

TOWN OF CLIFTON PARK

TOWN BOARD MEETING

September 3, 2013

- I. Call to Order/7:00 P. M.
- II. Pledge to Flag
- III. Roll Call
- IV. Approval of Town Board Minutes
- V. Communications/Announcements
- VI. Business
 - Resolutions for Consideration
 - Other Business
 - Executive Session
- VII. Open Public Privilege

NOTE:

Each speaker shall state name and address prior to addressing the Board and shall be granted the floor for a single time frame of up to five minutes. The Board asks that members of the public respect the opportunity of the speaker at the podium to be heard, and asks that the public refrain from conducting side meetings within the meeting room.

In an effort to ensure that the widest number of community viewpoints are heard, the Board asks members of groups or the public to withhold comment, if their viewpoints have already been presented.

The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the Town decision making process.

- VIII. Adjournment

Resolutions for Consideration

Clifton Park Town Board Meeting

September 3, 2013

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Supervisor	Authorize the Supervisor to sign Change Order No. 1 for Softball Drainage Improvements with Wm. J. Keller & Sons Construction, increasing the cost by \$8,673.00	P. Barrett
2. Highway	Authorize Countryman Estates Subdivision to conduct a Block Party on September 28 th from 3 P.M. to 8 P.M.	P. Barrett
3. Highway	Authorize Crescent Estates subdivision to conduct a Block Party on September 21 st from 12 P.M. to 4 P.M.	P. Barrett
4. Highway	Authorize Hunter Meadow Subdivision to conduct a Block Party on September 21, 2013 from 10:00 A.M. to 12:00 midnight	P. Barrett
5. Highway	Authorize the transfer of \$20,486 from Emergency Repairs into Bridge Account-Engineering Services for emergency repairs to the Carlton Road Bridge	P. Barrett
6. Supervisor	Authorize Heliosage Inc., to submit an amended application to NYSERDA for funding for a Solar Project at the Transfer Station	P. Barrett
7. Supervisor	Authorize the Supervisor to sign an Agreement for electric services with Integrys Energy Services of New York, retroactive to August 22, 2013	P. Barrett
8. Buildings & Grounds	Authorize transfer of \$2,500.00 from Meadow Estates Assigned Fund Balance to Meadow Estates General Maintenance for additional landscape work in Meadow/Addison Estates	P. Barrett
9. Community Develop.	Declare September 2013 “Town and National Preparedness Month”	P. Barrett
10. Community Develop.	Authorize CERT Member/Instructor Ronald Volungus to attend CERT Training October 15-18, 2013 in Oriskany, New York	P. Barrett

Resolutions for Consideration

Clifton Park Town Board Meeting

September 3, 2013

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
11. Supervisor	Proclaim September 17, 2013 through September 23, 2013 Constitution Week in the Town of Clifton Park	P. Barrett
12. Supervisor	Approve Health Reimbursement Account agreement with CDPHP for September 1, 2013 through September 1, 2014	P. Barrett

Resolution No. _____ of 2013, authorizing the Supervisor to sign Change Order No. 1, with William J. Keller & Sons Construction for Softball Drainage Improvements.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Resolution No. 165 of 2013 authorized a contract with William J. Keller and Sons Construction, in an amount of \$263,910.63 for Softball Drainage Improvements, and

WHEREAS, a Change Order was prepared by McDonald Engineering which provides the breakdown of individual item costs; and

WHEREAS, the Change Order results in an increase of \$8,673.00 for Softball Drainage Improvements from the awarded amount of \$263,910.63 to arrive at a new contract amount of \$272,583.63; now therefore be it

RESOLVED, that the Supervisor is hereby authorized to sign Change Order No. 1, dated July 24, 2013, to William J. Keller for an increase of \$8,673.00; and be it further

RESOLVED, that the increased contract amount of \$8,673.00 is to be paid from A-7112-200 (Clifton Common-Equipment), additional cost will not increase the overall budget.

Resolution No. _____ of 2013, a resolution authorizing the residents of Countryman Estates North subdivision to conduct a Block Party on September 28, 2013.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the residents of Countryman Estates North plan to conduct a block party within the subdivision on September 28, 2013, from 3:00 P.M. to 8:00 P. M. and have requested permission to use Patriot Circle 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 Patriot Circle, September 28, 2013 from 3:00 P.M. to 8:00 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.

Resolution No. _____ of 2013, a resolution authorizing the residents of Crescent Estates subdivision to conduct a Block Party on September 21, 2013.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the residents of Crescent Estates plan to conduct a block party within the subdivision on September 21, 2013, from 12:00 P.M. to 4:00 P. M. and have requested permission to use Walnut at Parkwood to Irene Drive 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 Walnut at Parkwood to Irene Drive, September 21, 2013 from 12:00 P.M. to 4:00 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.

Resolution No. _____ of 2013, a resolution authorizing the residents of Hunter Meadow Subdivision to conduct a Block Party on September 21, 2013.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the residents of the Hunter Meadow Subdivision plan to conduct a block party within the subdivision on September 21, 2013, from 10:00 A.M. to 12:00 midnight and have requested permission to use Hunter Meadow off of Pine Hill Bend, 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 Hunter Meadow off of Pine Hill Bend, September 21, 2013 from 10:00 A.M. to 12:00 midnight 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.

Resolution No. _____ of 2013, a resolution authorizing the transfer of \$20,486.00 from Emergency Repairs into Bridge Repair to cover the cost of Engineering services for Carlton Road Bridge Repair.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, Highway Superintendent Richard Kukuk determined that the bridge at Carlton Road was in need of immediate repairs which could not await the competitive bidding process; and

WHEREAS, Resolution No. 191, declared a public emergency pursuant to General Municipal Law Section 103(4) due to damage to Carlton Road Bridge; and

WHEREAS, Highway Engineering consultant acted as Architectural Engineer and Consultant for the Carlton Road Bridge investigation and repair, and

WHEREAS, Foit-Albert had previously submitted an invoice for \$12,500.00 for Engineering Services to develop plans and conduct the Carlton Road Bridge Investigation, invoice having been paid with funds from the General Fund (A-601); and

WHEREAS, Foit-Albert has submitted an additional invoice for \$7,985.80 for the finalization of Plans and Department of Transportation (DOT) approval, as well as Supervision of the repair work, and

WHEREAS, it is necessary to transfer \$20,486.00 from Emergency Repairs into Bridge Repair to cover the cost of Engineering Services; now therefore be it

RESOLVED, that the Comptroller is authorized to transfer \$20,486.00 from DA5110-21 (Emergency Repairs) to DA5120-135 (Bridge-Engineering Services) to cover the cost of engineering services for Carlton Road Bridge Repair and to repay the General Fund for preliminary engineering costs of the Carlton Road Bridge.

Resolution No. _____ of 2013, a resolution authorizing Heliosage, Inc. to submit an amended application to New York State Energy Research and Development Authority (NYSERDA), for funding for a Solar Project at the Transfer Station.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, by Resolution No. 80 of 2013 the Town Board authorized the Supervisor to execute a Letter of Intent to partner with Heliosage, Inc. to apply for NYSERDA funding for a Solar Project at the closed Town of Clifton Park Landfill, and

WHEREAS, Heliosage, Inc. submitted an application to NYSERDA on March 15, 2013 for the second “round” of funding applications under Program Opportunity Notice 2589, and

WHEREAS, the Clifton Park Program was not funded as part of the Round 2 funding awards, and

WHEREAS, the Town Board wishes to authorize Heliosage, Inc. to submit a revised application for Round 3 funding with adjusted projections for pricing, now, therefore be it

RESOLVED, that Heliosage, Inc. is authorized to submit a revised application to NYSERDA for funding of a Solar Project for the Clifton Park Landfill based on a Power Purchase Agreement with the Town of Clifton Park with Energy Cost at \$.069 per KWH, growing at 1.5% annually over the term of the Agreement.

Resolution No. _____ of 2013, a resolution authorizing and ratifying the renewal of the Town's Electricity Contract with Integrys Energy Services of New York.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Town's most recent Electricity Supply Contract with Integrys Energy Services of New York is due to expire on January 4, 2014, and

WHEREAS, Integrys Energy Services is part of the Municipal Electric and Gas Alliance, with Competitive Pricing through various Wholesale Supply Sources, and

WHEREAS, Energy prices fluctuate on a daily basis, and locking in future rates requires that future Contracts be executed in a timely manner in response to such price movements; and

WHEREAS, the Town wishes to renew its Wholesale Electric Supply Contract for Calendar Year 2014 to ensure Price and Budgetary Stability for the Town's Electricity needs, now therefore be it

RESOLVED, that the Supervisor is authorized to execute the attached Electric Supply Contract with Integrys Energy Services of New York, through January 4, 2015 and that the Town Board ratifies the Commitment signed by the Supervisor on August 23, 2013.

Resolution No. _____ of 2013, a resolution authorizing the transfer of \$2,500.00 from Meadow Estates Assigned Fund Balance to Meadow Estates General Maintenance fund for additional landscape work in Meadow/Addison Estates.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, additional landscaping work is needed in Meadow/Addison Estates Park District at an estimated cost of \$2,500.00; now therefore be it

RESOLVED, that the Town Board as Commissioners of the Meadow/Addison Estates Park District authorizes the transfer of \$2,500.00 from Assigned Fund Balance to SP12-7142-24 (Meadow Estates-General Maintenance) for additional landscape work needed in the Meadow/Addison Estates Park District.

Resolution No. _____ of 2013, a resolution proclaiming September 2013 as Town and National Preparedness Month.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, “National Preparedness Month” creates an important opportunity for every resident of the Town to prepare their homes, businesses and communities for any type of emergency including natural disasters and potential terrorist attacks; and

WHEREAS, investing in the preparedness of ourselves, our families, businesses, and communities can reduce fatalities and economic devastation in our communities and in our nation; and

WHEREAS, the Federal Emergency Management Agency’s *Ready* Campaign, Town Citizen Corps, and CERT and other federal, state, local, tribal, territorial, private, and volunteer agencies are working to increase public activities in preparing for emergencies and to educate individuals on how to take action; and

WHEREAS, emergency preparedness is the responsibility of every citizen of the Town of Clifton Park and all citizens are urged to make preparedness a priority and work together, as a team, to ensure that individuals, families, and communities are prepared for disasters and emergencies of any type; and

WHEREAS, all citizens of the Town of Clifton Park are encouraged to participate in citizen preparedness activities and asked to visit the websites of the *Ready* Campaign at Ready.gov or CP.org and become more prepared; now therefore be it

RESOLVED, that the Town of Clifton Park hereby proclaims September, 2013 as Town and National Preparedness Month, and encourages all citizens and businesses to Develop their own emergency preparedness plan, and work together toward creating a more prepared society.

Resolution No. _____ of 2013, a resolution authorizing CERT Instructor/Volunteer Ronald Volungus to attend CERT Training at the State Preparedness Training Center, in Oriskany, New York.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the New York State Division of Homeland Security and Emergency Services is presenting a CERT Training Course October 15-18, 2013 in Oriskany, New York; and

WHEREAS, the Director of Community Development has recommended that CERT volunteer Ronald Volungus, 4 Applewood Drive, Clifton Park be authorized to attend the course; and

WHEREAS, Mr. Volungus's attendance at the Course will confer a benefit upon Town residents; now therefore be it

RESOLVED, that Ronald Volungus is hereby authorized to attend the CERT Training Course being presented by the New York State Division of Homeland Security and Emergency Services October 15- 18, 2013; and be it further

RESOLVED; that the Comptroller is authorized to reimburse Mr. Volungus an amount not to exceed \$600.00 utilizing Federal per diem rates for costs incurred for mileage and tolls to attend the seminar, to be paid from A-8762-001 (Travel-Mileage).

Resolution No. _____ of 2013, a resolution proclaiming September 17, 2013 through September 23, 2013 as Constitution Week in the Town of Clifton Park.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, September 17, 2013 marks the 226th anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, the United States Constitution was the first document of its kind in the world and has paved the way for millions of people since that have sought democracy and freedom; and

WHEREAS, the Clifton Park Town Board proudly recognizes that this document has secured the Blessings of Liberty for many generations of Americans by instilling power in We the People; and

WHEREAS, it is fitting and proper to officially recognize this magnificent document that is the supreme law of our nation and the anniversary of its creation; and

WHEREAS, public law 915 guarantees the issuing of a proclamation each year by the President of the United States designating September 17 through 23 as constitution week, now therefore, be it

RESOLVED that the Town Board proclaims September 17, 2013 through September 23, 2013 as Constitution Week in the Town of Clifton Park and encourages all residents to re-familiarize themselves with this powerful document and reaffirm the ideals of the Framers.

Resolution No. _____ of 2013, a resolution approving the Health Reimbursement Arrangement Plan Agreement with CDPHP for September 1, 2013 through September 1, 2014.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, by Memorandum of Agreement dated July 14, 2011 with the Town's Collective Bargaining Units, and by subsequent agreements effective September 1, 2011, the Town entered into a high Deductible HMO Health Plan for Employees, Retirees and their dependents, and

WHEREAS, by Resolution No. 220 of 2012 the Town Board authorized an Administrative Agreement with Capital District Physician's Healthcare Network, Inc. (CDPHP) for the Health Reimbursement Arrangement for the period September 1, 2012 through September 1, 2013, and

WHEREAS, the Town wishes to renew the Agreement with CDPHP for the Administration of the Health Reimbursement Arrangement associated with the Town's High Deductible HMO Health plan through September 1, 2014, now, therefore be it

RESOLVED, that the attached Health Reimbursement Arrangement Plan Document is hereby approved by the Board in the form presented, and be it further

RESOLVED, that the Supervisor is authorized to execute the attached Health Reimbursement Arrangement Plan Document and related Administrative Agreements with CDPHP for the continuation of the Health Reimbursement Arrangement Plan, and be it further

RESOLVED, that the Employer shall be the Sponsor of the HRA and shall be the Administrator of the HRA for purposes of ERISA, and be it further

RESOLVED, that the Employer hereby appoints the Administrative Agent to assist it with the administration of the HRA and to perform all such non-discriminatory duties related thereto, and be it further

RESOLVED, that the Administrative Agent shall be instructed to take such actions that are deemed necessary and proper in order to implement the HRA, and to set up adequate accounting and administrative procedures to provide benefits under the HRA, and be it further

RESOLVED that the duly authorized agents of the Employer shall act as soon as possible to notify the Employees of the Employer of the adoption of the HRA by delivering to each Employee a copy of the summary description of the HRA in the form of the Summary Plan Description presented to this meeting, which form is approved.

Philip C. Barrett, Supervisor of the Town of Clifton Park

Date