

June 3, 2019

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.

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

Also Present:  
Mark Heggen, Comptroller  
Daniel Clemens, Supervisor of Buildings & Grounds  
John Scavo, Director of Planning

MOTION BY Councilman Romano, seconded by Councilwoman Walowit, to approve the minutes of the May 13 and 20, 2019 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 reviewed events for July 4<sup>th</sup>.

PRESENTATION TO BALLSTON LAKE EMERGENCY MEDICAL SERVICE

Supervisor Barrett presented the following resolution to John Boyd, President, and Doug Bauer in recognition of Ballston Lake Emergency Squad's contributions to the community.

Resolution No. 142 of 2019, a resolution recognizing Ballston Lake Emergency Medical Service.

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

WHEREAS, in 1974, President Gerald Ford authorized EMS Week to celebrate EMS practitioners and the important work they do in our Nation's communities, and

WHEREAS, May 19-25, 2019 has been designated as the 45th Annual National EMS Week, and

WHEREAS, emergency medical service is a vital public service, and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week, and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills, and

WHEREAS, the Ballston Lake Emergency Medical Service serves the Towns of Ballston, Charlton, and Clifton Park responding to over 950 calls a year, and

WHEREAS, the Ballston Lake Emergency Medical Service is a volunteer agency supplemented with paid professional staff providing advanced life support pre-hospital emergency medical care, and

WHEREAS, the dedicated volunteer drivers, EMTs, and Critical Care AEMTs of the Ballston Lake Emergency Medical Service provide the day to day lifesaving services of medicine's front line, and

WHEREAS, the Ballston Lake Emergency Medical Service continues to be committed to providing professional medical services safeguarding the health, safety and well-being of the community; now, therefore, be it

RESOLVED, that the Clifton Park Town Board does hereby declare May 19-25, 2019 to be EMS Week in the Town of Clifton Park; and be it further

RESOLVED, that the Clifton Park Town Board hereby recognizes the Ballston Lake Emergency Medical Service for their contributions in keeping Clifton Park a safe and healthy community.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Mr. Boyd said at this time there are 45 volunteers, mostly drivers and basic life support. He noted the amount of training involved to be a volunteer. He encouraged the students in attendance tonight to get involved and get trained in emergency services, noting applications are online.

MOTION BY Supervisor Barrett, seconded by Councilwoman Walowit, to move into Executive Session. Supervisor Barrett stated this is to discuss Highway union negotiations and agreement. Motion carried at 7:14 p.m.

Returned to regular meeting at 7:40 p.m.

The Supervisor noted the Town Board agreed to adding the last two resolutions to the agenda this evening.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 143 of 2019, a resolution authorizing the hiring of additional seasonal employees for the 2019 Summer Recreation Full and Half-Day Summer Camps.

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

WHEREAS, the Town Board wishes to hire additional staff for the Department of Parks and Recreation to operate the town's 2019 Summer Recreation Full and Half-Day Camps, and

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

RESOLVED, that the individuals listed in Schedule A, attached hereto, shall be hired to staff the town's Summer Recreation Full and Half-Day Camps, effective immediately through August 17, 2019, per Schedule A.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 144 of 2019, a resolution authorizing Nolan Chase and Arcadis to serve alcoholic beverages at a gathering to be held at Collins Park on July 11, 2019.

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

WHEREAS, Nolan Chase and Arcadis are hosting a gathering at Collins Park and have requested permission to serve alcohol in the form of beer and wine at the event, and

WHEREAS, Nolan Chase on behalf of Arcadis has submitted a permit application for use of town facilities at Collins Park on July 11, 2019 from 4:00 - 7:00 pm; now, therefore, be it

RESOLVED, that Nolan Chase and Arcadis, 855 Route 146, Clifton Park, are hereby authorized to serve beer and wine at a gathering to be held at Collins Park on July 11, 2019 from 4:00 - 7:00 pm.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 145 of 2019, a resolution awarding the contract for fireworks, for the Town of Clifton Park's 4th of July Celebration to Santore's World Famous Fireworks and authorizing the Supervisor to sign the agreement for same.

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

WHEREAS, bids were solicited for the annual Fourth of July fireworks display, and

WHEREAS, Santore's World Famous Fireworks, 846 Stillwater Bridge Road, Schaghticoke, New York, has submitted a bid in the amount of \$16,500, for a twenty minute musically choreographed pyrotechnic display, and

WHEREAS, no timely bids were received from other vendors, and

WHEREAS, the Santore's bid maintains pricing for the display at last year's level, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that the bid of Santore's World Famous Fireworks in the amount of \$16,500 be accepted; now, therefore, be it

RESOLVED, that the bid for the 4th of July fireworks display be awarded to Santore's World Famous Fireworks, Schaghticoke, New York, at a cost not to exceed \$16,500, as budgeted from A-7550-052 (Festivals/Performing Arts-July 4th Fest); and be it further

RESOLVED, that the Supervisor is hereby authorized to sign an agreement reflecting the above terms, subject to review and approval by the Town Attorney of the agreement.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 146 of 2019, a resolution authorizing the promotion of Tyler Clifford, currently Laborer to Motor Equipment Operator (MEO) Light in the Buildings & Grounds Department.

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

WHEREAS, Buildings & Grounds Supervisor Daniel Clemens, has expressed a need for an MEO Light in the department, and

WHEREAS, Mr. Clemens recommends that Tyler Clifford be promoted from Laborer to MEO Light in the Buildings & Grounds Department, and

WHEREAS, the above referenced employee is qualified for the position per civil service classification; now, therefore, be it

RESOLVED, that Tyler Clifford, 26 Damask Drive, Clifton Park, is hereby promoted to MEO Light, Grade 4 Step 1 (\$42,052/year) effective immediately; and be it further

RESOLVED, that the additional salary increase be paid with a transfer of \$2,508 from A-7110-0074 (Buildings & Grounds-Overtime) to A-7110-E0448 (Buildings & Grounds-Payroll).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 147 of 2019, a resolution authorizing Best Paving & Sealcoating to repave a parking area near the tennis courts in the Clifton Knolls Park District.

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

WHEREAS, the Town Board, as agents of the Clifton Knolls/Mill Creek Park District, wishes to authorize improvements to the parking lot near the tennis courts in Clifton Knolls, and

WHEREAS, by Resolution No 118 of 2019, the Town Board awarded the 2019 Highway Paving Contract to Best Paving & Sealcoating, Inc., Albany, NY, based on their competitive bid of 6F grade asphalt at \$56.75/ton in place, and dense binder grade 6 at \$49.50/ton in place, and

WHEREAS, Best Paving submitted a quote to repave the Clifton Knolls/Mill Creek parking lot in an amount not to exceed \$28,220, based on the existing highway contract pricing, and

WHEREAS, there are sufficient funds to complete the work as submitted; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the 2019 Paving Proposal for paving the parking lot at the tennis courts in Clifton Knolls, not to exceed \$28,220, to be paid from SP3-07131-00200 (Clifton Knolls PD-Contractual-Equipment); and be it further

RESOLVED, that the Comptroller is authorized to transfer \$2,000 from SP3-07131-00135 (Clifton Knolls PD-Engineering) and \$17,441 from SP3-07131-00024 (Clifton Knolls PD-General Maintenance), both to SP3-07131-00200 (Clifton Knolls PD-Contractual-Equipment).

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 148 of 2019, a resolution hiring a Head Lifeguard for the 2019 summer season for Barney Road pool.

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

WHEREAS, the Town Board wishes to hire a Head Lifeguard to assist in the management of Barney Road pool, and

WHEREAS, the Supervisor has recommended that the following individual be hired as a Head Lifeguard at the Barney Road pool at the following rate:

<u>Name</u>	<u>Pool</u>	<u>Address</u>	<u>Rate</u>
Samuel Radley	Barney Road	8 Sheffield Drive, Clifton Park	\$11.70

now, therefore, be it

RESOLVED, that the above individual shall be hired at the rate stated as Head Lifeguard for Barney Road pool from A-7150-E4690 (Barney Road Pool-Pool Lifeguards) as of May 26, 2019.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 149 of 2019, a resolution authorizing the establishment of a Marijuana Policy Review Committee due to the potential legalization of marijuana for recreational use.

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

WHEREAS, the Town Board wishes to appoint a committee who will examine and discuss the potential effects of the expanded use of the drug in our local community and provide input on zoning regulations, and

WHEREAS, the Town Board members have expressed a willingness to serve on the committee as representatives of the town, and

WHEREAS, Supervisor Barrett recommends that Dr. Matthew Miles, former Police Officer and former Coroner Dan Kuhn, Shenendehowa School Representative Craig Chandler, District Attorney Karen Heggen, Sheriff Mike Zurlo, Youth Court Leader Peyton Gouzien, Youth Court Leader Jess Farrioli and former Investigator for Clifton Park/New York State Police Patti Donovan be appointed as community representatives to serve on the committee; now, therefore, be it

RESOLVED, that the Town Board establishes the Marijuana Policy Review Committee as attached.

Supervisor Barrett explained the committee will examine and discuss potential effects of the “illicit” drug. He said the town implemented zoning restrictions identifying areas of town where medical marijuana dispensaries could locate. (Clerk’s note: Local Law 8 of 2015 adopted July 6, 2015). He said there is concern about what the future might hold noting if medical marijuana is in a locality, once recreational marijuana is legalized medical marijuana dispensaries could easily be converted to recreational sales. Input from residents is appreciated. Supervisor Barrett said he understands there is an option in the legislation that counties can opt out.

Councilman Whalen said being proactive is a prudent decision.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 150 of 2019, a resolution approving a master grant contract with the State Department of Agriculture and Markets for participating in the Farmland Protection Implementation Grant program.

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

WHEREAS, by Resolution No. 182 of 2018, the Town Board authorized the Supervisor to execute an application for a Farmland Implementation Protection Grant for the acquisition of an interest in the Maple Hill Farm, Ashdown Road, Ballston Lake, and

WHEREAS, by correspondence dated December 27, 2018, the New York State Department of Agriculture & Markets advised the town that the property had been selected for grant program funding, and

WHEREAS, the Town Board wishes to acquire a conservation easement over the Maple Hill Farm to permanently protect +/- 72.9 acres of farmland in the northeast portion of the town, and

WHEREAS, the total project value is estimated to be \$544,900, and

WHEREAS, the master grant contract requires a town cash match up to \$77,100 which will be taken from Western Clifton Park Open Space Incentive Zoning Fund, and

WHEREAS, by Resolution No. 168 of 2018, the County of Saratoga has committed to contribute \$14,000 toward the project; now, therefore, be it

RESOLVED, that the Supervisor is authorized to sign the attached master grant contract to advance this project.

Supervisor Barrett said this is the fourth farm to go into the program.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 151 of 2019, a resolution authorizing and creating a capital project for Stony Creek Park District No. 1 playground and park improvements.

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

WHEREAS, by Resolution No. 117 of 2019, the Town Board authorized board funding for a portion of playground improvements for the Stony Creek No. 1 Park District, and

WHEREAS, by Resolution No. 116 of 2019, the Town Board authorized the improvements consistent with bid documents and drawings prepared by M.J. Engineering, and

WHEREAS, M.J. Engineering has analyzed the bid responses and recommended awarding the contract to Borderline Excavation and Fencing as low responsible bidder, and the Supervisor has issued a Notice of Award based on the engineer's recommendations; now, therefore, be it

RESOLVED, that the contract is awarded to Borderline Excavation and Fencing, 149 Thumb Road, St. Johnsville, NY; and be it further

RESOLVED, that the Comptroller is authorized to create a capital projects budget, H-54, to fund the project.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 152 of 2019, a resolution awarding a contract for repairs of the Blue Spruce sanitary sewer lines.

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

WHEREAS, M.J. Engineering has prepared engineering plans and bid documents for the rehabilitation and repairs of the Blue Spruce sanitary sewer lines, and

WHEREAS, bids were received and opened on May 24, 2019 with Arold Construction, Kingston, NY, submitting the low bid, and

WHEREAS, M. J. Engineering has reviewed the Arold Construction bid and recommends awarding the contract to Arold Construction as low bidder; now, therefore, be it

RESOLVED, that the contract for the Blue Spruce sanitary sewer line rehabilitation and repair project is awarded to Arold Construction Company, Inc., Kingston, NY, for the total base bid, items 1-12 in the bid, in an amount not to exceed \$355,950, and be it further

RESOLVED, that the Comptroller transfers \$255,000 from G7-915 (Clifton Park Sewer District #1-Assigned Fund Balance) to G7-8111-200 (Clifton Park Sewer #1-Sewer Contractual-Equipment).

Supervisor Barrett said areas of concern were found when planning to pave the road. Bid had taken place and then the sewer failure was found but has now been repaired. He said the rest of the project should not be as invasive for the homeowners and the new pipes should last 50 to 60 years.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED

Resolution No. 153 of 2019, a resolution authorizing the Highway Superintendent to install STOP signs within the Calico Colony residential development

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

WHEREAS, the Highway Safety Committee reviewed existing conditions within the Calico Colony development under guidelines contained within the New York State supplement to the Manual of Uniform Traffic Control Devices, and

WHEREAS, the MUTCD provides guidance on the installation of STOP or YIELD signs at intersections where restricted views exist due to overgrown vegetation or other obstructions, and

WHEREAS, visual observation at various intersections within Calico Colony confirms limited sight distance at the following intersections justifying the placement of control devices as follows:

- Lace Lane & Plaid Place- STOP sign on Plaid Place
- Gingham Avenue & Lace Lane- STOP sign on Gingham Ave.
- Damask Drive & Gingham Avenue- STOP sign on Gingham Ave.
- Plaid Place & Cotton Court- STOP sign on Cotton Court
- Damask Drive & Denim Drive- STOP sign on Damask Drive

WHEREAS, the Highway Safety Committee has recommended the placement of a STOP sign at these locations; now, therefore, be it

RESOLVED, that the Superintendent of Highways Dahn Bull is hereby authorized to install STOP signs for motorists as outlined above.

ROLL CALL VOTE

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

Noes: None

DECLARED ADOPTED



Resolution No. 154 of 2019, a resolution ratifying a Memorandum of Agreement with the Civil Service Employees Association, Inc. AFSCME Local 1000, AFL-CIO, representing Town of Clifton Park Highway Unit of Saratoga County Local 846.

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

WHEREAS, the Supervisor and members of the Town Board have met with representatives of Civil Service Employees Association, Inc., and the Town Highway Unit in contract negotiations over the fall, winter, and spring months in 2018-2019, and

WHEREAS, an agreement has been reached in principle on an extension of the existing Collective Bargaining Agreement covering the period from January 1, 2019 to December 31, 2021, and

WHEREAS, the agreement has been memorialized in the attached Memorandum of Agreement, signed by Highway Superintendent Dahn Bull, and Supervisor Phillip Barrett, as well as representatives of CSEA, AFSCME Local 1000 AFL-CIO for the Clifton Park Highway Unit; now, therefore, be it

RESOLVED, that the Town Board hereby ratifies the Memorandum of Agreement dated May 28, 2019 with the Civil Service Employees Association, Inc. unit representing Town of Clifton Park Highway Unit, copy of which is annexed hereto as Exhibit "A", all provisions to be incorporated into a new contract as appropriate; and be it further

RESOLVED, that the provisions in the previous contract not modified by this Memorandum of Agreement to remain.

Supervisor Barrett reported increases of two, two and a half and three percent over three years. Also, an adjustment to co-pay out of pocket maximum in the health care plan. He said this is a fair contract for both sides and understands the Highway union has already voted in the affirmative.

#### ROLL CALL VOTE

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

Noes: None

#### DECLARED ADOPTED

Resolution No. 155 of 2019, a resolution approving a Stipulation of Settlement with CSEA regarding an outstanding grievance.

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

WHEREAS, on April 2, 2018, CSEA, Local 100 AFSCME demanded arbitration on behalf of two members of the Highway Bargaining Unit regarding application of Article XXII, Section 7 of the then-existing Collective Bargaining Agreement, as modified by subsequent agreement, and

WHEREAS, arbitration of the matter was scheduled to take place on May 30, 2019, and

WHEREAS, the Town Board wishes to resolve the dispute with CSEA over the application of Article XXII, Section 7 regarding an allowance for work boots and clothing to retiring members of the bargaining unit; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute the attached Stipulation of Settlement, and be it further

RESOLVED, that the Comptroller is authorized to pay Jerry Dumary and Michael Thompson \$135 each, as wages in full, and complete satisfaction of the Demand for Arbitration and the related grievance, to be paid from DA-5110-E3000 (Highway-General Repairs-Laborers).

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, adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of Town business.

Motion carried at 8:25 p.m.

Patricia O'Donnell  
Town Clerk