2016, the Town Board approved a Memorandum of Agreement which was intended to provide health insurance benefits to employees who were no longer working and who had applied to the New York State and Local Disability Retirement System for a disability retirement, under certain circumstances; and

WHEREAS, CSEA declined to adopt the agreement as provided, citing a disagreement with the town on the interpretation of certain provisions of the existing collective bargaining agreement; and

WHEREAS, the Town Board wishes to provide continued health benefits to Highway Mechanical Operator Lori Miller pending a determination on her application for disability retirement by the New York State and Local Employees' Retirement System; now, therefore, be it

RESOLVED that the Supervisor is authorized to execute the attached Memorandum of Agreement with CSEA Local 1000, Highway Unit, pending future resolution of the underlying contractual dispute.

Supervisor Barrett explained Ms. Miller is a very good longtime employee with a lot of time saved up on the books and was forced not to work any longer. She is still waiting official designation for disability from NYS and the town wants to ensure that between the point of when she was off the payroll til the determination that she's not left "in the lurch" without health benefits.

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