

June 20, 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
John Scavo, Director of Planning

MOTION BY Councilman Romano, seconded by Councilman Walowit, to approve the minutes of the June 20, 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 announced the “bed tax” proposition has passed both houses and awaits Governor Cuomo’s approval. He stated this is an upstate economic initiative important to New York State.

The Supervisor further announced the Kinns Road Park Home Rule request did not pass as the legislature wanted an updated survey of the property and the county does not have one. The town is working with the county and will have the survey by the next legislative session. He noted the Intermunicipal agreement with the county is still in place.

PRESENTATION TO ALLAN AND NEVA ATWELL

Supervisor Barrett presented the following resolution to Allan and Neva Atwell on the occasion of their 70th Wedding Anniversary.

Resolution No. 158 of 2016, a resolution congratulating Mr. and Mrs. Allan Atwell upon the occasion of celebrating their 70th Wedding Anniversary.

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

WHEREAS, it is the honor and privilege of the Town Board to commemorate major milestones of residents in the Town of Clifton Park; and

WHEREAS, Allan and Neva Atwell have attained one of those impressive milestones, by celebrating their 70th Anniversary on June 19th, 2016; and

WHEREAS, Allan Atwell first met Neva, a resident of Erin, New York, in his hometown of Breesport, New York, where they met as Neva rode the bus through town on her way to school in Horseheads, leading Allan to invite Neva to a local dance, thus beginning their long and loving relationship; and

WHEREAS, at the age of 20, while serving in the United States Army's 28th Infantry Division, Allan asked his mother for permission to marry Neva, as was the custom at the time, and the Atwells were married after completing his service in the military; and

WHEREAS, Mr. Atwell was hired as a trainer for the Telephone Company and transferred to the Capital Region, where he and Neva moved into their home on Greenlea Drive in August of 1969; and

WHEREAS, Allan, in his capacity at the Telephone Company, would train telephone repairmen in Menands and Schenectady until his retirement in 1985; and

WHEREAS, Allan and Neva have raised five children, three boys and two girls, Jerrold, Alane, Barbara, Jeffrey and Jonathan, and are the proud grandparents of Bradley, Brady, Rebecca and Sarah and great grandparents of Hunter and John Joseph, III; and

WHEREAS, both of the Atwells have been an important part of the fabric of Clifton Park, donating their time, talent and effort to local organizations such as the Elks Lodge and Auxiliary, Capital District Patriot Flight and the Clifton Park-Halfmoon VFW, as well as Allan Atwell serving as Chairman of the Clifton Park Emergency Services Advisory Board; and

WHEREAS, Supervisor Barrett has regularly referred to Mr. Atwell as Clifton Park's "go-to" resource for Veteran Affairs; now, therefore, be it

RESOLVED, that the Clifton Park Town Board commemorates and celebrates the marriage of Neva and Allan Atwell upon the occasion of celebrating their 70th Wedding Anniversary; and, be it further

RESOLVED, that a copy of this resolution be given to Allan & Neva Atwell.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Mr. Atwell is a veteran of the Battle of the Bulge and has worked very hard that veterans are not forgotten. The Atwells also received a NYS Assembly Citation from Assemblyman Tedisco, as well as from the NYS Senate.

PRESENTATION TO THE SHENENDEHOWA BASEBALL TEAM STATE CHAMPIONS

Supervisor Barrett presented the following resolution to the 2016 Shenendehowa Baseball Team

Resolution No. 159 of 2016, a resolution recognizing the Shenendehowa Plainsmen Baseball Program and its 2016 Team on its first NYSPHAA State Championship Season.

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

WHEREAS, the Shen Baseball program has a strong record of success, built upon commitment, hard work, team work and sportsmanship, and

WHEREAS, the program's 2016 team compiled a 21-5 record on the way to its first NYS Championship, through a combination of team work, faith in each other, their program and coaching staff, as well as individual excellence, and

WHEREAS, Suburban Council Head Coaches selected Joe Frazier, Frankie Pizzo and Nik Malachowski as First Team All Suburban Council Selections, and Nick Jacques, Rich Drum and Ben Anderson as All Suburban Second Team Selections, and

WHEREAS, the team was led by Captain Ian Anderson, who fought through a season of illness and injury to compile a 5-1 overall record, pitching a five hit shutout in the semi-final game to put the team into the championship finals earning his team's Most Honored Player of the Year and Post Season MVP awards, and

WHEREAS, brothers Ian and Ben Anderson were both selected by Major League Baseball teams in the 2016 MLB Draft, with Ian's 3rd overall selection making him the highest selected baseball player from the Capital Region since the draft was instituted in 1965, and

WHEREAS, the 2016 team won six consecutive games including postseason play to finish the season, and were Blue Division Champions, regular season Suburban Council Champions, Section II Champions, Central Region Champs, and NYS Class AA Champions with a final ranking as No. 1 in the New York State Public High School Athletic Association, and

WHEREAS, the team's victory in the final game of the NYS Championship against Section V Champs Webster Schroeder in the final game was the result of the kind of teamwork and preparation for which the program has become known, and was achieved in a dramatic, come-from-behind fashion with contributions from the entire team, and will be remembered by the players, family and fans for years to come; now, therefore, be it

RESOLVED that the Town Board pauses to recognize coaches Greg Christodulu, Keith Langley and Dan Cafarelli, the entire Shenendehowa Baseball Program, and the 2016 Team for achieving the team's First NYSPHAA New York State Championship.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Coach Christodulu reported that this Shen team has also been recognized as the NYSPHAA Scholar Athlete Team. He introduced members of the team. Supervisor Barrett noted this team has inspired a lot of young kids. Assemblyman Tedisco presented the NYS Assembly Resolution in recognition of the team and representative of Senator Farley presented recognition from the NYS Senate, noting the importance of teamwork in all walks of life.

PRESENTATION TO PASTOR GARY KLUBALL AND
KING OF KINGS LUTHERAN CHURCH

Supervisor Barrett presented Resolution No. 139 of 2016 adopted on June 6th to Pastor Gary Kluball.

Resolution No. 139 of 2016, a resolution recognizing The King of Kings Lutheran Church and Pastor Gary Kluball for Community Action Month.

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

WHEREAS, Community Action Agencies are community based organizations coordinating the efforts of local government, businesses, organizations and individuals to identify goals and priorities; and

WHEREAS, Community Action Agencies in Saratoga County continue to partner in order to provide services to those families or individuals in need; and

WHEREAS, Community Action Agencies dedicate this month to increasing public awareness of their programs and services, and wish to promote partnerships to solve common problems and to promote increased community involvement and opportunities for volunteer community service; and

WHEREAS, The King of Kings Lutheran Church and Pastor Gary Kluball have donated space in Clifton Park for the Saratoga County Economic Opportunity Council's Women, Infants and Children Clinics for over 20 years; and

WHEREAS, on behalf of the citizens of Clifton Park, the Town Board commends The King of Kings Lutheran Church and Pastor Kluball for their dedication, leadership and selfless service; now, therefore, be it

RESOLVED, that the Town of Clifton Park acknowledges and salutes the Community Action Agencies for their service to the communities of Saratoga County; and be it further

RESOLVED that a copy of this resolution be presented to Pastor Gary Kluball.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Pastor Kluball reviewed the program, noting it involves nutrition and health care.

PUBLIC HEARING, 7:05 PM (7:42 p.m.)
TO CONSIDER AN APPLICATION FOR AN HISTORIC CONSERVATION EASEMENT
FOR 1773 CRESCENT ROAD

The Town Clerk read the Notice of Public Hearing as published in The Daily Gazette on June 9, 2016.

The public hearing was opened for comments from the audience at 7:43 p.m.

Everyone was given an opportunity to speak in favor of or against the application and no one wished to be heard. Supervisor Barrett declared the public hearing closed at 7:44 p.m.

Councilman Whalen thanked Mr. & Mrs. Tetrault for adding their house to the Historic Register. He noted Mr. Tetrault is a member of the Historic Preservation Commission. Supervisor Barrett thanked Mr. Tetrault for all his volunteer efforts.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 160 of 2016, a resolution authorizing the residents of Tipperary Way in Fairway Woods Subdivision to conduct a Block Party on August 13, 2016.

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

WHEREAS, the residents of the Fairway Woods subdivision plan to conduct a block party within the subdivision on August 13, 2016 from 4:00 P.M. to 10:00 P.M. and have requested permission to use Tipperary Way in front of Nos. 36 & 38, for their party activities; now, therefore be it

RESOLVED, that the residents with the approval and advice of the Town Highway Superintendent, have permission to use Tipperary Way in front of Nos. 36 & 38, August 13, 2016 from 4:00 P.M. to 10:00 P.M. for their party activities, but must not block off the streets and make sure emergency vehicles can gain access to the street if needed, and be it further

RESOLVED, that the residents shall be responsible for all clean-up activities on town property or on the street right-of-way resulting from the social activity; and be it further

RESOLVED, that a copy of this resolution be sent to the applicable Fire Department, the Ambulance Corps., the Sheriff's Department and the State Police.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 161 of 2016, a resolution awarding the quote to Fridholm Painting & Remodeling for the plaster/restoration work at Grooms Tavern.

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

WHEREAS, quotes for plaster and restoration of the upstairs at Grooms Tavern were solicited and received, and

WHEREAS, the sole quote was Fridholm Painting and Remodeling, in a total amount of \$5,400 for the plaster/restoration at Grooms Tavern, and

WHEREAS, The Friends of Historic Grooms Tavern would like to make a financial contribution equal to the amount of work, and

WHEREAS, the Town Board wishes to increase the revenues and expenditures for the work, and

WHEREAS, Superintendent of Buildings and Grounds, Mike Handerhan, has recommended that Fridholm Painting and Remodeling be hired to do plaster/restoration work at Grooms Tavern; now, therefore, be it

RESOLVED, that the quote of Fridholm Painting & Remodeling, PO Box 2643, Glenville, NY, be accepted, at a cost not to exceed \$5,400 for the repair and restoration, and that account A-2705 (Gifts and Donations) by \$5,400 and account A-1627-200 (Grooms Rd. Emporium-Equipment) be increased by \$5,400 to reflect contribution from The Friends of Historic Grooms Tavern.

Councilman Whalen commented the room is in need of repair, and though not complete, will be in better shape. The net cost to the town will be zero.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 162 of 2016, 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 Clerk's office.

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

WHEREAS, Patricia O'Donnell, Town Clerk has requested that a new digital copier/printer be leased for use by the Town Clerk's office, 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 quote of \$177.00 per month for thirty-six (36) months plus .004 per black and white copies and .04 per color copies, and

WHEREAS, the Board finds that the use of an installment purchase contract to finance the digital copying system is a cost-effective method of acquisition of such equipment and is consistent with 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 MP C3503 Digital Copier/Printer System with print/scan modules and stapling finisher, for thirty-six (36) months, at a cost not to exceed \$177.00 per month, plus \$.004 for black and white copies and \$.04 for color copies, to be paid from A-1410-3 (Town Clerk-Copier).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 163 of 2016, a resolution awarding the construction contract for the Erie Canal Community Connector Trail to Gallo Construction Corp., pursuant to competitive bid.

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

WHEREAS, Resolution No. 53 of 2008 (adopted 2/11/2008) authorized the implementation and funding in the first instance 100% of the federal-aid and if applicable, the State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriation of funds therefore to the Erie Canal Towpath Community Connector trail, and

WHEREAS, the project will occur within the Vischer Ferry Nature & Historic Preserve, owned by the NYS Canal Corporation, and that necessary easements have been secured from the NYS Canal Corporation, and

WHEREAS, the trail will re-connect the Towns of Clifton Park and Halfmoon with a restored multi-use trail extending from Ferry Drive across the Vischer Ferry Nature & Historic Preserve to Towpath Road in the Town of Halfmoon, including crossing the current gap across the Wagar's Pond inlet, and

WHEREAS, the complete project in both towns, includes the installation of a railway top course of stone dust, a pedestrian/bicyclist crossing of the Wagar's Pond inlet with concrete slabs, steel, concrete piles, railings, a section of retaining wall, fencing, signs, and

WHEREAS, Federal Construction authorization was obtained on September 11, 2015, and

WHEREAS, the project was bid in 2015, for which bids were received on October 8, 2015, which resulted in a single bid which was significantly over budget estimates, and

WHEREAS, Greenman Pedersen, Inc. (GPI) made strategic revisions to the plans, specifications and estimates, and

WHEREAS, the Town conducted a second competitive public bidding process announced on April 21 and April 22, 2016, and

WHEREAS, after bid opening on May 13, 2016, Greenman Pedersen, Inc. (GPI) performed a bid analysis and recommended that the bid be awarded to Gallo Construction as low bidder, and

WHEREAS, the New York State Department of Transportation has reviewed the bid package and issued correspondence concurring in the selection of Gallo Construction on June 13, 2016, and

WHEREAS, the project is jointly sponsored by the Town of Clifton Park and the Town of Halfmoon, with an 80%/20% cost share with NYS DOT through the federal Transportation Enhancements Program (TEP) funding program; now, therefore, be it

RESOLVED, that the Town Board accepts the recommendation of GPI, and hereby awards the construction contract for the Erie Canal Towpath Community Connector Trail Project to Gallo Construction Corp., pursuant to General Municipal Law Section 103, at a cost not to exceed, \$1,686,458.19, and be it further

RESOLVED, that GPI is authorized to notify Gallo Construction Corp. to proceed, with construction expected to be substantially complete on December 31, 2016; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute all contract documents implementing this resolution.

Director of Planning Scavo explained three major critical elements within the design that attributed to the higher price cost and as a result of the redesign six bids were received. Supervisor Barrett thanked GPI for helping the town through the elements. He noted all town trail projects have been grant funded to some degree and the process does take longer. He thanked Open Space Coordinator Jennifer Viggiani for her work on the trail projects, noting it was a team effort.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 164 of 2016, a resolution scheduling a public hearing to consider adoption of a local law amending Section 103-16 of the Town Code, Building Permit Fees for Tents.

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

WHEREAS, Steven Myers, Director of Building and Zoning, has recommended amending Section 103-16 Building Permit fees for tents, and

WHEREAS, the Town Board wishes to schedule a public hearing to obtain input regarding the proposed changes; now, therefore, be it

RESOLVED, that a public hearing is scheduled for July 5, 2016 at 7:05 P.M. in the Wood Memorial Room, One Town Hall Plaza, Clifton Park, New York to consider adoption of a local law amending Section 103-16 of the Town Code, Building Permit Fees; 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, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 165 of 2016, a resolution authorizing 2015 Final Budget Adjustments as specified in Exhibit A.

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

WHEREAS, the Comptroller has recommended that certain budget adjustments contained in Exhibit A be made to address the needs of all funds as well as other miscellaneous expenditures as set forth in Exhibit A; now, therefore, be it

RESOLVED, that the Budget Adjustments specified in Exhibit A be adopted per the Comptroller's recommendations.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 166 of 2016, a resolution authorizing the Town Board to hire Assistant Learn-to-Swim Directors at the Barney Road and Country Knolls Pools for the Summer of 2016.

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

WHEREAS, it is necessary that the Learn-to-Swim program be led by trained WSI instructors as well as individuals familiar with the Learn-to-Swim program, to be managed and supervised by the Learn-to-Swim Director, and

WHEREAS, Director David Czechowski, Clifton Park’s Learn-to-Swim Director, has made the recommendation that Amanda Pendergast and Bryan Geary are qualified to fulfill the duties of Assistant Director at Barney Road and Country Knolls Pools, and

WHEREAS, the Supervisor has recommended that the following individuals be hired as Assistant Directors at the below mentioned pools at the following rates:

<u>Name</u>	<u>Pool</u>	<u>Address</u>	<u>Rate</u>
Amanda Pendergast	Barney Road	8 Nottingham Way, Clifton Park	\$18.00
Bryan Geary	Country Knolls	50 St. Andrews Drive, Clifton Park	\$18.50

now, therefore, be it

RESOLVED, that the individuals above shall be hired as Assistant Learn-to-Swim Directors for the 2016 Learn-to-Swim Program, effective June 21, 2016 through August 17, 2016, to be paid at the rate as stated from line A-7310-E4575 (Swim Instructors).

Supervisor Barrett reported the town is looking to hire Water Safety Instructors.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 167 of 2016, a resolution authorizing the hiring of Thomas P. McDonough as a part-time Security Officer.

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

WHEREAS, a vacancy exists for a part-time Security Officer for the Town of Clifton Park, and

WHEREAS, Lou Pasquarell, Director of Safety and Security, has recommended that Thomas P. McDonough, 88 Lake Shore Drive, Ballston Spa, New York, 12020, be hired to fill the position of the part-time Security Officer for the Town of Clifton Park; now, therefore, be it

RESOLVED, that the Town Board authorize the hiring of Thomas P. McDonough as a part-time Security Officer for the Town of Clifton Park at a Grade 5, Step 1, (\$21.48 per hour), effective immediately, to be paid from A-3120-E-4000 (Security Officer Employee).

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 by Councilman Whalen, to adjourn to the next regular meeting or any other meeting necessary for the conduct of town business.

Motion carried at 8:04 p.m.

Patricia O’Donnell
Town Clerk