

TOWN OF CLIFTON PARK TOWN BOARD

May 2, 2022

The 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
Councilwoman Flood
Councilwoman Standaert
Councilman Morelli
Councilwoman Walowit
Town Clerk Brobston

Also Present: Town Attorney McCarthy
Mark Heggen, Comptroller
Matt Andrus, Information Specialist
Dahn Bull, Highways Superintendent
Daniel Clemens, Director of Buildings, Parks & Recreation
Myla Kramer, Director of Parks, Recreation & Community Affairs

MINUTES APPROVAL

MOTION by Councilwoman Walowit, seconded by Councilwoman Flood, to approve the minutes of the April 18, 2022, meeting as presented.

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert,
Councilwoman Walowit, Supervisor Barrett

Noes: None

Abstain: Councilman Morelli

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATION

Supervisor Barrett announced Bulk Waste Pick Up has begun with the northern section of Town with the remaining sections in the next 2 weeks. Additional information can be found on the Town website or by contacting the Supervisor's office.

Supervisor Barrett reminded residents of the Paint/Stain Recycling Program beginning this Thursday at the Transfer Station during normal hours. No permit is needed to participate in the program. This program will be on-going.

Supervisor Barrett stated, working with Saratoga County, lifeguard training will be offered free to residents throughout the County. Clifton Park will be 1 site for the lifeguard training. Details to follow.

Supervisor Barrett thanked residents for donations of food items for the Jonesville Food Pantry that were collected at the recent free Shredding Day. The next Shredding Day to be announced for the fall.

Councilwoman Flood announced, in observance of Historic Preservation Month, the Historic Preservation Commission will be holding an Archaeology exhibit at the Grooms Tavern on Sunday, May 15, Noon – 4 PM. Dr. Christina Reith, NYS Archaeologist will give a lecture on the Cultural Resource Survey Program. The event is free and open to the public. Tours, refreshments and entertainment will be provided.

PRESENTATION
SHENENDEHOWA CENTRAL SCHOOL DISTRICT SUPERINTENDENT

Superintendent Dr. Oliver Robinson gave a presentation of the upcoming 2022-23 school budget. He is encouraging residents to get out and vote on the budget which will be held on May 17, 7AM-9PM at the Gowana Gym. He explained the district began the budget development process by looking forward and redefining normal with a keen focus on continued adjustments, improving from the lessons learned over the past two years. It also focuses on preserving quality people and tracking them. The proposed \$194,356,052 budget for 2022-23 includes spending increase of 3.85% (\$7,197,668). The proposed budget is a tax levy of 1.87% which is under the NYS tax cap. The estimated true value tax rate would decrease by an estimated 0.77%. A property value estimated at \$3000,000 would see an estimated tax bill decrease of \$36. The budget also recognized the significance of technology and the access to both teachers and students in terms of infrastructure. The Board is looking at the current job market and focusing on looking at the courses to be offered. Dr. Robinson announced the 7 school board candidates vying for 3 seats on the Board of Education. The proposed budget also includes bus purchase of 16 vehicles to replace aging buses and multi-purpose maintenance vehicles.

RESOLUTIONS

No one wished to be heard.

Resolution No. 119 of 2022, a resolution approving award recommendations for the Community Preparedness and Resiliency Fund Applications.

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

WHEREAS, by Resolution No. 239 of 2021, the Town Board designated a portion of the Town's funds from the American Rescue Plan Act of 2021 to projects as authorized by the Act, and

WHEREAS, \$200,000 was allocated to be distributed to not-for-profit entities serving the residents of Clifton Park to respond to impacts from the Coronavirus Pandemic and related governmental policies, pursuant to Town Board approval, and

WHEREAS, applications for the 2022 Community Preparedness and Resiliency Fund Applications were received by the application deadline of March 1, 2022, from the organizations listed in the attached Schedule A, and

WHEREAS, the Town Board advertised, and a public workshop was held on April 27, 2022 to review the applications, and recommendations were made for the final amounts granted; now, therefore, be it

RESOLVED, that the Comptroller is authorized to increase the budget from the funds received from the American Rescue Plan to A-7309-180 (General Fund – Community Programs – Community Grants) in the amount of \$200,000 and to issue checks in the amounts granted per Schedule A.

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 120 of 2022, 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 Councilman Morelli, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, bids were solicited for the annual 4th of July fireworks display and opened on April 6, 2022, and

WHEREAS, Santore's World Famous Fireworks, 846 Stillwater Bridge Road, Schaghticoke, New York, has submitted the sole bid, in the amount of \$19,000, for a twenty minute musically choreographed pyrotechnic display, and

WHEREAS, Santore's Fireworks has successfully staged the fireworks display for the Town's 4th of July celebration for several years, and the price bid for the show is in line with prior years, 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 \$19,000 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 \$19,000 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: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 121 of 2022, a resolution awarding a bid to Vital Sign & Graphics for the purchase and installation of new entrance signs for locations at Exits 8, 9, and 10.

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

WHEREAS, quotes were received for the purchase and installation of (3) entrance signs into the Town from Northway Exits 8, 9, and 10, and

WHEREAS, bids were received and opened on April 15, 2022, and

WHEREAS, Vital Sign and Graphics, submitted the sole bid in the amount of \$34,185 for the entrance signs, and

WHEREAS, Daniel Clemens, Director of Buildings, Parks, and Recreation, advises that the price bid is reasonable for the work and recommends accepting the bid, which was submitted by Vital Sign & Graphics, 251 Saratoga St., Cohoes, New York; now, therefore, be it

RESOLVED, that the Town Board accepts the quote of Vital Sign & Graphics for the purchase and installation of (3) Town entrance signs in an amount not to exceed \$34,185, to be paid from A-914 (Unassigned Fund Balance) with a transfer to A-8510 (General Fund – Community Beautification – Equipment).

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Daniel Clemens, Director of Buildings, Parks & Recreation, stated, after adoption of the Clifton Common fencing bid was awarded on April 18, 2022, he called WBE Fence Company for start date. The company stated that they could no longer perform the work for the price quoted. He stated he had called them just prior to the date of approval to be sure the pricing stood, and they replied yes. The price increased from \$260,000 to \$440,000.

Supervisor Barrett explained the project was bided twice. The Town Board will need to make a decision whether to go with the higher quote. The company was the single bidder. The fence is in need of replacement.

Resolution No. 122 of 2022, a resolution awarding a bid to Continuum Renewables, LLC, for the installation of a new dumpster enclosure for the Transfer Station.

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

WHEREAS, the Buildings & Grounds Department solicited sealed bids for a project to install a concrete slab for the recycling building and a wooden structure for C&D Building #4, pursuant to Section 103 of the General Municipal Law, and

WHEREAS, bids were received and opened on April 5, 2022, and

WHEREAS, Continuum Renewables LLC, submitted the lowest bid in the amount of \$75,500, for both projects, and

WHEREAS, Daniel Clemens, Director of Buildings, Parks, and Recreation, has reviewed the documentation and recommends accepting the bid, which was submitted by Continuum Renewables, LLC, 69 Oliver Street, Cohoes, New York; now, therefore, be it

RESOLVED, that the Town Board accepts the bid of Continuum Renewables for the installation of a concrete pad for the recycling area and construction of C&D Building #4, in a total amount not to exceed \$75,500, to be paid from A-914 (Unassigned Fund Balance) with a transfer to A-8160-200 (General Fund – Transfer Station – Equipment).

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 123 of 2022, a resolution authorizing the hiring of Hunter Scagnelli as 2022 summer help for the Buildings and Grounds Department.

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

WHEREAS, an opening exists for seasonal help in the Buildings and Grounds Department, and

WHEREAS, Daniel Clemens, Director of Buildings, Parks, and Recreation, has recommended that Hunter Scagnelli, be hired to fill the seasonal position; now, therefore, be it

RESOLVED, that Hunter Scagnelli, 70 Blue Jay Way, Rexford, NY, be employed as a seasonal worker for Buildings and Grounds for 2022, to be paid \$16/hour from A-7110-E4000 (Buildings & Grounds – PT Seasonal Labor), retroactive to April 27, 2022.

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 124 of 2022, a resolution authorizing the installation of new flooring in the CAPTAIN offices of the Public Safety Building.

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

WHEREAS, Daniel Clemens, Director of Buildings, Parks, and Recreation, advises that the carpeting in the CAPTAIN offices at the Public Safety Building are in need of replacement, and

WHEREAS, Mr. Clemens recommends that Northeast Commercial Interiors, Clifton Park, NY, be authorized to supply and install the flooring, for an amount not to exceed \$7,892, under state contract; now, therefore, be it

RESOLVED, that the replacement of existing carpeting in the CAPTAIN offices of the Public Safety Building, is awarded to Northeast Commercial Interiors, PO Box 4843, Clifton Park, NY, at a cost not to exceed \$7,892, under State Contract #PC-6778 to be paid from A-1621-200 (General Fund - Public Safety Building – Equipment).

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 125 of 2022, a resolution authorizing Prime Engineering to publish bid documents for a water quality improvement project in the Clifton Park Center Road area.

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

WHEREAS, by Resolution No. 18 of 2015, the Town Board authorized Scott Reese, Storm Water Management Technician, to submit grant application documents to New York State Department of Environmental Conservation for a stormwater improvement project on Clifton Park Center Road, and

WHEREAS, the Town has been awarded grant funding up to \$215,625 for the project, and

WHEREAS, Mr. Reese has worked with Prime Engineering to re-scope and define the project consistent with the goals and standards of the State’s Water Quality Improvement Grant Contract, with current estimates for the project at \$287,500, and

WHEREAS, the grant contract has been extended through September 30, 2022, to accommodate adjustments to the engineering scope, and

WHEREAS, the Town has received authorization from NYS DEC to solicit bids for the implementation of the project; now, therefore, be it

RESOLVED, that Prime Engineering is authorized to advertise for bids for the construction/implementation phase of the project, and be it further

RESOLVED, that the Town Board commits to the local match associated with grant funding for the project, and be it further

RESOLVED, that the authority delegated to Mr. Reese to process all documents associated with the project is re-approved.

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 126 of 2022, a resolution awarding the bid for pool chemicals for the Barney Road, Locust Lane and Burning Bush pools for the 2022 Season.

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

WHEREAS, on April 21, 2022, sealed bids were received for the above referenced contract pursuant to General Municipal Law 103, and

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

Sodium Hypochlorite	Per Gallon	\$2.55/gal
Car Boy Bleach	5 Gallon Container	\$13.75/container
Muriatic Acid	Per Gallon in 5-gallon carboy	\$8.50/gal
Drum Deposit		\$8.00 per carboy
Sodium Bisulfate	Per Pound	\$0.74/pound
Delivery Fuel Surcharge		\$51.50

Now, therefore, be it

RESOLVED, that the Town Board hereby accepts and awards the above referenced bid to Surpass Chemical Co., Inc., 1254 Broadway, Albany, NY, to be paid as follows: from line A-7150-045 (Barney Road Pool – Supplies), from line A-7152-045 (Locust Lane Pool – Supplies) and from line SP5-7151-045 (Country Knolls Pool – Supplies), in accordance with the amount used at each pool.

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 127 of 2022, a resolution authorizing the purchase of a 22 ft wood tilt deck trailer for use by the Highway Department.

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

WHEREAS, Highways Superintendent Dahn Bull, solicited quotes for the purchase of a flat-bed trailer for general use by the Highway Department for hauling equipment and to support paving operations, and

WHEREAS, quotes were received from three sources, and H&M Equipment submitted the lowest quotes for the equipment, and

WHEREAS, Highways Superintendent Dahn Bull, has advised that the Kaufman 8K 22-foot wood tilt deck trailer will meet the needs of the Highway Department and is currently available from H&M Equipment Co., Inc., Amsterdam, NY; now, therefore, be it

RESOLVED, that the Highway Department is hereby authorized to purchase a Kaufman 8K trailer, per the attached list, in an amount not to exceed \$10,256 to be paid from DA-5130-219 (Highway – Machinery – Highway Truck).

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 128 of 2022, a resolution authorizing the Highways Superintendent to retain Precision Trenchless, LLC to perform repairs and upgrades to stormwater facilities within Town.

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

WHEREAS, by Resolution No. 239 of 2021, the Town Board designated \$350,000 of the Town's funds from the American Rescue Plan Act of 2021 for stormwater upgrades and repairs, and

WHEREAS, pursuant to General Municipal Law Section 103 (16), municipalities in New York are authorized to "piggyback" from competitively bid contracts of other municipalities within the state, so long as the bid process from the original contracting entity was conducted through a sealed bid process pursuant to the statute, and the bid notice provided for such piggybacking, and

WHEREAS, the Highways Superintendent has now requested authorization to enter a contract with Precision Trenchless, LLC, 1710 Erie Blvd., Schenectady, NY, using the piggyback option from the 2020 Contract #10394 of Onondaga County, attached, whose bids were opened on May 7, 2020, with prices valid through June 30, 2023, according to bid documents and correspondence reviewed from the Onondaga County Division of Purchase, and

WHEREAS, according to information provided by the Highways Superintendent, Precision Trenchless has provided quotes in the amount of \$357,637.66 for sliplining pipes, per Exhibit A, using unit prices as bid in the Onondaga contract; now, therefore, be it

RESOLVED, that the Superintendent of Highways is authorized to retain Precision Trenchless, LLC for a total amount not to exceed \$357,637.66 from DA-5110-037 (Highway Budget – Paving – Sliplining); and be it further

RESOLVED, that the Comptroller is authorized to transfer \$350,000 from ARPA funds to DA-5110-037 (Highway – Paving – Sliplining).

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 129 of 2022, a resolution adopting amendments to the Town's Procurement Policy.

Introduced by Councilman Morelli, who moved its adoption, seconded by Councilwoman Flood.

WHEREAS, pursuant to General Municipal Law Section 104-b, the Town is required to adopt a written procurement policy to facilitate the acquisition of goods and services at the lowest price to the taxpayers under the circumstances of the Town's needs in the marketplace, and

WHEREAS, the Town Board last amended the policy by Resolution No. 48 of 2021, adding Best Value criteria for certain purchase contracts, and

WHEREAS, by Resolution No. 249 of 2021, the Town Board required that all relevant documents, contracts and bid procedures for resolutions, be marshaled and posted on the Town's website at least 24 hours before each Town Board meeting scheduled at which the resolution may be considered, and

WHEREAS, the Town's Procurement Policy requires either the Town Attorney, Town Comptroller, or both, to make determinations concerning all procurements made by the various departments within the Town, and

WHEREAS, the Town Comptroller and Town Attorney recommend that the Town Board amend the procurement policy to ensure an adequate timeframe for that review, and to clarify the obligation of the various departments to cooperate with these offices as they review significant purchases being made or sought by the town and its department components under any authorized procurement method, and

WHEREAS, the Town Board wishes to provide the offices charged with procurement review, adequate time to review the relevant contracts and competitive methodology for significant purchase and acquisitions, and to ensure that all departments cooperate with these offices throughout such review; now, therefore, be it

RESOLVED, that the Town's Procurement Policy is hereby amended through the addition of POLICY 1A and POLICY 1B, attached.

ROLL CALL VOTE

Ayes: Councilman Morelli, Supervisor Barrett

Noes: Councilwoman Flood, Councilwoman Standaert, Councilwoman Walowit

RESOLUTION FAILED

Councilman Morelli stated his concerns relating to the current procurement policy. He requested the Town Attorney to make recommendations to correct the deficiencies and concerns. He reviewed the current policy and laws pertaining. He stated, at the April 11 Town Board meeting, there was a motion for the Board to go into Executive Session to talk about policy. He has concerns that that Executive Session was improper. Executive Session law was read. He is

bringing up a matter of policy. He stated, on April 4 the Town Attorney issued a Memo to the Town Board regarding procurement. Parts of memo's dated April 4 and April 18, Executive Sessions Under Public Officer's Law, were read aloud. His concern is when the Town Board is passing resolutions or acting on Town business, he is acting according to law.

(Amendment added per June 6, 2022 meeting) Town Attorney and Comptroller requested more time for reviews.

Review of the proposed amendments to the current procurement policy were reviewed.

Councilwoman Flood questioned how long the current procurement policy has been in place.

Comptroller Heggen stated the general overall policy has not changed for years.

Proposed amendments, proper executive sessions and mediation discussion was held.

Resolution No. 130 of 2022, a resolution appointing Jennyfer Gleason as a Member of the Planning Board.

Introduced by Councilwoman Flood, who moved its adoption, seconded by Councilman Morelli.

WHEREAS, a vacancy exists for a member of the Planning Board, and

WHEREAS, Supervisor Barrett recommends that the current Alternate, Jennyfer Gleason, 2 Queensbury Ct., Clifton Park, be appointed to the position as a Member; now, therefore, be it

RESOLVED, that Jennyfer Gleason is hereby appointed as a Member of the Planning Board for the remainder of a 7-year term, with the term to expire on December 31, 2026.

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 131 of 2022, 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 Flood.

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 May 19, 2023, at an annual rent of \$21,600, and

WHEREAS, the Tenant may elect to remain in possession of the property after May 19, 2023, as a month-to-month tenant for up to twelve (12) consecutive months; now, therefore, be it

RESOLVED, that the 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 certificate holder.

ROLL CALL VOTE

Ayes: Councilwoman Flood, Councilwoman Standaert, Councilman Morelli,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Bonnie Arbitrio, MacElroy Road, expressed concerns with the speed limit on MacElroy Road. She suggested the speed limit of 45mph be reduced to 30-35mph for 1 mile on MacElroy Road starting at the intersection of Main Street and MacElroy.

The Highway Safety Committee will review this concern.

Darlene McGraw, Northpointe, announced May 20 is National Bike to School Day and cautioned residents to be aware of students/bikes. Requested a location for a bike workshop.

MOTION BY Councilwoman Walowit, seconded by Councilman Morelli to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of town business.

Motion carried at 9:13 PM

Teresa Brobston
Town Clerk